



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III

STATEMENT OF BASIS

FORMER SOLID STATE SCIENTIFIC, INC.
BUILDING No. 2 AREA

MONTGOMERY TOWNSHIP, PENNSYLVANIA 18936

EPA ID NO. PAD002278331

Prepared by
Office of Pennsylvania Remediation
Land and Chemicals Division

June 2020

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Section 1: Introduction

The United States Environmental Protection Agency (EPA) has prepared this Statement of Basis (SB) to solicit public comment on its proposed decision for the Former Solid State Scientific, Inc. (SSSI), Building 2 facility located at 160 Commerce Drive, Montgomeryville, PA 18936 (Facility). EPA's review of available information indicates that there are no unaddressed releases of hazardous waste or hazardous constituents from the Facility. Based on that assessment, EPA's proposed decision is that no further investigation or cleanup is required. EPA has determined that its proposed decision is protective of human health and the environment and that no further corrective action is necessary as the land use and groundwater use controls at the facility have been established through the recorded September 9, 2019 Deed Restrictions of the PADEP Act 2 program. This SB highlights key information relied upon by EPA in making its proposed decision.

The Facility is subject to EPA's Corrective Action Program under the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) of 1976, and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. §§ 6901 et seq. (Corrective Action Program). The Corrective Action Program is designed to ensure that certain facilities subject to RCRA have investigated and cleaned up any releases of hazardous waste and hazardous constituents that have occurred at their property. The Commonwealth of Pennsylvania (Commonwealth) is not authorized for the Corrective Action Program under Section 3006 of RCRA. Therefore, EPA retains primary authority in the Commonwealth for the Corrective Action Program.

The Administrative Record (AR) for the Facility contains all documents, including data and quality assurance information, on which EPA's proposed decision is based. See Section 5, Public Participation, for information on how you may review the AR.

Section 2: Facility Background

The former SSSI Building 2 Site is located at 160 Commerce Drive, Montgomery Township, PA and consists of 3.3 acres. The Site is a parcel of the Former SSSI Facility. Currently, the Former SSSI Building 2 area is owned and operated by 160 Commerce Drive LP, which leases portions of the building to commercial tenants. Current uses include storage, a closet assembly business, and a water resources consulting firm office. The Site is located at the northern corner of the intersection of Commerce Drive and Enterprise Road within an industrial park. **Figures 1 (Attachment 1) and 2 (Attachment 2)** depict a Site location map and a Site base map. Surrounding areas are similarly commercial and industrial to the north, south, and east, with additional commercial properties (shopping centers, etc.) located west and northwest of the Site along Stump Road. The closest residences are at least 650 feet northwest of the Site beyond Stump Road.

Statement of Basis

Section 2: Facility Background (continued)

The Former SSSI Montgomeryville facility was a semiconductor manufacturing facility that produced large-scale integrated circuits. These circuits were used in watches, clocks, smoke detectors, computers, space and telecommunications, military communications, and various other uses. The circuits were produced on the surface of a silicone wafer with each wafer containing as many 800 circuits. The wafers were mass-produced using photographic techniques, high temperature heat treatments, and chemical processing.

Three properties historically associated with the former SSSI facility include the current addresses 160, 200, and 201 Commerce Drive. These addresses were the former locations of SSSI buildings #2, #3, and #1, respectively. Building #3 of SSSI was located south of Building #2 and is currently owned by Grampians, LP and operated by Saint-Gobain Abrasives, Inc. Building #1 of SSSI was located southeast of Buildings #2 and #3. Building #1 is now occupied by Aztec Products, Inc., a family-owned USA manufacturer of janitorial maintenance floor machines and converter of gasoline engines to LPG for other equipment manufacturers. The three properties are located in an industrial park. Neighboring properties are mostly industrial and commercial with some residences in the general vicinity.

Buildings #2 and #3 of the former SSSI buildings processed the silicone wafers and building #1 contained the photo processing operation. The facility utilized a variety of acids, solvents, and photo-chemicals. All spent acid and low pH rinse streams were neutralized with sodium bicarbonate before being discharged to a tributary of Park Creek. Used solvents were transported to a neighboring chemical company for reclamation. Also, electroplating was part of the production process.

The Site was previously farmland or a combination of woods and farmland through at least 1965 and the existing building with its current configuration appeared in 1971. A storm water retention pond located west-southwest of the facility building appears to collect surface water drainage from most of the Site and other parts of the surrounding industrial park. Pond overflow drains to the southeast through an underground corrugated plastic pipe to a stream that runs parallel to Enterprise Road and flows to the southeast. This stream joins Park Run approximately 1,300 feet southeast of the Site.

PADEP approved an Act 2 release for the Facility in December 2018. PADEP's approval required that the property be limited to non-residential use and groundwater use is prohibited. Deed restrictions to that effect were recorded with the county in September 9, 2019. A copy of the Recorded Deed Restrictions is attached as Attachment 3.

In August 1980, the former SSSI facility submitted a Notification of Hazardous Waste Activity for its generation and treatment/storage/disposal of hazardous waste.

Statement of Basis

Section 2: Facility Background (continued)

Hazardous wastes listed include D000, D001, D002, D003, F001, F002, F005, P010, U002, U070, U071, U072, U134, U140, U154, U188, U220, U226, U229, and U239. In 1984, the former SSSI facility changed its status to a generator only.

In August 1980, the former SSSI facility submitted a Notification of Hazardous Waste Activity for its generation and treatment/storage/disposal of hazardous waste.

Hazardous wastes listed include D000, D001, D002, D003, F001, F002, F005, P010, U002, U070, U071, U072, U134, U140, U154, U188, U220, U226, U229, and U239. In 1984, the former SSSI facility changed its status to a generator only.

