



Action Alert
Bishop Tube Remedial Action Plan Proposal Released For Public Comment
How To Engage & Points of Concern
(as of 11/1/21)

September 24, 2021, after over 3 decades of inaction, the Pennsylvania Department of Environmental Protection (PADEP) announced a public comment period regarding a proposed remedial response action for the Bishop Tube HSCA Site to address soil, groundwater, surface water, and a residential drinking water supply contaminated by chlorinated solvents and/or inorganic contaminants of concern (COCs).

The proposal and associated documents can be found at the PADEP website:
<https://www.dep.pa.gov/About/Regional/SoutheastRegion/Community%20Information/Pages/Bishop-Tube.aspx>

September 27, 2021, DEP amended its public comment process in response to public demand. While not all public requests were granted, changes were made. The process now stands as follows:

- Written public comments for the record are due no later than January 31, 2022. Written comments should be submitted:
 1. by mail to Dustin A. Armstrong, Environmental Protection Specialist at the Pennsylvania Department of Environmental Protection, 2 East Main Street, Norristown, PA 19401; or
 2. by email to RA-EP-SEROECB@pa.gov. Include "Bishop Tube Public Comment" in the subject of the email.
- PADEP has prepared a 30-minute video presentation discussing its proposed remedial response action for the Site. It is available for review on PADEP's website at www.dep.pa.gov/bishoptube or by following this link: [Remedial Alternatives Presentation 2021](#).
- A Virtual Public Hearing to provide verbal testimony for the record will be held Tuesday, November 9, 2021, beginning at 6:30 PM.
 - Individuals who wish to present testimony at the virtual hearing must email RA-EP-SEROECB@pa.gov a minimum of 24 hours in advance of the hearing to reserve a time to present testimony; a link will be provided upon registration. Testifiers will be granted 5 minutes to speak.
 - For those wishing only to listen, access information to the hearing is posted on the [Virtual Public Hearing web page](#).

Points of Concern Regarding the Remedial Action Proposal & Process:

Given the highly technical nature of the proposal, expert reviews cannot be fully accomplished in time for the November 9 hearing date – one of many reasons why the community opposed holding the hearing so early in the comment process. There is no rational reason for this premature date. But the following points are clear and can be made at the hearing:

- The remedial action plan repeatedly calls for additional data and study in order to determine the extent of contamination and the final remedial action steps to take place – in other words, this is not a final plan upon which the community or experts can comment as there is a wealth of outstanding information and decisions to be made. We expected, and still expect, a final plan to assess, review and comment upon.
- The remediation proposal fails to protect for residential development of the site. And yet, residential development of over 90 homes is not just proposed for this site, but a residential site plan has been approved by the Township and so it is clear that the future use of this site will be residential. Therefore, remediation of the site must meet the highest standards available for residential use. While the community is 100% opposed to any development of this site and is demanding that all government officials work to ensure its protection as natural open space, in perpetuity, for the benefit of the community, currently the proposed-approved-use is residential and that must therefore be the end goal of this remediation plan.
- The proposal fails to discuss the true history of this site, including with regards to proposed development. The multiple Prospective Purchaser Agreements (PPA) with the proposed developer, the damage to equipment installed to begin to address site contamination that was so detrimental it resulted in PADEP voiding key aspects of the PPA agreement, the changed/changing proposed (and now township approved) end use from commercial to residential, and the process and reason for the sweetheart deal struck with the proposed developer, are among the key historic facts not included in the proposed PADEP documentation. PADEP needs to provide full and fair information on the history and current proposal regarding site development.
- Holding this public hearing so soon after the voluminous and highly technical remediation plan was released is wrong and denies our community the opportunity to do a full review and share with PADEP, press and others in our community, a fully informed comment. There is no rational reason for a hearing to be held so early in the public comment process.
- PADEP should have agreed to the community request that it host a presentation and question-&-answer session for the community to discuss the remedial alternatives presented early in the process and certainly prior to any scheduled hearing. The video provided does not serve this purpose. The site developer and responsible parties have had unfettered access to DEP officials for decades. All the community is seeking is a 3 hour public meeting to be able to ask and answer questions. To date DEP has had only one public meeting years ago which did not discuss the current proposed remedial action plan and therefore did not serve to inform the community in a way helpful to the current public comment process.