

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

\* \* \* \* \*

IN RE: BISHOP TUBE REMEDIAL RESPONSE

\* \* \* \* \*

BEFORE: Virgina Nurk, Chair  
Darek Jagiela, Member  
Adam Bram, Member  
Dustin Armstrong, Member  
Pat Patterson, Member

HEARING: Tuesday, November 09, 2021  
6:34 p.m.

LOCATION: ZOOM Videoconference

WITNESSES: Maya Van Rossum, Debra Mobile, Carol  
Armstrong, Margret Miros, Kathleen  
Stauffer, Larry Stauffer, Joan  
Smallwood, Barbara Arnold, Gregory D.  
Martin, Pete Goodman, Tom Maguire,  
Paul Mille, Bill Coneghen, Carol  
Rapp, Sara Casper

Reporter: Brian D O'Hare

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NONE OFFERED

## P R O C E E D I N G S

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CHAIR: Good evening and welcome

everyone. My name is Virginia Nurk and I'm a community relations coordinator for the Pennsylvania Department of Environmental Protection also known as DEP. Also as the moderator for this evenings hearing regarding DEP proposed remedial response action for the Bishop Tube hazardous site cleanup or HSCA site in East Whiteland Township, Chester County. More information on this site as well as a 30 minute presentation on the purpose of tonight's hearing can be found on the project webpage at [www.dep.pa.gov/bishoptube](http://www.dep.pa.gov/bishoptube).

As you know these hearings are typically held in person in the affected communities. Although the majority of COVID-19 restrictions have since been lifted many still feel unsafe with gathering in person in large groups and we wanted to make sure these proceedings were available to as many interested stake holders as possible and that's why tonight's hearing is being held virtually in tandem with the comment period which is open until January 31st, 2022.

Tonight's hearing is accessible to

1 those using the internet as well as those dialing in  
2 by phone. Written comments can be submitted  
3 electronically through email or also mailed directly  
4 to the Southeast Regional Office. All comments  
5 regardless of the method in which they are submitted  
6 bear equal weight and consideration before the  
7 department.

8 I'm going to turn it over to Project  
9 Officer Justin Armstrong for more of an overview on  
10 this evening's hearing.

11 MR. ARMSTRONG: Thank you, Virginia.  
12 My name is Justin Armstrong. I am DEP's HSCA  
13 project officer for the Bishop Tube site. As  
14 Virginia explained we are here tonight to listen to  
15 your comments regarding DEPs proposed remedial  
16 response action for the Bishop Tube HSCA site. DEP  
17 proposed remedy includes ISKOand/or ISKER edition  
18 coupled with soil mixing to address saturated and  
19 unsaturated soils impacted by site contaminants.  
20 Instituting injection of ISKO/ISKER and/or bio-  
21 remediation amendments to address contaminate  
22 groundwater and connection of the residents with an  
23 impacted private well to the existing public water  
24 line.

25 In combination implementation of these

1 proposed alternatives will protect public health and  
2 the environment and address potential exposure  
3 pathways by reducing source containments. The  
4 proposed remedy would also reduce containment  
5 migration across the source property boundary and  
6 for source areas for the stream. Reducing diffuse  
7 discharge of specific containments to Little Valley  
8 Creek and hasting retraction of the ground water  
9 containment plume.

10                   If selected the remedy would be  
11 designed and carefully implemented in stages to  
12 comply with applicable or relevant or appropriate  
13 DEP rules and regulations to maximize their benefits  
14 and to avoid potential effects to Little Valley  
15 Creek or on the ongoing natural attenuation  
16 processes observed in groundwater.

17                   The total estimated cost of the remedy  
18 is \$8.1 million. On DEPs website for the site  
19 you'll find a technical presentation that discusses  
20 DEPs proposal in much more detail. It follows the  
21 basic structure of DEPs analysis of alternatives and  
22 proposed response or AOA guide. The AOA is DEPs  
23 document that formally outlines the proposed  
24 response action and each remedial alternative that  
25 was considered. The AOA is a required component of

1 DEPs administrative record which is currently open  
2 for public comment.

3                   Next Adam Bram DEPs attorney from the  
4 governor's office of general counsel will discuss  
5 your rights in this process and the purpose of the  
6 administrative record.

7                   Adam?

8                   MR. BRAM: Thank you, Justin. My name  
9 is Adam Bram and I am the attorney that represents  
10 the Pennsylvania Department of Environmental  
11 Protection and have been involved in matters  
12 regarding the Bishop Tube hazard site. My primary  
13 role in this hearing is to explain your rights  
14 regarding DEPs proposed remedy selection for the  
15 response action to address contamination at the  
16 Bishop Tube HSCA site.

17                   Pursuant to HSCA DEP is proposing a  
18 remedial response action to address releases and  
19 threatened releases of hazardous substance at or on  
20 the site. The selection of a remedial response  
21 action shall be based upon the administrative  
22 record. Among other provisions HSCA sets forth  
23 requirements how the DEP will inform the public  
24 about its proposed response action, what must be  
25 contained within the administrative record which

1 provides the basis for DEPs response action, how  
2 that administrative record will be made available to  
3 the public, how the public may comment on the  
4 proposed response action and the manner in which DEP  
5 will make its final decision on the proposed  
6 remedial response action.

7                   Next slide. The administrative record  
8 for the proposed response action for the Bishop Tube  
9 HSCA site consists of all the information which DEP  
10 will consider before it makes its final decision.  
11 It includes the docket of the administrative record  
12 listing all the contents, the notice of the proposed  
13 response information about the release or the  
14 threatened release of hazardous substance such as  
15 remedial investigation reports, soil, water or  
16 indoor air quality sampling data and studies, other  
17 documents that support the basis or basis's for how  
18 DEP reached its proposed response action such as  
19 inspection reports and risk assessments,  
20 correspondences, plans and descriptions of past  
21 operations on the site property, comments from you,  
22 the public, regarding DEPs plans to remediate  
23 hazardous substance release in your community,  
24 a transcript from the public hearing and DEPs  
25 response to comments, criticisms and new data that



1 are received during the comment period. After the  
2 selection of a remedial response, DEP may implement  
3 any or all of the select action by doing any of the  
4 following. Issuing an order to a responsible person  
5 taking the action itself.

6                   Next slide. The hazardous sites  
7 cleanup act also allows you to exercise your  
8 fundamental due process rights regarding the  
9 proposed response action. Whenever the government  
10 takes an action which will have an impact on your  
11 liberty, or your property, the due process clause of  
12 the Pennsylvania constitution and the U.S.  
13 constitution guarantee your right to notice of the  
14 action and opportunity to be heard. HSCA and its  
15 regulations provide certain safe guards to protect  
16 your due process rights. Those laws were written to  
17 make sure you know what DEP proposes to do to  
18 remediate a hazardous site or to otherwise address  
19 contamination in your community.