Section 3: Summary of Environmental History

For all environmental investigations conducted at the Facility, groundwater concentrations were screened against federal 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, or if there was no MCL, EPA Region III Screening Levels (RSL) for tap water for chemicals. Soil concentrations were screened against EPA RSLs for residential soil and industrial soil. EPA also has RSLs to protect groundwater and soil concentrations were also screened against these RSLs.

Investigations and remedial actions conducted at the facility consists of closures of solid waste management units (Wastewater Treatment Plant, Waste Chemical Storage Areas, manufacturing facilities, and a solvent-containing underground storage tank), remediation of contaminated soil, and investigations and remediations under Act 2.

The facility attained Statewide Health Standards (SHSs) for soil and Site -Specific Standards (SSSs) for groundwater in 2018. The facility is restricted to non-residential uses and groundwater use at the facility is prohibited (Deed Restrictions recorded on September 9, 2019).

A. Closure of Solid Waste Management Units

The SSSI Building #2 contained manufacturing facilities, solvent containing underground storage tank (UST), waste chemical storage areas, and the wastewater treatment plant.

A Closure Plan for the Waste Treatment Plant and Waste Chemical Storage Areas dated December 1984 was approved by the Pennsylvania Department of Environmental Resources (PADER – now PADEP) in March 1985.

Section 3: Summary of Environmental History (continued)

The closure activities for the Waste Treatment Plant included flushing the piping and tanks followed by disposal of the rinse water.

The closure activities for the Waste Chemical Storage Areas included the removal of the Waste Solvent Tank and piping, and the removal from the Drum Storage Area of approximately 75 drums containing waste materials (acids, solvents, and miscellaneous). The analytical results of The Waste Solvent Tank pit soil samples showed that no elevated VOCs found. Soil sampling results from the Drum Storage Area showed that chromium was detected at 47 parts per million (ppm) by an "EP Tox" analysis, above the allowable "EP" toxicity limit of 5 ppm. As a result, two inches of bituminous pavement and 12-16 inches of soil were excavated.

Closures of the Wastewater Treatment Plant, Waste Solvent Tank Area, and Drum Storage Area were approved by PADEP in September 1985.

Closures of the manufacturing facilities, ductwork, and a solvent-containing UST were certified in 1986. Analysis of the liquid in the UST identified the presence of CFC-113 or Freon 113 (trichlorotrifluoroethane).

B. Remediation of Contaminated Soil

In 1987, the property was sold by SSSI to Horsham Valley Development Corporation (HVDC). In 1987, Dames and Moore, working for HVDC, investigated soil and groundwater at the Building 2 area.

Groundwater monitoring wells were installed in 1987. A 1987 groundwater sampling event performed by Dames & Moore included monitoring wells MW-2 through MW-5. TCE, trans-1,2-DCE and vinyl chloride were detected at concentration as high as 636.4 micrograms per liter (ug/l), 1075 ug/l, and 82.6 ug/l, respectively. Related solvent compounds and TCE daughter products were also detected.

Soil samples in the area of the former 550-gallon Underground Storage Waste Solvent Tank were collected. The former 550-gallon Underground Storage Waste Solvent Tank was located outside of the building, south of the southwest wall. The tank was removed in 1975 and replaced with a 550-gallon above ground storage tank (AST). TCE and trans-1,2-DCE were detected in soil samples at concentrations as high as 1,400 ug/kg and 10,000 ug/kg, respectively. As approved by PADER in a letter dated November 2, 1987, Dames & Moore excavated a 30' x 30' x 4' volume of contaminated soil. Approximately 250 tons of impacted soil were excavated and removed from the Site in January 1988.

Section 3: Summary of Environmental History (continued)

C. Act 2 Remedial Investigations and Remediations

Ten Areas of Concern (AOCs) were identified at the Facility:

1. AOC -1 Waste Solvent Tank Area (550-gallon UST)

The 550-gallon Underground Storage Waste Solvent Tank was located outside of the building, south of the southwest wall (Figure 2). The tank was removed in 1975 and replaced with a 550-gallon AST. The closure plan for the Waste Solvent Tank area was approved by PADER in 1985 and the Waste Solvent Tank area was closed in September 1985.

The former Waste Solvent Tank area is presently covered with asphalt paving and is used as a parking lot. This area was paved between 2006 and 2008.

2. AOC-2 Former Acid Treatment Tank (750-gallon UST)

The former Acid Treatment Tank was used in conjunction with the former Wastewater Treatment Plant to treat plant wastes, including electroplating wastes. The tank reportedly used limestone filters and flocculants to neutralize acids and precipitate metals. The tank was used starting in 1979 and was removed during the mid-1980s. Presently, the location is beneath asphalt paving.

3. AOC-3 Former Above Ground Tank Area/ Wastewater Treatment Plant

The Above Ground Tanks including two 2,300-gallon tanks were separately used to collect aqueous and powder wastes, respectively. The tanks were used starting in May 1988. The location of the ASTs is approximately the same as the former Wastewater Treatment Building that was built by SSSI during the early 1980s. SSSI's Wastewater Treatment Building and associated tanks were closed by Storch Engineers in 1985. Presently, the location is beneath asphalt paving and grass.

4. AOC-4 Former Drum Storage Shed

Both raw materials and drummed wastes, including solvents and acids, were stored in this area that was covered by a roof and included spill containment berms. The area was closed by Storch Engineers for SSSI in 1985.

Presently the former Drum Storage Shed has been removed and its location is within an asphalt paved parking lot area.

