

SOUTHEAST REGIONAL OFFICE

August 13, 2015

Mr. Jordan Irving
Philadelphia Gun Club
3051 State Road
Bensalem, PA 19020

Re: Disapproval of Remedial Investigation Report and Risk Assessment
Philadelphia Gun Club
eFACTS PF No. 720790
eFACTS Site No.: 778455
3051 State Road
Bensalem Township
Bucks County

Dear Mr. Irving:

The Department of Environmental Protection (DEP) has reviewed the May 15, 2015 document titled "Remedial Investigation and Risk Assessment Report," for the property located at 3051 State Road, Bensalem Township. The Report was prepared by Pennoni Associates and submitted to DEP in accordance with the Land Recycling and Environmental Remediation Standards Act (Act 2) and constitutes a Remedial Investigation Report and Risk Assessment as defined in Chapter 3.

DEP notes the following deficiencies in Remedial Investigation Report and Risk Assessment and disapproves it in accordance with the provisions of Act 2:

1. The PNDI search of the project was performed on September 12, 2014. On May 4, 2015, the Northern Long-Eared Bat was listed as a threatened species. The PNDI searches must be run again to include this species.
2. The Exposure and Toxicity Assessments are well done and thorough. The toxicity is correctly calculated as explained on page 5-1 of the risk assessment; for both the outdoor worker and the construction worker, the results exceed the blood lead level of concern of 10 ug/dL.
3. The mitigation of these calculated risks is incorrect (Section 5.2 steps 1 through 3 in the risk assessment). The Department is concerned that the riverbank sample RB-1 will not be mitigated by this plan. The site specific clean-up value for lead could be calculated, and the entire site cleaned up to meet that value. Alternatively, the pathway could be eliminated by capping the area with soil. If the mitigation chosen here (Section 5.2) is used, that mitigation should be

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completed and a new risk assessment showing calculations for all receptors should be submitted, with results that are below the blood lead level of concern of 10 ug/dL.

In order for your site to be in compliance with applicable requirements of Act 2, these items must be addressed. The department is willing to work with you to develop an approvable submittal.

Please note that the required fee(s) must be repaid and public notification must be repeated for all new submittals.

If you wish to discuss these deficiencies, please contact Bruce A. McClain, P.G. at 484.250.5785.

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717.787.3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800.654.5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717.787.3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30 days. You do not need a lawyer to file an appeal with the Board.

Important legal rights are at stake, however, so you should show this document to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the secretary to the Board (717.787.3483) for more information.

Sincerely,

Stephan Sinding
Regional Manager
Environmental Cleanup and Brownfields

cc: Mr. Schmidt, P.E. (Pennoni Associates, Inc.)
Mr. McClain, P.G.
Ms. Warren

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Ms. Bass
Re 30 (WP)

Mr. William F. Schmidt, P.E
One Drexel Plaza
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Suite 200
Philadelphia, PA 19104