

From: [Anthony J. Reitano](#)
To: [Brown, C David](#); [Eric Carlson](#); [Brunt, Larry](#)
Cc: [Costello, Andrea](#); [Patel, Ragesh](#); [Sabetta, Matthew](#); [McCarthy, Christine](#); [McClennen, Bonnie](#); [Suarez Rivera, Glorines](#)
Subject: RE: DRAFT response - RE: [External] FW: Alliance 51st Street PADEP Split Sample Results
Date: Thursday, September 19, 2024 11:35:03 AM
Attachments: [image001.png](#)
[Before and After cleanup photos of the three locations.pdf](#)

David:

In follow-up to your e-mail below, Alliance retained its contractor to clean up the locations you pointed out in your e-mail below – S-3, S-5 and S-6 and S-8A. Attached in the pdf are before and after photos of the three areas. We do note that S-5 and S-6 get quite a bit of debris, most likely have the river high tide. You will see from the photo from Tuesday of this area in the pdf after the cleanup, which shows the area very clean, and then the jpg photo from yesterday, which shows debris after just 24 hours. The concern here is what could the river be depositing in the S-5/S-6 area from sources unrelated to the Alliance property.

We also were already considering taking some samples from locations not impacted by the Alliance site. You suggested this as well in your e-mail. Samples were taken from locations at a higher elevation than the trail that do not receive runoff from the Alliance site.

We are expecting all the laboratory results by about Thursday, September 26th. We decided to use the Eurofins Lancaster, PA lab for the laboratory analysis. This eliminates the potential variability by having different labs performing the laboratory analysis if PADEP performs any follow-up. Of course, we will share the lab results and sample locations with you.

Any questions on this, let us know.

Regards,, Anthony



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From: Brown, C David <cdbrown@pa.gov>

Sent: Monday, September 9, 2024 11:08 AM

To: Anthony J. Reitano <areitano@heroldlaw.com>; Eric Carlson <ecarlson@alliancehp.com>; Brunt, Larry <Larry.Brunt@arcadis.com>

Cc: Costello, Andrea <acostello@pa.gov>; Patel, Ragesh <rapatel@pa.gov>; Sabetta, Matthew <msabetta@pa.gov>; McCarthy, Christine <chmccarthy@pa.gov>; McClennen, Bonnie <bmcclennen@pa.gov>; Suarez Rivera, Glorines <gsuarezriv@pa.gov>
Subject: RE: DRAFT response - RE: [External] FW: Alliance 51st Street PADEP Split Sample Results

Anthony,

We recognize the significant differences in DEP's and Alliance's results. We question whether this is just caused by nonuniformity in the samples; if that were the case, we should then see some DEP results that are lower than yours. Because the Alliance results have been consistently lower than DEP's in all the samples, it's possible that the discrepancy is caused by differences in lab practices or implementation of the methodology. We can discuss with you how you might test for that possibility.

We believe it's very unlikely that sampling or analysis is going to cause an erroneously high bias to chromium VI results. For this reason, we are relying on DEP's results as most representative of the remaining soil contamination. We do not consider averaging the DEP and Alliance concentrations to be appropriate. DEP is most concerned with the highest concentrations detected. Addressing all of the exceeding results will also be most successful at lessening the public concerns.

We understand your position that other sources, such as paint, may be contributing to chromium VI in soil at the trail. However, based on our observations, the area of S5 and S6 was also potentially impacted by the discharge from the Alliance property. To test the hypothesis that paint from the bridge is a dominant contributor, we'd suggest collecting additional soil samples near the bridge at a location not affected by the discharge.

Samples S3 and S5 exceed the standard of 37 mg/kg. Sample S6 is proximal to S5, and we recommend scraping that combined area. Sample 8A is marginally below the standard, and we recommend removing the soil which potentially exceeds in the vicinity of 8A.

We've attached images and a map to clarify these locations.

Please let us know when you schedule additional trail remediation.

Thank you for your continued attention to this matter. We appreciate your cooperation.

C. David Brown P.G. | Professional Geologist Manager
Environmental Cleanup & Brownfields Program
Department of Environmental Protection | Southeast Regional Office
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Phone: 484.250.5792 | Fax: 484.250.5961
www.dep.pa.gov

From: Anthony J. Reitano <areitano@heroldlaw.com>

Sent: Wednesday, August 28, 2024 2:21 PM

To: Patel, Ragesh <rapatel@pa.gov>

Cc: Sabetta, Matthew <msabetta@pa.gov>; Eric Carlson <ecarlson@alliancehp.com>; 'Brunt, Larry' <Larry.Brunt@arcadis.com>; Costello, Andrea <acostello@pa.gov>; McCarthy, Christine <chmccarthy@pa.gov>; McClennen, Bonnie <bmccclennen@pa.gov>; Brown, C David <cdbrown@pa.gov>

Subject: RE: [External] FW: Alliance 51st Street PADEP Split Sample Results

Ragesh:

Thanks for the PADEP sampling results. You are requesting excavation at samples S3, S5, S6 and S8A. While we are reviewing the results, Alliance is trying to figure what excavation is related to each sample point. We could use some photos/mark out of the exact areas you are requesting be excavated. Anything you could provide on that would be helpful. We are sure PADEP would want to perform follow-up testing so it is important we have agreement on the areas you are requesting be excavated.