Section 3: Summary of Environmental History (continued)

5. AOC-5 Former Empty Drum Storage Area

This area, now part of a loading dock, included a fenced 5' x 5' concrete pad used for storage of empty drums awaiting pickup from the facility.

6. AOC-6 Removed UST

American Resources Consultants (1986) reported the closure and removal of a solvent containing UST at the southern corner of Building No. 2. Analysis of the liquid in the UST identified the presence of CFC-113 or Freon 113 (trichlorotrifluoroethane). Closure sampling was conducted by SSSI and the closure was certified in 1986.

7. AOC-7 Former Transformer Pad

A former transformer pad was observed northwest of the building during the RI and was considered as a potential AOC for polychlorinated biphenyls (PCBs).

8. AOC-8 Surface Water Discharges

Surface water discharge violations occurred during 1975-1982. The violations were associated with a NPDES permit. Historical surface water discharges related to NPDES violations included phenol, fluoride, zinc, hexavalent chromium, and low pH.

9. AOC-9 Site-Wide Groundwater

Solvents were identified in groundwater during the investigations by Dames & Moore in 1987.

10. AOC-10 Indoor Air Quality

Potential indoor air impacts from any spills of solvents that could have entered soil beneath the building slab were evaluated.

Investigations of these ten Areas of Concern (AOCs) were performed. Sampling of environmental media (soil, groundwater, surface water, sediment, sub slab soil gas, and soil gas) included priority pollutant (PPL) metals (Total Metals), PPL volatile organic compounds (VOCs), PPL semi-volatile organic compounds (SVOCs), PPL pesticides (Pesticides), and PPL polychlorinated biphenyls (PCBs).

1. Soil

Soil investigations were performed. Surface soil and sub-surface soil samples

Section 3: Summary of Environmental History (continued)

were collected in July and October 2010. Samples were analyzed for VOCs, SVOCs, PCBs, Pesticides, and Metals. The results of the soil investigations demonstrated that no Metals, VOCs, SVOCs, Pesticides, or PCBs exceeded the PADEP Direct Contact or Soil-to-Groundwater Non-Residential MSCs in any of the surface or subsurface soil samples analyzed. The results of soil investigations showed that TCE was detected at concentration as high as 2100 ug/kg in subsurface soil sample, above the EPA direct contact residential screening level (RSL) of 940 ug/kg but below the EPA direct contact non-residential RSL of 6000 ug/kg. The property is currently restricted to non-residential uses by the recorded September 9, 2019 Deed Restrictions. The property meets the EPA's non-residential direct contact screening levels.

2. Groundwater

Groundwater investigations were conducted from 1987 to 2013. Groundwater monitoring wells consisted of 8 shallow bedrock wells (MW-1, MW-2, MW-3, MW-4, MW-5, MW-6, MW-7 and MW-8) and 3 deep bedrock wells (MW-1D, MW-4D, and MW-5D) adjacent to shallow wells. MW-1 – MW-3 were upgradient wells, MW-4 was a source well, MW-5, MW-5D, MW-6, and MW-7 were point of compliance wells (POCs). MW-7 was at the edge of the property. MW-6 was the furthest downgradient well and was just outside the property boundary. MW-5 is within the property boundary which is approximately 80 feet downgradient of MW-5. MW-8 is downgradient of the building area. TCE was detected at concentration as high as 636.4 micrograms per liter (ug/l) in 1987.

The shallow groundwater beneath the site generally flows to the south-southeast, and discharges at least in part to the stream that parallels Enterprise Road. Groundwater in the deep bedrock generally flows to the southwest.

Samples from shallow monitoring wells were collected on July 22, 2009, September 23, 2010, October 20, 2010, and April 15, 2013. Samples from deep monitoring wells were collected on September 6, 2012, October 25, 2012, and April 15, 2013.

The analytical results of these groundwater sampling events showed that in shallow wells, TCE, 1,1-DCE, and vinyl chloride were detected at concentrations as high as 44 ug/l, 33 ug/l, and 14 ug/l, respectively, exceeding the MCLs of 5 ug/l, 7 ug/l, and 2 ug/l, respectively. In deep bedrock wells, 1,1-DCE was detected in MW-5D at concentrations as high as 23 ug/l. The results also showed that TCE and 1,1-DCE were detected above the applicable MCLs at the Point of Compliance (POC) monitoring wells.

Section 3: Summary of Environmental History (continued)

Groundwater investigations conducted from 1987 to 2013 also demonstrated that the deep bedrock wells exhibited a higher hydraulic head than their corresponding adjacent shallow bedrock wells. Net upward hydraulic gradients within the deep bedrock were at least an order of magnitude greater than horizontal gradients. Therefore, potential offsite migration of COCs in the deep bedrock is less likely than upward migration into the shallow bedrock. It is expected that 1,1-DCE contamination plume in deep bedrock will migrate upward into the shallow bedrock and remains confined to the Facility's property. Therefore, evaluation of potential migration of contaminated groundwater at the Facility is limited to shallow bedrock.

On September 17, 2017, PADEP approved the Facility's Cleanup Plan dated June 22, 2017. The Cleanup Plan called for a program of four consecutive quarterly groundwater monitoring. Groundwater monitoring well network included shallow monitoring wells MW-1, MW-3, MW-4, MW-5, MW-6, MW-7, and MW-8. Monitoring well MW-2 was not included as paving of the parking lot resulted in the covering of MW-2. Groundwater sampling and analysis included TCE, 1,1-DCE and Vinyl chloride. Groundwater monitoring was performed during June 2017 through March 2018. The results of the quarterly monitoring program demonstrated concentrations of VOCs were decreasing and attenuating. The results of the last quarterly groundwater monitoring conducted in March 2018 showed that for onsite, TCE was only detected in MW-7 (POC) at concentration of 8 ug/l, slightly above the MCL of 5 ug/l; 1,1-DCE was only detected in MW-5 (POC) at concentration of 8 ug/l, slightly above the MCL of 7 ug/l; and vinyl chloride was only detected in MW-4 (source well) at concentration of 6 ug/l, slightly above the MCL. For offsite, in out of boundary well MW-6, vinyl chloride was found ND, TCE and 1,1-DCE were detected at concentration of 1 ug/l and 4 ug/l, well below the respective MCLs.

