



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
1600 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103-2029

Via Email and Certified Mail (Return Receipt Requested).

MAS Management LLC
c/o Zahra Saeed and Mahmood Amer Saeed
P.O. Box 24869, Philadelphia, PA 19130; and

AUG 16 2022

2601 Pennsylvania Avenue
Apt. 1231
Philadelphia, PA 19130
masmanagementllc@gmail.com
zahra@zahrasaeed.com

Re: 2710 Lefevre Street, Philadelphia, PA

Notice of Federal Superfund Lien and Opportunity to be Heard

Dear Mr. and Ms. Saeed:

This letter provides you with notice that the U.S. Environmental Protection Agency (“EPA” or “Agency”) has perfected a Superfund lien on behalf of the United States upon real property owned by MAS Management LLC (“MAS” or “you”) at 2710 Lefevre Street, Philadelphia, Pennsylvania (“the Property”). The exact legal description of the Property is contained in Attachment 1 (Indenture) to this letter. The Property comprises the Lefevre Street Container Superfund Site (“the Site”), where EPA conducted a removal action under Section 104(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (“CERCLA”), a law commonly referred to as “Superfund.”¹

The lien EPA perfected against the Property arose in favor of the United States as provided in Section 107(l) of the CERCLA.² The lien is intended to secure payment to the United States of costs for which you, as the owner of the Property, may be liable under Section 107(a) of CERCLA.³

Your Potential Liability Under Superfund

Under Section 107(a) of CERCLA, liable persons include those who own any facility where a hazardous substance has been deposited, stored, disposed of, placed, or come to be located.

¹ 42 U.S.C. § 9604(a).

² 42 U.S.C. § 9607(l).

³ 42 U.S.C. § 9607(a).

Based on investigations conducted by EPA, the Agency has determined that hazardous substances known as polychlorinated biphenyls (“PCBs”) were disposed of at the Property, and that you are the owner of this Property. On June 11, 2020, EPA issued an Action Memorandum for the Site, selecting a removal action pursuant to Section 104(a) of CERCLA. EPA conducted removal response activities at the Site, including removal site assessment and a removal action (or cleanup), from approximately September 2018 through September 2021, and thereby has incurred approximately \$808,434.29 in response costs.⁴

Your potential liability for the United States’ response costs under CERCLA is joint and several. This means you are potentially liable for all the government’s response costs, even though there may be other potentially responsible parties (“PRPs”) associated with the Site. Under Section 107(a) of CERCLA, EPA is entitled to recover only costs that are not inconsistent with the national contingency plan, which has been promulgated at 40 C.F.R. Part 300.⁵

The United States’ Federal Lien Under Section 107(l) of CERCLA

Section 107(l) of CERCLA provides that all costs for which a person is liable to the United States under Section 107(a) of CERCLA shall constitute a lien (or “Superfund lien”) in favor of the United States upon all real property, or rights to this property, that belong(s) to the person and that is or has been subject to a removal or remedial action. The Superfund lien will continue until liability for the United States’ response costs is satisfied or until liability for the costs becomes unenforceable through operation of the applicable statute of limitations set forth at Section 113(g)(2) of CERCLA.⁶ A Superfund lien arises either at the time the United States first incurs costs for a CERCLA response action, or when the person liable for such costs and damages is provided with formal written notice of potential liability, whichever is later.

The United States first incurred response costs for the Site in or around the summer of 2018. In a letter dated April 20, 2020, EPA sent you a letter with a written notice of your potential liability. Copies of that letter and your email response acknowledging receipt of the letter are part of the Lien-Filing Record Index, which is included with this letter as Attachment 2. When you received EPA’s April 20, 2020 letter, the United States’ Superfund lien attached to the Property, pursuant to Section 107(l) of CERCLA.

EPA has assembled a Lien-Filing Record, which consists of documents related to EPA’s decision to perfect the Superfund lien (EPA Docket # CERCLA-03-2022-0129LL). This Lien-Filing Record has been filed at the following address and may be reviewed and copied there. Please contact the following person to make arrangements to review the Lien-Filing Record or to have electronic copies of the documents comprising the Lien-Filing Record provided to you:

⁴ EPA continues to incur Site-related response costs under CERCLA, as the statute expressly defines response to include enforcement activities. *See* 42 U.S.C. § 9601(25).