20                   DEP is also required to listen to what  
21 concerned persons think about its remediation plans  
22 and communicate with you about your opinions before  
23 making its final decision. That is why your  
24 comments about the proposed response action are so  
25 crucial. DEP recognizes that the investigation

1 against the release and threatened release of  
2 hazardous substance and from the Bishop Tube HSCA  
3 site has taken a long time. Now that the  
4 investigation is completed DEP is eager to address  
5 this contamination in an appropriate manner.

6           This administrative record process  
7 balances your right to voice your comments about  
8 DEPs proposed remedial response and DEPs desire and  
9 obligations to address the hazardous contamination  
10 pursuant to HSCA and other applicable laws as  
11 vigorously and as expeditiously as possible. After  
12 the close of the administrative record DEP will make  
13 its final decision and then the implementation of  
14 the remedial response action will begin. Your  
15 comments and concerns are important to DEP. Therefor  
16 I encourage each of you to participate in the  
17 administrative record by providing comments verbally  
18 during the public hearing, if you have registered,  
19 or in writing until January 31st, 2022.

20           Thank you.

21           CHAIR: Thanks Justin, Adam.

22           Again more information on the remedial  
23 response is available on-line which includes the  
24 thirty minute presentation that Justin and Adam  
25 mentioned which will hopefully assist in the

1 formation of additional written comments. And again  
2 you have until January 31st, 2022 to get those  
3 written comments in.

4           So again we are here this evening to  
5 receive oral comments from interested stake holders,  
6 residents, neighbors and legislators. And again as  
7 previously stated all comments whether delivered  
8 here this evening or submitted in writing before the  
9 administrative record closes will be treated with  
10 equal wait and consideration as DEP makes the final  
11 selection on remedial response.

12           As for the format for this evening  
13 unlike a public meeting where there would be back  
14 and forth question and answers this is a formal  
15 public hearing and is designed to allow DEP to  
16 receive your testimony. DEP will not be responding  
17 to questions during the hearing or rather will  
18 review all comments received and provide responses  
19 in a comment and response document which will be  
20 made public upon completion.

21           In order to capture all oral testimony  
22 the event is being transcribed by a stenographer who  
23 is on the line to provide an official transcript of  
24 this evenings hearing. By remaining on the line you  
25 are consenting to that reporting. We will not being

1 using the chat function to submit or answer  
2 questions and please ask that you limit the chat box  
3 to letting us know about any technical issues you  
4 may have. Comments submitted in the chat box will  
5 not be collected. Only those submitted orally  
6 submitted to the provided email account or mailed to  
7 the regional office will be counted as a public  
8 comment.

9                   Those who pre-registered will be  
10 unmuted in the order that you registered. You will  
11 be given up to five minutes to provide your  
12 comments. Once your time is expired or you have  
13 concluded your remarks you will be re-muted and the  
14 next person on the list will be unmuted and given  
15 their own time.

16                   Speakers will be called upon in the  
17 order that they registered and all other  
18 participants and those who did not indicate they  
19 were interested in speaking will remained muted for  
20 the duration of the hearing. Screen sharing is not  
21 permitted and the use of threatening or offensive  
22 language will result in a warning or a potential  
23 removal from the event.

24                   That being said here is the comment  
25 and where to send your written comments or your

1 email comments and again I'll link to the Bishop  
2 Tube project webpage and again the deadline for  
3 comments is January 31st, 2022.

4 So with that I'll give you a minute to  
5 take down that information and again it's all on-  
6 line and with that we are going to switch over to  
7 our speakers list.

8 Okay.

9 So first off we have Maya van Rossum  
10 the Delaware River Keeper followed by Sara Casper.

11 Maya?

12 MS. VAN ROSSUM: Hi, just going to do  
13 the check that you can hear me?

14 CHAIR: Yes ma'am, go ahead.

15 MS. VAN ROSSUM: Thank you. So my  
16 name is Maya van Rossum. I'm the Delaware River  
17 Keeper here speaking on behalf of the Delaware River  
18 Keeper Network and also the organization Green  
19 Amendments for the Generations.

20 The Delaware River Keeper Network has  
21 over 25,000 members. Many of whom live in or around  
22 the Bishop Tube site and/or are down stream and  
23 impacted by what goes on there. We want to begin by  
24 reminding you, I'd like to begin by reminding you  
25 that Article 1, Section 27 of the Pennsylvania

1 Constitution. Promises to the people the right to  
2 clean air and pure water and the preservation of the  
3 natural scenic and historic esthetic values of the  
4 environment and assures us that Pennsylvania's  
5 public natural resources are the common property of  
6 all the people, including generations yet to come,  
7 and that as trustees of these resources the  
8 Commonwealth, including the Pennsylvania Department  
9 of Environmental Protection are obligated  
10 Constitutionally to conserve and maintain the  
11 natural resources of the Commonwealth for the  
12 benefit of all the people. And it is very important  
13 that you undertake this process in your decision  
14 making with that Constitutional obligation in mind.

15 I would like to begin by speaking to  
16 the public process. We thank you for being  
17 responsive to the letter that I and members of the  
18 community sent urging an extension of the public  
19 comment period and extension for the amount of time  
20 for people to testify. But also urging that you  
21 transform this, tonight's hearing, into a question  
22 and answer opportunity for the community and that  
23 you actually hold the official hearing later on in  
24 the public process towards - closer towards the end  
25 of public comment.

1                   So I want to thank you again for  
2 extending the time for public comment to later in  
3 January and to extend the time for people to  
4 actually speak tonight. But really I want to  
5 express disappointment that you did not transform  
6 this hearing into a presentation and an opportunity  
7 for a question and answer for the people. That you  
8 simply provided a one way video for people to  
9 observe.

10                   We'd like to know that the potentially  
11 responsible parties and to the developer who is  
12 seeking to develop this site have gotten all kinds  
13 of access to the DEP for not just months, but for  
14 years, with ample opportunity for back and forth,  
15 question and answer, clarification and more. But  
16 the public only had one meeting several years ago to  
17 have that kind of opportunity. That opportunity  
18 should have been provided, now, here, tonight,  
19 rather than this public hearing. This public  
20 hearing should have also been held later because  
21 there are literally thousands of pages of highly  
22 technical documents that need to be reviewed and  
23 understood in order for people to provide their  
24 public comment. So if you truly wanted a full fair  
25 opportunity for people to comment at this hearing

1 you would have given them more time to digest all  
2 that highly technical information.