In addition, fate and transport (F&T) analysis for shallow bedrock was performed to evaluate if any potential receptors could be affected by the groundwater conditions on the Site. Since no VC was identified in POC wells during the monitoring program, no Fate and Transport analysis was performed for VC. The facility conducted the F&T analysis to evaluate the potential migration of 1,1-DCE and TCE. The F&T models predicted that 1,1-DCE and TCE will attenuate to their respective MCLs prior to reaching the downgradient property boundary.

Groundwater monitoring results and the F&T analysis demonstrated that TCE, 1,1-DCE and vinyl chloride continue to attenuate naturally and the VOCs contaminated groundwater remains confined to the facility's property.

Onsite exposures to VOCs contaminated groundwater have been addressed through the PADEP Act 2 program. The onsite groundwater exposures are currently controlled by the Recorded September 9, 2019 Deed Restrictions.

Statement of Basis

Section 3: Summary of Environmental History (continued)

Therefore, EPA has determined that there are currently no onsite unacceptable risks to human health and the environment via groundwater pathway.

3. Sub-Slab Soil Gas and Soil Gas

Due to presence of VOCs in soil and groundwater at the Site, onsite vapor intrusion pathway was investigated. Sub-slab soil gas and soil gas samples were collected on 07/30/10 and 01/23/13 and were analyzed for VOCs. The results of the sub-slab soil gas and soil gas sampling did not identify any VOCs at concentrations above the PA Non-Residential Medium-Specific Concentrations (MSCs) for soil gas. TCE was detected in soil gas samples at concentrations as high as 19 ug/m³, below the EPA residential soil gas screening level of 70 ug/m³; vinyl chloride and 1,1-DCE were found NDs. TCE, however, was detected in onsite monitoring wells at an average concentration of 11.25 ug/l during the period from 6/22/2017 to 3/19/2018, above the EPA residential indoor air groundwater screening level of 9 ug/l and below the EPA non-residential indoor air groundwater screening level of 38 ug/l. The property meets the EPA groundwater non-residential indoor air screening levels. The property is currently restricted to non-residential uses by the recorded September 9, 2019 Deed Restrictions.

Therefore, EPA has determined that there are currently no onsite unacceptable risks to human health and the environment via vapor intrusion pathway.

4. Surface water

Surface water samples from the retention pond and stream were collected on 9/23/2010 and 10/20/2010 and analyzed for VOCs, SVOCs, Total Metals (including fluoride and hexavalent chromium), Pesticides, and PCBs. No exceedances of PADEP's surface water standards were observed for any of the substances analyzed in surface water. TCE was detected at concentrations as high as 2 ug/l, below the MCL of 5 ug/l. 1,1-DCE and vinyl chloride were found NDs. Therefore, surface water is not a media of concern for the Site.

Sediment samples were collected on 9/23/2010 and 10/20/2010 and analyzed for VOCs, SVOCs, Total Metals (including fluoride and hexavalent chromium), Pesticides, and PCBs. No Site-related COCs were identified in sediment samples at concentrations above the PADEP respective soil-to-groundwater MSCs. TCE was detected at concentrations below the EPA screening level for residential direct contact of 0.9 mg/kg, 1,1-DCE and vinyl chloride were found NDs. Therefore, sediment is not considered a media of concern for the Site.

Section 4: Environmental Indicators

EPA sets national goals to measure progress toward meeting the nation's major environmental goals. For Corrective Action, EPA evaluates two key environmental 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 July 31, 2018.

Section 5: Proposed Remedy

EPA has evaluated the facility and has determined that PADEP action including deed restrictions established in the Recorded September 9, 2019 Deed Restrictions are sufficient to protect human health and the environment under the RCRA corrective action program. Therefore, EPA proposes No Further Action Remedy for the Facility.

Section 6: Public Participation

Before EPA makes a final decision on its proposal for the Facility, the public may participate in the decision selection process by reviewing this SB and documents contained in the Administrative Record (AR) for the Facility. The AR contains all information considered by EPA in reaching this proposed decision. It is available for public review during normal business hours at:

U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103
Contact: Ms. Tran Tran
Phone: (215) 814-2079
Fax: (215) 814-3113
Email: tran.tran@epa.gov

Interested parties are encouraged to review the AR and comment on EPA's proposed decision. The public comment period will last thirty (30) calendar days from the date that notice is published in a local newspaper. You may submit comments by mail, fax, or e-mail to Ms. Tran Tran. EPA will hold a public meeting to discuss this proposed decision upon request. Requests for a public meeting should be made to Ms. Tran Tran.

EPA will respond to all relevant comments received during the comment period. If EPA determines that new information warrants a modification to the proposed

Section 6: Public Participation (continued)

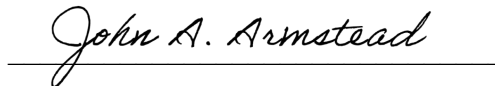
decision, EPA will modify the proposed decision or select other alternatives based on such new information and/or public comments. EPA will announce its final decision and explain the rationale for any changes in a document entitled the Final Decision and Response to Comments (FDRTC). All persons who comment on this proposed decision will receive a copy of the FDRTC. Others may obtain a copy by contacting Ms. Tran Tran at the address listed above.