While we are working through the above with your office for the excavation areas, we have conducted a preliminary review of the test results. We created the table below comparing the PADEP and Alliance laboratory results for the four locations for which PADEP is requiring further excavation. There is a wide disparity in the results. We have reviewed our laboratory report, provided to PADEP yesterday, and are not finding any reason the results are not valid. Given that the soil sample was mixed in the field and then both PADEP and Alliance samples taken from the same container, the conclusion we have drawn is that the presence of hexavalent chromium must be limited and sporadic. In other words hexavalent chromium is not uniform in the sample or in the ground. In order to determine the risk, we believe the two sample results should be averaged. The table below gives the average of the two results for S3, S5 and S8A which are all below the residential standard of 37 mg/kg. We also note both results for S6 are well below the residential standard so not sure why excavation there has been requested. We also note that S5 and S6 are under the railroad bridge. In doing some research to respond to public comments on the stormwater permit modification, we found references to articles describing the use of hexavalent chromium as a corrosion inhibitor in paints used on bridges. The results here in S5 and S6 may be from paint used years ago that has long chipped off the bridge and remains in the environment. We point this out because Alliance's observations of the end of drainage swale from the Alliance property and downstream on the trail do not show the presence of sediment leaving the site.

Alliance is prepared to continue to address any offsite impact from its property. We just need to be sure that Alliance is not being asked to remediate the remnants of decades of chromium originating from other sources or from the property prior to its acquisition of the 51st property.

Sample number	PADEP Cr+6 Result	Alliance CR+6 Result	Average
S3	57 mg/kg	4.27 mg/kg	30.6 mg/kg
S5	62 mg/kg	7.06 mg/kg	34.5 mg/kg
S6	8.3 mg/kg	5.04 mg/kg	6.7 mg/kg
S8A	35 mg/kg	7.3 mg/kg	21.2 mg/kg

We appreciate the continued communications between PADEP and Alliance and our working together to resolve these issues.

Regards, Anthony



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From: Patel, Ragesh <rapatel@pa.gov>

Sent: Monday, August 26, 2024 1:36 PM

To: Anthony J. Reitano <areitano@heroldlaw.com>

Cc: Sabetta, Matthew <msabetta@pa.gov>; Eric Carlson <ecarlson@alliancehp.com>; 'Brunt, Larry' <Larry.Brunt@arcadis.com>; Costello, Andrea <acostello@pa.gov>; McCarthy, Christine <chmccarthy@pa.gov>; McClennen, Bonnie <bmccclennen@pa.gov>; Brown, C David <cdbrown@pa.gov>

Subject: RE: [External] FW: Alliance 51st Street PADEP Split Sample Results

Good Afternoon Mr. Reitano,

This morning, DEP received the final analytical results report from the August 13, 2024 sampling (attached). Our results indicate detections of Cr(VI) at the S6 and S8A locations, and exceedances of the current published Cr(VI) MSC (37mg/kg) at the S3 and S5 locations. Soil samples were homogenized in the field prior to DEP and Arcadis collecting split samples. At this time, DEP requests a copy of Arcadis's full analytical results report for review.

Based on DEP's results, additional cleanup is needed at the S3, S5, S6, and S8A locations. The S3 soil sample was collected immediately next to the stone that was placed outside of the Alliance property fence. It is likely that not all of the contaminated soil was removed from this area during the cleanup effort in early August. Similarly, the S8A soil sample was collected from the closest accumulation of soil to the 7/22/24 S8 sample location. DEP's 7/22/24 sample results at S5 and S6 were non-detect, so no cleanup effort was completed in this area. Based on the 8/13/24 results, additional cleanup is needed.

If you have any questions, please let us know.

Thank you for cooperation and working with the Department.

Ragesh

Ragesh R Patel (he/him/his) | Environmental Program Manager

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From: Anthony J. Reitano <areitano@heroldlaw.com>
Sent: Tuesday, August 20, 2024 3:09 PM
To: Patel, Ragesh <rapatel@pa.gov>
Cc: Sabetta, Matthew <msabetta@pa.gov>; Eric Carlson <ecarlson@alliancehp.com>; 'Brunt, Larry' <Larry.Brunt@arcadis.com>; Costello, Andrea <acostello@pa.gov>; McCarthy, Christine <chmccarthy@pa.gov>; McClennen, Bonnie <bmccclennen@pa.gov>
Subject: [External] FW: Alliance 51st Street PADEP Split Sample Results

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Ragesh:

PADEP requested that some surface soil samples be taken from onsite. That work was done on August 2, 2024 with normal lab turnaround. Attached is a draft figure of the location of the surface soil samples and a table with the data. The figure has all the prior sample locations with color coding as to what was observed. For this sampling event samples S-206, S-209, and S-602 were taken from locations with yellow staining on the surface. S-206, and S-209, have yellow staining at depth below grade from 2022 investigations and have the recent test pits which identified the fill layer. You will note for the S-604 results, hexavalent chromium is much higher than total chromium which we question. We have asked the laboratory to rerun that sample for both total chromium and hexavalent chromium.

Also attached is a draft figure of the PADEP split soil samples collected along the trail on August 13, 2024. The analytical results for those soil samples and the split samples of the water collected in the swale onsite are also attached. All the trail hexavalent chromium results are below the residential standard.

We look forward to our virtual meeting tomorrow.

Regards, Anthony



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Before Cleanup



DEP51-S3 – Collected from soil next to placed stone.

After Clean Up (9/17)



Before Cleanup



DEP51-S5 was collected from adjacent to the concrete wall and drainpipe. DEP51-S6 was collected closest to the river.

After Clean Up (9/17)



Before Cleanup



DEP51-S8A was collected from an area of accumulated soil downgradient of the original DEP51-S8 location.

After Clean Up (9/17)