3 I also just want to express, so the  
4 Delaware River Keeper network is going to be taken  
5 additional time, we have a lot of experts that need  
6 to take a look at this information and the 46 days  
7 provided simply was not enough.

8 Saying that there will be equal weight  
9 given to written comments that are provided up to  
10 and through the end of the written comment period,  
11 that's really simply not a good answer. There are  
12 many people for whom providing testimony verbally is  
13 vitally important and they should have been given  
14 the opportunity to do that after reviewing all of  
15 the materials.

16 I also just want to highlight for you,  
17 tonight though, that your failure - DEPs failure, to  
18 develop the remedial action plan and assess it in  
19 the context of anticipated residential development  
20 was just a fundamental failing when it comes to this  
21 proposal. We all know this site is not just  
22 proposed for residential development, but that  
23 residential development in the order of ninety homes  
24 has already approved by the township for this site.  
25 When that development ever takes place it will be



1 bringing new families to this highly contaminated  
2 site.

3 Giving that we know that there's not  
4 just proposed residential development for the site  
5 but that residential development has already been  
6 approved by the township and is certainly  
7 anticipated by the township by the developer, that  
8 should have been the anticipated outcome by the  
9 Department of Environmental Protection and that  
10 should have been the goal post that was identified  
11 for this remedial action plan. Your failure to do  
12 that is just frankly a fundamental failing. So I  
13 hope you will change that.

14 Good night.

15 CHAIR: Thanks Maya. I realized as I  
16 saw the time counting down, for those not looking at  
17 the screen or have notes in front of you, there's a  
18 timer on the screen. I'm going to try and stop it  
19 before the obnoxious beeping and I'll give you a  
20 little bit of a warning. Maya stopped right on  
21 time. I know the stenographer is marking -  
22 providing - I know anyone dialing in on the phone  
23 isn't seeing the screen, I'll give you a verbal,  
24 maybe 30 second warning or so, but I try not to do  
25 that to those on the computer to not disrupt your

1 last thought. Thank you so much, Maya.

2 Sara Casper, are you on the line?

3 MR. JAGIELA: I do not see Sara Casper  
4 on the line, Virginia.

5 CHAIR: We will circle back to Sara.  
6 Next we have Debra Mobile followed by Carol  
7 Armstrong. Debra, you're up.

8 MS. MOBILE: Thank you, excuse me?

9 CHAIR: I was just giving you  
10 confirmation that we could hear you.

11 MS. MOBILE: Oh, okay. Great, thank  
12 you.

13 I would like to remind you that  
14 Pennsylvanian's have certain rights under Article 1  
15 of the State Constitution. The people have a right  
16 to clean air, pure water and the preservation of  
17 natural scenic historic and aesthetic values of the  
18 environment. Pennsylvania's public natural  
19 resources are the common property of all the people,  
20 including generations yet to come. As the trustee  
21 of these resources the Commonwealth shall conserve  
22 and maintain them for the benefit of all people.

23 As a lifelong resident of Pennsylvania  
24 I am insisting that you protect our rights. As I  
25 read your proposal I wondered what it was a proposal

1 for. I was under the impression after 21 years you  
2 were to submit a proposal for the cleanup of the  
3 Bishop Tube site. Instead I read a proposal that is  
4 quite lacking. Now I am not a scientist but here  
5 are just a few of the gaps that I have noticed. The  
6 plume of contaminants has not been full determined.

7 Your plan gives a modeling estimate of how far  
8 contaminants may have traveled but no testing has  
9 confirmed the outer limits. Why have you not  
10 insisted that testing wells installed to confirm the  
11 outer edge?

12 You wrote in vague terms about mixing  
13 soils with chemicals and ground water injections but  
14 you failed to mention the additives you are  
15 referring to. If you have a game plan, why have you  
16 kept it secret? We cannot possibly form an opinion  
17 on a method without knowing what chemicals you're  
18 planning on releasing into our environment. You  
19 have not given a full accounting of all the  
20 contaminants and how they will be remediated.

21 In addition to TCEs there are PCBs,  
22 PAHs, fluorides, metals that are not naturally  
23 occurring and a more toxic form of chromium which  
24 has not been fully assessed. These contaminates  
25 continue to spread off site through the Little

1 Valley Creek. What is your plan for these  
2 contaminates?

3 We know from testing wells that TCE  
4 has traveled to at least 400 feet deep. Your plan  
5 only deals with the first 120 feet of contamination  
6 on the Bishop Tube site. What about the  
7 contamination that is found at greater depths within  
8 the bedrock? What about the contamination that has  
9 already migrated off site?

10 Testing indicates that TCE from Bishop  
11 Tube has been found in occupied buildings off site.  
12 Yet you seem to indicate that this was an acceptable  
13 risk. With all we know about TCEs there is no  
14 acceptable risk. Your plan should include  
15 remediation measures for these sites and additional  
16 testing for all buildings within the plume of  
17 contamination. Your plan does not delineate  
18 provisions that will need to be added to prevent  
19 additional contamination during the cleanup process.  
20 How do you plan to protect the current residents?

21 I live in the General Warren Village  
22 which is located on the eastern edge of the Bishop  
23 Tube site. How will you protect me? How do you  
24 plan to monitor the cleanup efforts? Will you hire  
25 someone to be on-site? Or will you be making

1 occasional phone calls or just reading their  
2 reports? It is your mission as a state agency to  
3 protect the citizens first. Your plan does not  
4 account for this.

5 In the year 2000, the DEP began its  
6 investigation into the Bishop Tube site. In 2010  
7 you included Bishop Tube on Pennsylvania's priority  
8 list of hazardous sites for remedial response.  
9 You've had 21 years to do this investigation and  
10 proposal. Yet you have given us, the citizens, a  
11 couple of months to digest thousands of pages of  
12 data and recommendation.

13 We have asked you repeatedly for the  
14 opportunity to meet and get answers to our  
15 questions. Our public officials have done the same.  
16 Yet the DEP has chosen to hide out and move directly  
17 to this hearing. Why do I feel like I'm being  
18 railroaded? Thank you.

19 CHAIR: Okay.

20 Thank you, Debra. Next we have Carol  
21 Armstrong followed by Margret Miros.

22 Carol?

23 MS. ARMSTRONG: Hello, can you hear  
24 me?

25 CHAIR: We can, yes.

1                   MS. ARMSTRONG: I am Carol Armstrong  
2 Ph.D. a neuropsychologist and cognitive  
3 neuroscientist who has researched and treated  
4 individuals with environmental toxic exposures. I  
5 live in a township that includes the Valley Creek  
6 watershed.