Attachment #1: Figure 1 – Site Location

Attachment #2: Figure 2 – Site Layout Map

Attachment #3: Recorded Environmental Covenant

Date: 6/9/20



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

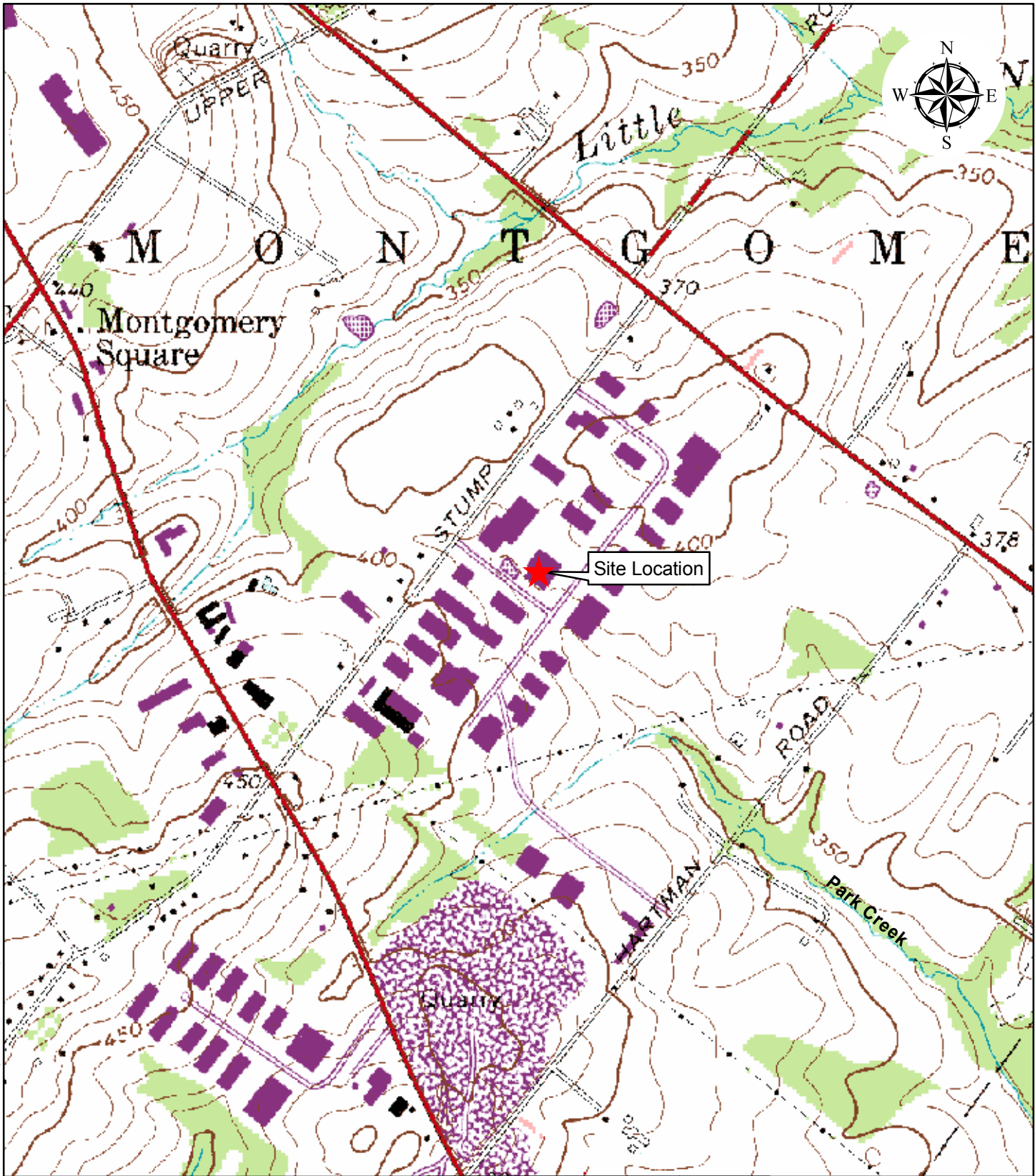
Index to Administrative Record

1. Final Report for Former Solid State Scientific, Inc., Building No. 2 Area, September 28, 2018
2. Final Environmental Indicator Inspection Report, November 2002
3. PADEP's Approval of Final Act 2 Report, December 21, 2018
4. Recorded Environmental Covenant, September 9, 2019

Attachment 1

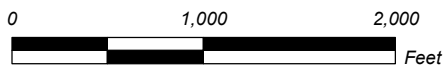
Figure 1 – Site Location Map

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Legend

★ Site Location



USGS Topographic Map

Source: Ambler Quad



Environmental Alliance, Inc.