⁵ i.e., the National Oil and Hazardous Substances Pollution Contingency Plan.

⁶ 42 U.S.C. § 9613(g)(2).

Ms. Bevin Esposito (3RC20)
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 3
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103
(215) 814-2637
R3_Hearing_Clerk@epa.gov

EPA has reviewed the information in the Lien-Filing Record and determined that EPA has a reasonable basis to believe that the statutory elements for perfecting a Superfund lien on the Property have been met. EPA has perfected its Superfund lien by filing a Notice of Lien with the City of Philadelphia, Office of Judicial Records. EPA perfected its Superfund lien prior to notifying you of its intention because EPA has learned that exceptional circumstances exist in this case and that you may currently be planning to transfer ownership of the Property.

Your Opportunity to be Heard or to Make a Written Submission if You Think EPA Does Not Have a Reasonable Basis to Perfect a Lien on the Property

You may notify EPA in writing no later than 30 calendar days after the date you receive this letter if you believe EPA's information or determination is in error. You may also request to appear before a neutral EPA official to present any information showing that EPA did not have a reasonable basis to perfect a lien. You should describe in your letter or written request your reasons for believing EPA did not have a reasonable basis to perfect its lien because EPA may, as described below, agree with your reasons and reconsider its decision to perfect a lien without a further review or meeting. Any written submissions or requests for a meeting should refer to the Lefevre Street Container Superfund Site (EPA Docket # CERCLA-03-2022-0129LL) and should be sent via email to:

Robert S. Hasson (3R410)
Senior Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 3
1600 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103
(215) 814-2672
hasson.robert@epa.gov

You may include documents or information supporting your contentions. If EPA receives your written submission and request for a meeting within 30 calendar days after the date you receive this letter, EPA will review your submission and request. If, after review and consultation, EPA agrees that it did not have a reasonable basis upon which to perfect a lien, EPA will release its lien without further review or a meeting. If EPA disagrees and believes it did have a reasonable basis to perfect a lien, your written submission and request for a meeting will be referred to a neutral EPA official, who will be selected to review your submission and the Lien-Filing Record and to conduct the meeting.

If you request an opportunity to appear, a meeting before a neutral EPA official will be scheduled. You may choose to attend this meeting via teleconference. The Agency will be represented by the Office of Regional Counsel. You may also be represented by counsel at this meeting.

The meeting will be an informal hearing at which you may provide EPA with information as to why the Agency's assumptions require reconsideration. The meeting will not be conducted using rules of evidence or formal administrative or judicial procedures. The sole issue at the meeting would be whether EPA had a reasonable basis to perfect a lien upon the Property based upon Section 107(l) of CERCLA and the Lien-Filing Record.

After reviewing your written submission, or conducting a meeting (if one is requested), the neutral EPA official will issue a recommended decision based on the Lien-Filing Record. The recommended decision will state whether EPA had a reasonable basis to perfect the lien and will be forwarded to the Regional Counsel, who is the Agency official delegated to execute liens for action. You will be notified of the Agency's action (whether the lien will stay in place or be released) and furnished with a copy of the recommended decision.

Neither you nor EPA waives, or is prohibited from asserting, any claims or defenses in any subsequent legal or administrative proceeding by the submission of information, by a request for and participation at a meeting, or by the issuance of a recommended decision by the neutral EPA official that EPA had a reasonable basis to file a Superfund lien. If you have any questions about this letter, please have your attorney contact Senior Assistant Regional Counsel Robert Hasson at (215) 814-2672 or hasson.robert@epa.gov.

Sincerely,



Cecil Rodrigues
Regional Counsel
U.S. Environmental Protection Agency, Region 3

Enclosures (1 – Indenture with legal description of Property; 2 – EPA's Lien-Filing Record Index)

cc: Robert S. Hasson (3RC10)

ATTACHMENT 1

File No.: 6681

Parcel ID No.: 884350250

This Indenture, made the March 16, 2018

Between

John F. Joyce

(hereinafter called the Grantors/Sellers), of the one part, and

MAS Management LLC

(hereinafter called the Grantee/Buyers), of the other part,

Witnesseth that the said Grantor for and in consideration of the sum of **\$190,000.00** lawful money of United States of American, unto Sellers well and truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, Seller granted, bargained and sold, released and confirmed, and by these presents do grant, bargain and sell, release and confirm unto the said Grantee

Municipality of City of Philadelphia, Block No. 884350250 Lot No. ,

Please see attached Legal Description annexed hereto and made a part hereof.