7                   I appreciate that PA law puts the DEP  
8 hearings on record but I'm unhappy with the weakness  
9 of this information in effecting any change before  
10 decision or action is taken by government. Public  
11 hearings may appear to legitimize DEP and East  
12 Whitelands decisions even though the public input is  
13 not used in those decisions.

14                   The Pennsylvania DEP has well  
15 publicized this hearing today possibly because of  
16 the widespread interest in the problem of Bishop  
17 Tube including the widespread community expression  
18 for the return of the site to undeveloped green  
19 space versus housing development. The lack of  
20 agreement between the residents and both local and  
21 state governments has caused the final decision to  
22 be controversial.

23                   As a community of concerned residents  
24 of the state, county and towns in which Bishop Tube  
25 is found and through which the contaminants stream

1 through our surface water and ground water, we beg  
2 you to take our researched opinions and personal  
3 stories of living near Bishop Tube seriously and  
4 allow them to affect your decision making. Our best  
5 hope is to have a face to face and honest and  
6 complete discussion of the size of the issue to the  
7 eventual status of Bishop Tube.

8           Only experts have an actual role in  
9 decision making. Yet the experts you are using, and  
10 the other government bodies involved in giving  
11 opinions, such as the Agency for Toxic Substances  
12 and Disease Registry evaluation report of 2008 the  
13 Chester County Planning Commission and the East  
14 Whiteland Environmental Advisory Council have all  
15 recommended against building homes on the site. Mr.  
16 Armstrong himself will provide the reasons why.

17           We would like DEP to recommend against  
18 building homes on this site and furthermore to enact  
19 your role as trustee of our natural resources under  
20 the Pennsylvania Constitutional environmental  
21 amendment and recommended both engineered remedial  
22 techniques and actual remediation processes be used  
23 to return the site to a natural area to expand the  
24 Hyperion (sic) buffer along Little Valley Creek and  
25 provide needed open space to the surrounding

1 communities.

2                   Mr. Dustin Armstrong explained how  
3 humans can become exposed to the hazardous  
4 substances of Bishop Tube and that he stated the  
5 exposures could develop from multiple pathways over  
6 time even if homes are built there if that is what  
7 East Whiteland and DEP thinks is the best use for  
8 this site. This exposure is at odds with permitting  
9 housing development there. Yet the DEP uses expert  
10 derived methods that do not bring the hazardous  
11 chemical exposures to meet Pennsylvania health  
12 standards but rather use a site specific comparison  
13 for exposure that permits this housing development,  
14 Mr. Armstrong stated that.

15                   People could come into contact with  
16 contaminated soil. Construction and utility workers  
17 could be exposed while working on the property.  
18 Vapor intrusion can migrate from soil over ground  
19 water and enter occupied buildings. If buildings  
20 are constructed over soil contamination vapor  
21 exposure pathway could be opened. Vapor can intrude  
22 through cracks in the foundations of homes.  
23 Contaminants can migrate into rain water and into  
24 ground water. The DEPs recommended remedial actions  
25 might not treat all the soil at the site.



1                   Contaminates can transferred from soil  
2 and migrate further into ground water. Contaminates  
3 can also be trapped in the soil only to be released  
4 into the ground water for the long term. Based on  
5 TCE concentrations from some monitoring wells,  
6 residual free product could act as a long term  
7 source of ground water contamination and also  
8 discharge to Little Valley Creek. There is the  
9 potential that if there are changes to homes or  
10 construction of new buildings, such as installing a  
11 sump pit, changes could open a new vapor intrusion  
12 pathway. That's all by Mr. Armstrong. And I  
13 continue therefor this could be a long term and  
14 possibly permanent risk to development there.

15                   Another issue is the lack of any  
16 information on the risk to the Wyotaepa site in  
17 Little Creek flowing downstream eventually to the  
18 Schuylkill River. Besty (sic) has sited that the  
19 chemicals used, not specified today, that would be  
20 used to decontaminate soils could affect the  
21 environmental biota at the Bishop Tube site and  
22 downstream. This concern has received no attention  
23 from the DEP analysis and response reports that I've  
24 seen. We have a right to know what the impact would  
25 be on the natural environment there.

1 I recognize that the cost of the  
2 extensional remediation alternatives thought to be  
3 less expensive than actual cleanup of the soil and  
4 water could balloon to much greater expenses because  
5 so much is unknown about the final testing results,  
6 which chemicals will be used, their effectiveness.  
7 New exposure pathways that could be found and the  
8 final results. There needs to be assurances that  
9 the decision regarding remediation include the  
10 requirement for all responsible parties to fund the  
11 completed remediation. We don't need a partially  
12 completed remediation.

13 And I will just add that Bishop Tube  
14 is under a mile and a half from Environmental  
15 Justice area and the Village Way community  
16 themselves is an Environmental Justice area because  
17 of their long term exposure. Thank you.

18 CHAIR: Thank you, Ms. Armstrong.

19 Next we have Margret Miros followed by  
20 Kathleen Stauffer.

21 Margret?

22 MS. MIROS: Can you hear me?

23 CHAIR: Yes I can.

24 MS. MIROS: I'm not going to be as  
25 eloquent or as informed as the neighbors and experts

1 before me. What I'm going to say is - in that time,  
2 we have been subjected to contaminations from that  
3 property to the ground - also - were there were  
4 other - activity going on. Quite frankly, I didn't  
5 know how the neighbors stand it. So I was hoping  
6 they would be creating noise in the area - my point  
7 -.

8                   CHAIR: Margret, I'm going to ask you  
9 to speak a little louder for the stenographer.

10                   MS. MIROS: Okay.

11                   My basic concerns are for the process  
12 and the contention between your agency and the  
13 township sense of community - barricade but there  
14 has not been a time of - now there are in place, the  
15 supervisors of course, agree to building - because  
16 they didn't have the depth of information they  
17 needed to say no. It shouldn't be done. But that's  
18 my point that it is, you know, the trust issue is  
19 very much, you know, effected by the fact that we  
20 don't see what we should be seeing, which is - you  
21 would be saying to the developer, knowing what you  
22 guys know about this contaminate in something that  
23 has a lifelong - you know living environment - but  
24 it should never be built upon the grounds. We have  
25 the - our development is the only one in the area

1 that doesn't have a green space and yet - this is a  
2 very particular area. It's part of what's making  
3 us, in the neighborhood, feel violated in terms of  
4 our constitutional rights and distrustful as to what  
5 is really going on.