5341 Limestone Road, Wilmington, DE 19808
Phone: (302) 234-4400 - Fax: (302) 234-1535

Solid State Scientific Inc.
160 Commerce Drive
Montgomery Township, PA 18936

Site Location/Topographic Map

DESIGNED BY: RK	DRAWN BY: SKJ	UPDATED BY: ---	FIGURE NO.:
APPROVED BY:	PROJECT NO.:	DATE:	1
	2931	12/20/2010	

Attachment 2

Figure 2 – Site Base Map



Former SGS Thomson
Microelectronics

Penn Mfg. Industries
506 Stump Road

MW-1

MW-2 (Former MW-5)

Former
Drum Storage
Shed

MW-3

Former
Transformer
Pad

Site Building
160 Commerce Drive
(Former SSSI Building No. 2)

Former
Empty Drum
Storage

MW-4

SG-1/POND

Former
550-Gallon UST
(Solvent Waste)

Former
NPDES Discharge
200

MW-7

Former
750 Gallon UST
(Acid Treatment)

Removed UST

Former Above
Ground Tank
Area/WWTP

MW-5

MW-8 (Former MW-2)

Former
NPDES Discharge
100

MW-3

MW-6

SG-2

Former
NPDES Discharge
400

SG-3/OF1

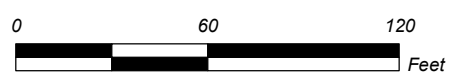
Enterprise Road

Commerce Drive

St. Gobain Abrasives
(Former SSSI Building No. 3)

Thursday, July 7, 2011 12:22:00 PM • G:\EAI Projects\Non-PCG Projects\2931-Solid State Scientific\2931-Maps\2931-Site base map 11-10.mxd

Legend	
	Existing Monitoring Well
	Previous Well
	Surface Water Gauge
	Former Feature associated with Area of Concern (AOC) (Locations Approximate)
	Approximate Property Boundary



Note:
- WWTP = Wastewater Treatment Plant
- All locations are approximate

Source:
Google Earth Aerial, 2010



Environmental Alliance, Inc.
5341 Limestone Road - Wilmington, DE 19808
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Solid State Scientific Inc.
160 Commerce Drive
Montgomery Township, PA 18936

**Site Base Map With
Historical Areas of Concern**

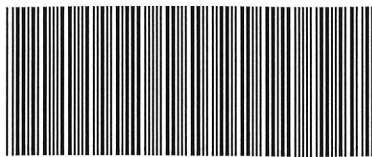
DESIGNED BY: RK	DRAWN BY: SKJ	UPDATED BY: --	FIGURE NO.:
APPROVED BY:	PROJECT NO.:	DATE:	2
	2931	11/10/2010	

Attachment 3

Figure 3 – Recorded Environmental Covenant



DEED BK 6152 PG 01229 to 01239
 INSTRUMENT # : 2019061829
 RECORDED DATE: 09/09/2019 10:40:49 AM



5624300-0037N

RECORDER OF DEEDS
MONTGOMERY COUNTY
Jeanne Sorg

One Montgomery Plaza
 Swede and Airy Streets ~ Suite 303
 P.O. Box 311 ~ Norristown, PA 19404
 Office: (610) 278-3289 ~ Fax: (610) 278-3869

MONTGOMERY COUNTY ROD

OFFICIAL RECORDING COVER PAGE

Page 1 of 11

Document Type: Deed Miscellaneous
Document Date: 02/27/2019
Reference Info:

Transaction #: 5828158 - 1 Doc
 (s)
Document Page Count: 10
Operator Id: ppiyakan

RETURN TO: (Mail)
 FOX ROTHSCHILD LLP
 2700 KELLY ROAD
 STE 300
 WARRINGTON, PA 18976

PAID BY:
 FOX ROTHSCHILD LLP

*** PROPERTY DATA:**

Parcel ID #: 46-00-00544-03-1
 Address: 160 COMMERCE DR
 CONDO
 PA

Municipality:
 School District:

*** ASSOCIATED DOCUMENT(S):**

FEES / TAXES:

Recording Fee:Deed Miscellaneous	\$73.75
Additional Pages Fee	\$12.00
Rejected Document Fee	\$10.00
Misc Fee	\$4.25
Total:	\$100.00

DEED BK 6152 PG 01229 to 01239
 Recorded Date: 09/09/2019 10:40:49 AM
 I hereby CERTIFY that this document is recorded in the Recorder of Deeds Office in Montgomery County, Pennsylvania.



Jeanne Sorg

Jeanne Sorg
 Recorder of Deeds

Rev1a 2016-01-29

PLEASE DO NOT DETACH

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

NOTE: If document data differs from cover sheet, document data always supersedes.
 *COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
46-00-00544-03-1 MONTGOMERY
160 COMMERCE DR
160 COMMERCE DRIVE LP
B 018B U 007 L 3501 DATE: 09/09/2019

\$15.00
JW

When recorded, return to:
M. Joel Bolstein, Esq.
Fox Rothschild, LLP
2700 Kelly Road, Ste. 300
Warrington, PA 18976

The County Parcel Identification No. of the Property is: 46-00-00544-03-1

GRANTOR: ~~160 Commerce Drive Condominium Association, Inc. and 160 Commerce Drive L.P.~~ ^{JW}

PROPERTY ADDRESS: 160 Commerce Drive Condominium, 160 Commerce Drive, Montgomeryville, Montgomery County, Pennsylvania 18936.

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 Commonwealth of Pennsylvania Department of Environmental Protection (Department).

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

The postal street address of the Property is: 160 Commerce Drive, Montgomeryville, Pennsylvania 18936.

The latitude and longitude of the center of the Property affected by this Environmental Covenant is: Latitude 40 degrees, 13 minutes, 45 seconds; Longitude 75 degrees, 13 minutes, 37 seconds

The Property has been known by the following name(s): Former Solid State Scientific, Inc.

The Department's Primary Facility ID# is: eFACTS No. 618600.

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.

Montgomery County

SEP 09 2019

Recorder of Deeds

2. **Property Owner / GRANTOR / GRANTEE.** ~~160 Commerce Drive~~¹⁶⁰ ~~Condominium Association, Inc., a Pennsylvania nonprofit corporation and 160~~ Commerce Drive L.P., a Pennsylvania limited partnership, the owner of the common elements at the Property, including the groundwater beneath the Property, are the GRANTOR and GRANTEE of this Environmental Covenant.