6 Just the short amount of time we were  
7 given to prepare for tonight presentation, I'll be  
8 honest, I don't understand this stuff. It's taken  
9 other people sitting, reading and trying to  
10 understand things to get this far. And yet what  
11 comes across is - really working. You know, are you  
12 taking consideration of the impact of this - of what  
13 these businesses have done over the years and left.  
14 You know, just picked up their - took themselves out  
15 of the planning and left the mess behind that we're  
16 facing.

17 You can tell it's very difficult and  
18 it's been 22 years our neighbors are working very  
19 hard. It's wrong, it's morally wrong - families  
20 living on land that will never be - I'm going to  
21 leave it at that. We need some - thank you for  
22 listening.

23 CHAIR: Thanks Margret. Next we have  
24 Kathleen Stauffer followed by Larry Stauffer.  
25 Kathleen?

1                   MS. STAUFFER: Yes, can you hear me?

2                   CHAIR: Yes.

3                   MS. STAUFFER: Perfect. I appreciate  
4 Adam Bram's letting us know what our rights are.  
5 What he failed to articulate is my constitutional  
6 right to clean air, pure water and the preservation  
7 of natural, scenic, historic and esthetic values of  
8 the environment.

9                                 And Pennsylvania's public natural  
10 resources are the common property of all the people  
11 including the generations to come. As trustees of  
12 these resources the Commonwealth shall conserve and  
13 maintain them for the benefit of all people. That  
14 is my constitutional right and Adam I would hope  
15 working for the DEP that you might put that force  
16 before putting forth your enforcement for water and  
17 all that other stuff. That is the law of the land.

18                                 It was in 1971 that amendment was  
19 passed and for decades the toxic site of Bishop Tube  
20 has been sat upon by DEP or the EPA even possibly.  
21 My daughter is a survivor of brain tumors, three  
22 consecutive brain tumors. Doctor Carol Armstrong  
23 was one of her doctors down at CHOP doing some  
24 research on the effects of radiation on a child's  
25 brain. While my daughter, Elizabeth, was on

1 chemotherapy she was a pall bearer for one of her  
2 friends who lived up wind, down south, uphill but  
3 down south of the Bishop Tube and the north wind  
4 blows. She has a list of people she went to school  
5 with who have - were sick, my daughter does. The  
6 fact the DEP sat on this for decades is infuriating  
7 to me and upsetting and we had to go through brain  
8 tumor situation with this.

9 I recently found out from a local who  
10 lived in the area that since the 70s this  
11 neighborhood near Bishop Tube was considered a  
12 cancer hub. How insane is that and how many people  
13 in this neighborhood were sick? I am a teacher and  
14 educator. Everything from infancy up to college, I  
15 have my master's degree in education. I have never  
16 seen in my life, in 36 years teaching in the last  
17 recent years diagnosis of allergies, Asperger's,  
18 cancer.

19 Your job at the DEP is to hold my  
20 right for a clean environment and you haven't done  
21 that at this point. And the nature that is in my  
22 backyard, Little Valley Creek which is exceptional  
23 Valley Creek that leads down to Valley Creek and the  
24 Schuylkill and Delaware River. This is really,  
25 really important and for you and I'm very concerned

1 and I will just bow down to the people who spoke  
2 before me for their expertise and what they have put  
3 forth at this moment.

4 As for me, there was too much  
5 information I don't understand we could not as since  
6 do this without the expertise of the Delaware River  
7 Keeper network. And so for their efforts to that I  
8 am eternally grateful. My other issue was the fact  
9 that DEP gave the constitutional guide partner and  
10 Brian O'Neil a covenant not to sue when they bought  
11 this land and that is highly disturbing to me. Well  
12 my husband said it was voided, but it was voided  
13 because we made some noise. Thank you.

14 CHAIR: Thank you so much Kathleen,  
15 let me stop the timer. Next we have Larry Stauffer  
16 followed by Joan Smallwood.

17 MR. STAUFFER: Hear me?

18 CHAIR: Larry, yup, you're up. We can  
19 hear you.

20 MR. STAUFFER: We live about 200 yards  
21 from the Bishop Tube site. And first of all I'd  
22 like to say this hearing is being held far too soon  
23 after releasing a massive amount of technical data  
24 to digest literally weeks ago. I'm not comfortable  
25 that when demo starts of the existing buildings and

1 remediation begins that the residents downwind of  
2 this site will be properly protected as we've been  
3 reiterating our right under Article 1, Section 27.  
4 If you use certain chemicals that you have not yet  
5 specified to break down the TCEs that you've listed  
6 in the remedial report, how will they effect the  
7 aquifer that eventually finds its way into the water  
8 and is part of the wells and public water sources.  
9 How will you hold responsible parties accountable  
10 for this cleanup action that is not state tax money  
11 is being used.

12                   One of the responsible parts is  
13 Jonathan Mathy and if you go to their website the  
14 vision on their website and I quote, our vision is  
15 for a world that is cleaner and healthier today and  
16 for future generations. And I think we all need to  
17 take that into consideration. I'm short and sweet,  
18 thank you very much.

19                   CHAIR: Thanks, Larry. Next we have  
20 Joan Smallwood followed by Barbara Arnold.

21                   Joan?

22                   MS. SMALLWOOD: Can you hear me?

23                   CHAIR: Yes, we can.

24                   MS. SMALLWOOD: Okay.

25                   I'll begin by citing my Pennsylvania



1 Constitutional right to clean air, pure water and  
2 preservation of the natural scenic and historic  
3 esthetic values of the environment. With that in  
4 mind I urge you to clean up the Bishop Tube site to  
5 the highest standard possible and reject any  
6 development on the site.

7 I was on the special parks task force  
8 for East Whiteland Township and the Bishop Tube site  
9 was identified as one of the few remaining open  
10 parcels in the township and was recommended for  
11 preservation. and I know that's not your area, but  
12 I think it's important to put that out there.

13 Regarding the proposed remediation I'm  
14 very concerned about the lack of a public hearing  
15 session prior to this hearing. The remediation  
16 exclamation is highly technical and is not easily  
17 understood by most residents, including myself. The  
18 video you provided, while somewhat informative,  
19 raised a number of questions but we are not being  
20 afforded any opportunity to have our questions  
21 answered. You claim in the video that community  
22 acceptance is a factor in your analysis of  
23 alternatives and choice of solutions. But you can't  
24 have true community acceptance if the community has  
25 no opportunity for meaningful dialogue and

1 education. In other words if the community doesn't  
2 really understand what you're talking about.