3. The mailing address of the Owner is as follows:

301 Oxford Valley Road
Suite 702 Makefield Executive Quarters
Yardley, PA 19067

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

American Premier Underwriters (APU) is the contractual indemnitor to Solid State Scientific, Inc., a company that conducted industrial operations on the Property from 1969 to 1985, which operations included the use of hazardous substances. APU submitted to the Department a Revised Remedial Investigation Report (Revised RIR), dated May 2014, which the Department approved on June 16, 2014. As documented in the Revised RIR, concentrations of trichloroethene (TCE), 1,1-dichloroethene (1,1-DCE), and vinyl chloride in groundwater beneath the Property exceeded the Department's Non-Residential Statewide Health Standards (NR SHSs). APU submitted a Cleanup Plan to the Department on June 22, 2017, which was approved by the Department on September 13, 2017. APU completed the work required under the approved Cleanup Plan and submitted an Act 2 Final Report on September 28, 2018, which was approved by the Department on December 21, 2018. The Revised RIR, Cleanup Plan and Act 2 Final Report, and other information concerning environmental conditions at the Property, may be obtained from the Department's Southeast Regional Office at 2 East Main Street, Norristown, PA 19401.

5. **Activity & 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: (i) The Property shall not be used for residential purposes; and (ii) Groundwater at the Property shall not be used for any purpose.

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.** After written request by the Department, the then current owner of the Property 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. In addition, within 1 month after any of the following events, the then current owner of the Property shall submit, to the Department and any Holder listed in Paragraph 3, written documentation

of: noncompliance with the activity and use limitations in this Environmental Covenant; transfer of the Property; changes in use of the Property; or filing of applications for building permits for the Property and any proposals for any site work, if the building or proposed site work will affect 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 to 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 of this Environmental Covenant, the Owner 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 60 days of recording. Within that time period, the Owner also shall send a file-stamped copy to each of the following: Montgomeryville, PA and Montgomery County; and each person in possession of the Property.

10. **Termination or Modification.**

(a) This Environmental Covenant may only be 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.

(c) This Environmental Covenant shall terminate upon attainment, in accordance with 35 P.S. §§ 6026.101 – 6026.908, with an unrestricted use remediation standard for the above-described contamination at the Property. The Department must approve, in writing, of such termination.

(d) In accordance with 27 Pa. C.S. § 6510(a)(3)(i), Grantor hereby waives the right to consent to any amendment or termination of the Environmental Covenant by consent; it being intended that any amendment to or termination of this Environmental Covenant by consent in accordance with this Paragraph requires only the following signatures on the instrument amending or terminating this Environmental Covenant: (i)

the Holder at the time of such amendment or termination; (ii) the then current owner of the Property; and (iii) the Department.

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

Manager, Environmental Cleanup Program
Pennsylvania Department of Environmental Protection
Southeast Regional Office
Norristown, PA 19401

12. **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 by Owner(s) and any Holder(s), in the following form:


~~160 COMMERCE DRIVE CONDOMINIUM
ASSOCIATION, INC.~~

Date: 02/27/2019

~~By: 
Name: Anthony D. Cino
Title: President~~


160 COMMERCE DRIVE L.P., by its general partner,
MNOP, Inc.

Date: 02/27/2019

By: 
Name: Anthony D. Cino
Title: President of MNOP, Inc.

APPROVED, by Commonwealth of Pennsylvania,
Department of Environmental Protection

Date: 4/3/2019

By: 
Name: Ragesh R. Patel
Title: Regional Program Manager
Environmental Cleanup and Brownfields Program

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF Bucks) SS:

On this 27th day of February, 2019, before me, the undersigned officer, personally appeared Anthony D. Cino, President of 160 Commerce Drive Condominium Association, Inc., 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 as such President for the purposes therein contained.

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

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Amy J. Bausinger, Notary Public
Lower Makefield Twp., Bucks County
My Commission Expires May 15, 2021
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

[Signature]
Notary Public

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF Bucks) SS:

On this 27th day of February, 2019, before me, the undersigned officer, personally appeared Anthony D. Cino, President of Mnop, Inc., sole general partner of 160 Commerce Drive, L.P., 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 as such President for the purposes therein contained.

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

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Amy J. Bausinger, Notary Public
Lower Makefield Twp., Bucks County
My Commission Expires May 15, 2021
MEMBER PENNSYLVAN AASSOCIATION OF NOTARIES

[Signature]
Notary Public

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF MONTGOMERY) SS:

On this 3rd day of APRIL, 2019, before me, the undersigned officer, personally appeared Ragesh R. Patel, who acknowledged himself/herself to be the Regional Program Manager for Environmental Cleanup and Brownfields Program of the Commonwealth of Pennsylvania, Department of Environmental Protection, Southeast 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.

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Judy Lashley, Notary Public
Norristown Boro, Montgomery County
My Commission Expires July 28, 2020
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

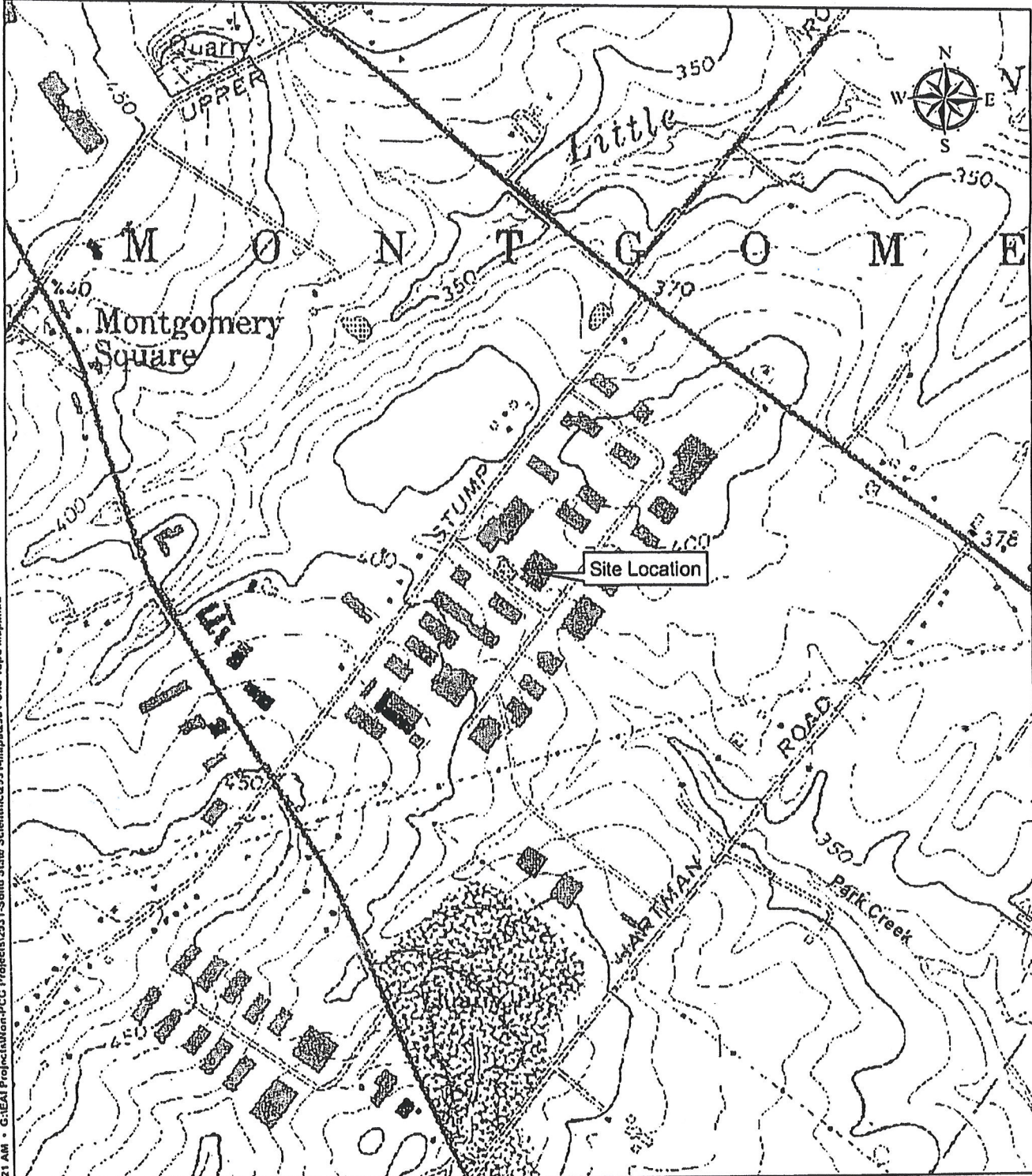
[Signature]
Notary Public

EXHIBIT A

ALL THAT CERTAIN lot or piece of ground, **SITUATE** in the Township of Montgomery, County of Montgomery, and Commonwealth of Pennsylvania, bounded and described according to an As-Built Plan of Survey, Lot Nos. 13 and 14, Montgomeryville Industrial Center, made for Horsham Valley Development Corporation by Eastern/Chadrow Associates, Inc., dated 8/20/1998, as follows, to wit

BEGINNING at a point on the Northeasterly side of Enterprise Road (50 feet wide), also being on the Southwesterly side of a certain 20 feet wide right of way for drainage, said point being at the distance of 39.27 feet measured on the arc of a circle curving to the right having a radius of 25 feet from a point of curve on the Northwesterly side of Commerce Drive (50 feet wide), thence extending North 48 degrees, 45 minutes West, along the said Northeasterly side of Enterprise Road also along the said Southwesterly side of the drainage right of way for drainage the distance of 339.40 feet to a point, thence extending North 41 degrees, 15 minutes East, crossing the bed of the aforesaid right of way for drainage and also crossing over a pond as shown and along Lot Nos 7, 8, and 9 the distance of 503.80 feet to a point; thence extending South 48 degrees, 45 minutes East, along Lot No 12 the distance of 384.40 feet to a point on the said Northwesterly side of Commerce Drive, thence extending South 41 degrees, 15 minutes West, along the said Northwesterly side of Commerce Drive the distance of 478.80 feet to a point of curve, thence extending along the arc of a circle curving to the right having a radius of 25 feet the arc distance of 39.27 feet to the first mentioned point and place of **BEGINNING**.

EXHIBIT B



Monday, December 20, 2010 11:42:21 AM - G:\EAI Projects\Non-PCC Projects\2031-Solid State Scientific\2031-Mapa\2031-Site Topo Map.mxd

Legend

- ★ Site Location

0 1,000 2,000
Foot

USGS Topographic Map
Source: Ambler Quad

Environmental Alliance, Inc.
5341 Limestone Road, Wilmington, DE 19808
Phone: (302) 234-4400 • Fax: (302) 234-1535

Solid State Scientific Inc.
160 Commerce Drive
Montgomery Township, PA 18936

Site Location/Topographic Map

DESIGNED BY: RK	DRAWN BY: SKJ	UPDATED BY: --	FIGURE NO.: 1
APPROVED BY:	PROJECT NO.: 2931	DATE: 12/20/2010	