3                   You spent countless hours and dialogue  
4 with the developer and his experts to arrive at the  
5 sweetheart deal you gave him. The public is only  
6 given a one sided video and a premature hearing.  
7 Some of my concerns are what is the risk of vapor  
8 intrusion as the buildings are being demolished?  
9 What chemicals are being added to the soil and what  
10 are the hazards and risks associated with those  
11 chemicals? The video discussed treatment in very  
12 limited areas on the property. What about  
13 contamination of the rest of the property and the  
14 plume off the property? The extent of which is not  
15 known at this time.

16                   The video mentions multiple  
17 injections. How many injections are there and over  
18 what time period? Will these injections continue to  
19 be monitored and their impact on Little Valley Creek  
20 and the surrounding neighborhood? These are some of  
21 the questions I have that we are not being given any  
22 opportunity to ask and to receive answers for.

23                   Early in the process Brian O'Neil told  
24 us they plan to dig up the contaminated soils and  
25 remove them from the site. As a neighborhood we had

1 concerns about vapor intrusion from the excavation  
2 as well as the dump trucks filled with contaminated  
3 soil that would be driving through our neighborhood.  
4 We also wonder where Brian planned to dump the soil.

5           The video mentions soil excavation as  
6 one of the alternatives that was rejected in favor  
7 of chemical injections. I assume you agreed with  
8 Brian's soil excavation plan at the time a few years  
9 ago so I'm wondering what made you change your mind  
10 now, and it raises the question for me that if you  
11 changed course once will you do it a few years from  
12 now?

13           In summery while you claim community  
14 acceptance is important in reality I feel you are  
15 only paying lip service to the community by not  
16 giving the community the same time and attention you  
17 gave to the developer. I believe your actions  
18 violate our state constitutional right and I cannot  
19 agree with a proposal I can't understand. Thank  
20 you.

21           CHAIR: Thank you, Joan.

22           Next we have Barbara Arnold followed  
23 by Gregory Martin.

24           Barbara?

25           MS. ARNOLD: I'm here. Can you hear

1 me?

2 CHAIR: Maybe speak a little bit  
3 louder?

4 MS. ARNOLD: Can you hear me?

5 CHAIR: Yes, great.

6 MS. ARNOLD: Okay.

7 I'll speak as loudly as I can.

8 Thank you for this opportunity for  
9 public comment. My name is Barbara Arnold and I  
10 live in the neighborhood right next to the Bishop  
11 Tube site. I would like to begin by citing my  
12 right, as stated in the Pennsylvania Constitution  
13 bill of Rights, to clean air, pure water and the  
14 preservation of the natural, scenic, historic and  
15 esthetic balance of the environment.

16 As trustees of these resources the  
17 Commonwealth shall maintain them for the benefit of  
18 all the people. I know you've heard this from other  
19 people before, but we want to emphasis that. This  
20 green amendment is a power all State actions and the  
21 DEP must comply with it.

22 The DEPs remedial response fails to  
23 fully address residential development of the site  
24 but East Whiteland Township has approved a housing  
25 development there. However the DEP video only

1 briefly notes that construction and utility workers  
2 could be exposed to dangerous contaminants while  
3 working on the property and that vapor intrusion  
4 might keep the structures there.

5           The scary fact that people working at  
6 or living on the site are directly in the path of  
7 known cancer causing contaminants by TCE is treated  
8 as a side note at best. The DEP remedial response  
9 plan proposes injecting the soil and ground water  
10 with chemicals that might breakdown or transform the  
11 contaminants, not eradicate them. So the best plan  
12 DEP can come up with for fighting dangerous toxic  
13 chemicals is more chemicals? And the DEP doesn't  
14 specify which one will be used? Or if they will be  
15 effective?

16           After living next to a toxic waste  
17 site for more than 20 years, forgive me for not  
18 wanting more chemicals in my vicinity. Or my  
19 trusting that they won't exacerbate the problem.  
20 And the DEP has not determined the extent of the  
21 contamination so this chemical injection plan can  
22 extend for miles beyond the site. DEP's remedial  
23 response plan must not been filed. It calls for  
24 more data and more study before decisions are made  
25 and steps are taken. Yet the public is being asked

1 to comment now well before it's necessary and  
2 without DEP holding a Q&A session or public forum to  
3 explain this lengthy and extremely technical plan.

4           The DEP must address the public again  
5 after the plan is finalized and provide more time  
6 for our questions and comments. Plain and simple  
7 the Bishop Tube property should be a super fund  
8 site. It's bewildering and beyond frustrating that  
9 everyone, the DEP, East Whiteland Township, the  
10 experts, the public, knows it's a toxic site unfit  
11 for development and we all know the right thing to  
12 do is to preserve it as natural open space rather  
13 than build townhouses and endanger the lives of  
14 unsuspecting residents. Not to mention exposing the  
15 current neighbors to more contaminates that  
16 excavation will release into the environment.

17           No one seems able or willing to stop  
18 this runaway train being helmed by an irresponsible  
19 developer and an ineffectual township leaders and  
20 enabled by DEP. I beseech the DEP to be on the side  
21 of the public and the environment in resolving this  
22 crisis in the safest most responsible and most  
23 timely manner.

24           Stand with the community in preserving  
25 the property as natural open space. You are

1 obligated by the Green Amendment to protect us.  
2 Bishop Tube closed in 1999. We have been waiting  
3 for more than 20 years for you to do the right thing  
4 while our neighborhood has become a cancer cluster.  
5 Don't make us wait anymore. Thank you.

6 CHAIR: Thanks so much, Barbara.

7 Next we have Gregory Martin followed  
8 by Pete Goodman.

9 MR. MARTIN: This is Greg Martin. I'm  
10 just here to listen tonight. Thank you for your  
11 time.

12 CHAIR: Okay. Sounds good.

13 Thanks Greg. Next we have Pete  
14 Goodman.

15 MR. GOODMAN: Good evening, can you  
16 hear me?

17 CHAIR: Yes.

18 MR. GOODMAN: My name is Pete Goodman  
19 and I work with a number of groups primarily  
20 representing Valley Forge chapter of Trout  
21 Unlimited. I am very disappointed in DEPs proposed  
22 remedial response. The Pennsylvania Constitution  
23 guarantees us the right to clean air, clean water  
24 and a healthy environment. Your inaction to date is  
25 denying us the fundamental constitutional right.

1                   After decades of identified pollution  
2 and associated health risks and my neighbors and  
3 friends getting sick, is this the best that you can  
4 do? A 30 minute presentation, although somewhat  
5 informative, has left out a lot of details such as  
6 the CDP agreements and the department's breaches in  
7 procedure.

8                   In 46 days from when you announced and  
9 released your remedial response we the public are  
10 supposed to have been able to read, analyze and  
11 absorb what has taken you more than two decades to  
12 produce. We, I guess, were to stop all that we are  
13 normally doing and jump on this at once to reviewed  
14 it when you finally released it. In my reading of  
15 your documents, it is evident to me that you have  
16 still failed to identify the extent of the pollution  
17 plume and further identify all of the toxic  
18 chemicals on site.

19                   What we have heard for more than 20  
20 years is that more testing is necessary and the  
21 remedial response is full of more of the same. How  
22 are we expected to make informed comments on a plan  
23 involving mixing chemicals with contaminated earth  
24 on site when one, we don't know - you don't know, or  
25 have not definitively told us what all the



1 contaminants are and two, you are mixing chemicals  
2 to be determined later after more testing which  
3 today are unknown. We have no facts to comment on.  
4 Your plan isn't a plan, it's incomplete. Why are we  
5 even having this hearing?

6           It seems to be a useless exercise.  
7 The proverbial can is just being kicked further into  
8 the future at the expense of my friend's health and  
9 wellbeing.

10           I'll close my comment with several  
11 questions. Is it DEP that will be implementing and  
12 overseeing the remedial response? If the answer is  
13 yes, why should we the public have any confidence in  
14 that after two decades of no cleanup? There appears  
15 to be divided responsibility as to who is  
16 responsible for what. I would like to know what  
17 exactly are DEPs responsibilities? What are CDPs  
18 responsibilities? And what about the other  
19 responsible parties, individually and collectively  
20 and what are they responsible for?

21           And who gets to pay for this? What  
22 does DEP say about payment and what do responsible  
23 parties say about payment? Under your proposal who  
24 is responsible for pushing the plan through to  
25 completion? Who oversees this? Who pays for it and

1 what if they don't? And finally what does the final  
2 cleanup look like? Would you let your grandson play  
3 in the dirt after the remediation at the site?

4 Thank you for the opportunity to voice  
5 my concerns.

6 CHAIR: Thanks so much, Pete.

7 Next we have Tom Maguire followed by  
8 Paul Miller.

9 MR. MAGUIRE: Yes, my name is Tom  
10 Maguire. I want to thank you for the opportunity to  
11 provide oral testimony this evening but I've decided  
12 at this time to submit my comments in writing and  
13 thank you for the opportunity.

14 CHAIR: Okay. Thanks, Tom.

15 Paul Miller?

16 MR. MILLER: Thank you, but I don't  
17 have any comments tonight and will be submitting  
18 comments probably in writing. But thank you.

19 CHAIR: Okay. Great. Thanks, Paul.

20 Bill Coneghen?

21 MR. CONEGHEN: Thank you for  
22 connecting me up here. Bill Coneghen, 74 Village  
23 Way. I'm several hundred yards from the Bishop Tube  
24 site. When I read the remediation plan and saw the  
25 video, I was quite surprised that I couldn't come to

1 a clear understand about what this was about or how  
2 it was going to be done. The outline of the plan  
3 gives the topics of remediation, the naming of  
4 convention and the verbiage about the actions but  
5 for community members, including myself, with a  
6 general haze about these actions entail. What they  
7 mean? How are they going to affect me or my  
8 neighbors?

9                   One of the issues that is prevalent in  
10 - one of the items that is very prevalent in the  
11 community is the lack of trust in DEPs ability to  
12 carry out a remediation plan. Where the people in  
13 the community are safe guarded from the hazards of  
14 Bishop Tube, the cost is at a low level. This may  
15 be due to several agreements made with the developer  
16 that are undisclosed to the community. Or it may be  
17 due to a prior incident that the developer's  
18 contractor had at the site where remediation  
19 equipment had been broken.

20                   My other concern for myself and my  
21 family and of my neighbors is the health of the  
22 community. This has not been taken very seriously.  
23 Over 20 years of no action. No DEP initiated  
24 contact with the community or township officials.  
25 Only from legal support from Delaware River Keepers

1 have neighbors have their health concerns and their  
2 voices made known.

3 I've lived here since 1994 when my son  
4 was three years old. I'm distressed and saddened to  
5 realize that since the year 2000 children growing up  
6 in this neighborhood including my son have been  
7 exposed to these hazardous chemicals and DEP has  
8 given no heed to the health of the children in the  
9 General Warren Village. Thank you for the  
10 opportunity to express my concerns and my opinions.

11 CHAIR: Thank you so much, Bill.

12 The last person we have that pre-  
13 registered is Carol Rapp.

14 Carol?

15 MS. RAPP: Can you hear me okay?

16 CHAIR: Yes, we can.

17 MS. RAPP: Okay.

18 My name is Carol Rapp and I am a  
19 resident of General Warren Village which borders  
20 the Bishop Tube site. I live on Village Way, FIVE  
21 houses away from the site. I have a constitutional  
22 right to a clean and healthy environment. This  
23 right is in the bill of rights section of the  
24 Pennsylvania Constitution which reads as follows.  
25 The people have a right to clean air, pure water and

1 to the preservation the natural, scenic, historic  
2 and esthetic values of the environment.

3 Pennsylvania's natural public resources are the  
4 common property of all the people, including  
5 generations yet to come. As trustees of these  
6 resources the Commonwealth shall conserve and  
7 maintain them for the benefit of all the people.

8 I want to express my profound  
9 disappointment and frustration with the DEP that has  
10 demonstrated over three decades of inaction in  
11 regards to the Bishop Tube site. The DEP is finally  
12 making a proposal to the cleanup of this site, but  
13 given the highly technical nature of this proposal,  
14 expert reviews cannot be fully accomplished in time  
15 for tonight's hearing. The remedial action plan  
16 repeatedly calls for additional data and study to  
17 determine the extent of the contamination and the  
18 final remedial action steps to take place. Clearly  
19 this is not a final plan upon which the community,  
20 or experts, can comment can comment as there is a  
21 wealth of outstanding information and decisions to  
22 be made.

23 The remediation proposal fails to  
24 protect the residential development of the site and  
25 yet residential development of over 90 homes is not

1 just proposed for this site, but a residential site  
2 plan has been proposed by the township and so it is  
3 clear the future use of this site will be  
4 residential. Therefor remediation of this site must  
5 meet the highest standards available for residential  
6 use.

7                   While my community is 100 percent  
8 opposed to any development of the site and is  
9 demanding all governmental officials work to ensure  
10 its protection as natural open space in perpetuity  
11 for the benefit of the community. Currently the  
12 proposed use is residential and that must be the end  
13 goal of this remediation plan.

14                   The proposal fails to discuss the  
15 history of the site including with regards to  
16 proposed development. The multiple prospective  
17 purchaser agreement with the proposed developer, the  
18 damage to equipment and installed to begin to  
19 address site contamination that was so detrimental  
20 it resulted in the DEP voiding key aspects of the  
21 PPS agreement that changed and now township approved  
22 from commercial to residential and the process and  
23 reason for the sweetheart deal struck with the  
24 proposed developer are among the key historic facts  
25 not included in the proposed DEP documentation.

1           DEP needs to provide full and fair  
2 information on the history and current proposal  
3 regarding site development. Holding this public  
4 hearing so soon after the voluminous and highly  
5 technical remediation plan was released is wrong and  
6 denies our community the opportunity to do a full  
7 review and share a fully informed comment with the  
8 DEP the press and others in our community.

9           DEP should have agreed to the  
10 community on the process that it hosts a  
11 presentation and question and answer session for the  
12 community to discuss the remedial alternatives  
13 presented early in the process and certainly early  
14 to any scheduled hearing. The video provided does  
15 not serve this purpose. The site developer and the  
16 responsible parties had unfettered access to DEP  
17 officials for decades. All the community is seeking  
18 is a three hour public meeting to be able to ask and  
19 answer questions.

20           To date the DEP has had only one  
21 public meeting years ago which did not discuss the  
22 current remedial action plan and therefore did not  
23 serve to inform the community in a way helpful to  
24 the current public comment process.

25           For all the above reasons, I want to

1 firmly state that I am strongly opposed to the  
2 development of the Bishop Tube site. I oppose the  
3 DEP doing a remediation plan that fails to  
4 acknowledge the sites been approved for residential  
5 development and I am incredibly disappointed the DEP  
6 is holding this hearing on November 9th when there  
7 hasn't been enough time for people to review the  
8 highly technical documents or for the community to  
9 ask questions.

10                   The past operations at this site have  
11 affected me, my children and the dogs I've had over  
12 the years. Three of my dogs died of cancer like so  
13 many other residents in the General Warren Village.  
14 The plans for future development and the future  
15 remediation will continue to affect me for years to  
16 come. We need you to hear us and to protect us.  
17 Thank you.

18                   CHAIR: Thank you, Carol. I am being  
19 told that we do have Sara on the line.

20                   Sara can you hear me?

21                   MS. CASPER: Yes.

22                   CHAIR: Okay.

23                   MS. CASPER: Can you hear me?

24                   CHAIR: Yes we can. Go ahead Sara. I  
25 know you're dialing in so I'll give you about 30



1 second warning if you get down to running out of  
2 time since you can't see the screen.

3 Okay?

4 MS. CASPER: Okay.

5 So start?

6 CHAIR: Yup. Go ahead.

7 MS. CASPER: There are some very  
8 drastic or important omissions in the plan. There  
9 is exclusion of sampling for PIFA, which is 90  
10 percent or more likely to be there because of the  
11 type of industry that was practiced there. There is  
12 no real topographical plan showing exactly where the  
13 samples were taken in relation to the site. What  
14 the depth was, anything that is really relevant.  
15 There is so much that is omitted that it is  
16 impossible for a conclusion to be drawn if DEP  
17 pursues what their plan is. And everything is  
18 exactly said before me, that's all true. I'm all  
19 good with that.

20 CHAIR: Okay.

21 Thank you so much, Sara.

22 Okay.

23 With that everyone who signed up to  
24 speak at tonight's hearing. As was mentioned  
25 earlier, we are going to collect written comments

1 through January 31, 2022 and those comments can  
2 either be emailed to the resource account that was  
3 shared earlier or mailed to the Southeast Regional  
4 Office. More information is available on the  
5 project web page which is [www.dep.pa.gov/bishoptube](http://www.dep.pa.gov/bishoptube).

6 I'm going to transition to the slide  
7 show that has the mailing address and the website as  
8 folks log off but in case you need it, it'll be on  
9 the screen.

10 I just want on behalf of everyone at  
11 the DEP to thank you for your participation, thank  
12 you for all your meaningful comments. We really  
13 appreciate the feedback and interest. And normally  
14 I'd tell you be careful getting home, but since  
15 we're virtual, I'll just tell you to have a good  
16 night. And be on the lookout for future community  
17 updates on the project. So thank you everyone.

18 \* \* \* \* \*

19 HEARING CONCLUDED AT 7:40 P.M.

20 \* \* \* \* \*

21

22

23

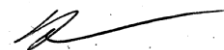
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## CERTIFICATE

I hereby certify that the foregoing proceedings, hearing was held before Chair Nurk, was reported by me on November 9, 2021 and that I, Brian D. O'Hare, read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

Dated the 17 day of January, 2022



Brian D. O'Hare

Court Reporter

PA Department of Environmental Protection

Bishop Tube HSCA Site Hearing


November 9, 2021

**Transcript Errata Sheet**

<u>PAGE#</u>	<u>LINE #</u>	<u>CORRECTION</u>
5	9	Change "Justin Armstrong" to "Dustin Armstrong"
5	12	Change "Justin Armstrong" to "Dustin Armstrong"
5	17	Change "ISKO and/or ISKER edition" to ISCO and/or ISCR addition"
5	20	Change "ISKO/ISKER" to "ISCO/ISCR"
5	21	Change "contaminate" to "contaminated"
6	3	Change "containments" to "contaminants"
6	4	Change "containment" to "contaminant"
6	6	Change "for source areas for the stream" to "from source areas to the stream"
6	8	Change "hasting" to "hastening"
6	9	Change "containment" to "contaminant"
6	12	Change "relevant or appropriate" to "relevant and appropriate"
6	22	Delete "guide"
7	8	Change "Justin" to "Dustin"
7	19	Change "substance" to "substances"
8	14	Change "substance" to "substances"
8	17	Change "basis's" to "bases"
8	24	Change "atranscript" to "a transcript"
9	4-5	Change "person taking" to "person or taking"
10	1	Change "against" to "into"
10	15	Change "Therefor" to "Therefore"
10	21	Change "Justin" to "Dustin"
10	24	Change "Justin" to "Dustin"
11	10	Change "wait" to "weight"
11	25	Change "being" to "be"
17	24	Change "I" to "I'll"

**Acknowledgement**

I, Dustin A. Armstrong, do hereby certify that I have read the foregoing pages, 1 – 50 and that the portions of the same ascribed to Mr. Dustin Armstrong, Mr. Adam Bram, Esq., Ms. Virginia Nurk, and Mr. Darek Jagiela are a correct transcription of the Public Hearing, therein, propounded, except for the corrections or changes in form or substance, if any, noted in this included Errata Sheet, hereto.

  
\_\_\_\_\_  
Dustin A. Armstrong

1/19/2022  
\_\_\_\_\_  
Date