Together with all and singular the buildings and improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in anywise appertaining, and the reversions and remainders, rents issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of Seller, the said Grantor, as well at law as in equity, of, in and to the same.

To have and to hold the said lot or piece of ground described above, with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, their heirs and assigns, to and for the only proper use and behoof of the said Grantee, their heirs and assigns, forever.

And the said Grantor, for themselves and their heirs, executors and administrators, do, by these presents, covenant, grant and agree, to and with the said Grantee, their heirs and assigns, that Seller, the said Grantor, and their heirs, all and singular the hereditaments and premises herein described and granted, or mentioned and intended so to be, with the appurtenances, unto the said Grantee, their heirs and assigns, against the lawful claims of all persons claiming by, through or under the said Grantor but not otherwise.

TITLE INSURANCE COMMITMENT
Issued by Downtown Abstract Incorporated
AGENT FOR FIDELITY NATIONAL TITLE INSURANCE COMPANY

Commitment Number: 6681

SCHEDULE A

LEGAL DESCRIPTION

ALL THAT CERTAIN LOT OR PIECE OF GROUND WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED.

SITUATE IN THE 45TH WARD OF PHILADELPHIA COUNTY, AND DESCRIBED ACCORDING TO A SURVEY AND PLAN THEREOF MADE BY J.H. WEBSTER, JR. ESQ. SURVEYOR AND REGULATOR OF THE 10TH SURVEY DISTRICT ON 03/01/1905, AS FOLLOWS TO WIT:

BEGINNING AT A POINT ON THE SOUTHWEST SIDE OF LEFÈVRE AT THE DISTANCE OF 90 FEET 3 1/2 INCHES NORTHWESTWARD FROM THE NORTHWEST SIDE OF SALMON STREET, THENCE EXTENDING SOUTHWESTWARD ON A LINE PARALLEL WITH THE SAID SALMON STREET 178 FEET 2 3/8 INCHES TO A POINT FOR A CORNER; THENCE EXTENDING NORTHWESTWARD ON A LINE T RIGHT ANGLES TO EDMONT STREET 55 FEET TO A POINT FOR A CORNER; THENCE EXTENDING NORTHEASTWARD ON A LINE PARALLEL WITH THE SAID SALMON STREET 182 FEET 7 3/4 INCHES TO A POINT ON THE SAID SOUTHWEST SIDE OF LEFÈVRE STREET; THENCE EXTENDING SOUTHEASTWARD ALONG THE SAJD SOUTHWEST SIDE OF LEFÈVRE STREET 55 FEET 2 1/8 INCHES TO THE 1ST MENTIONED POINT AND PLACE OF BEGINNING.

BRT#884350250

2710 Lefevre St. Philadelphia, PA

BEING THE SAME PREMISES WHICH CITY OF PHILADELPHIA BY DEED DATED 3/19/2015 AND RECORDED 9/15/2015 IN THE COUNTY OF PHILADELPHIA IN DEED INSTRUMENT #52965978 AND CONVEYED UNTO JOHN F. JOYCE

In Witness Whereof, the parties of the first part have hereunto set their hand and seal. Dated the day and year first above written.

Sealed and Delivered
IN THE PRESENCE OF US:

[Signature] 3/16/18

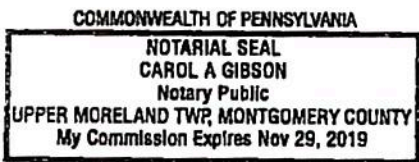
[Signature] {SEAL}
John F. Joyce

_____ {SEAL}

Commonwealth of Pennsylvania
County of Philadelphia

On this the March 16, 2018, before me *Carol A. Gibson*, the undersigned Notary Public, personally appeared **John F. Joyce**, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



[Signature]
Notary Public
My Commission Expires

The precise residence and the complete post office Address of the above-named Grantee is:

[Signature]
On behalf of the Grantee

PHILADELPHIA REAL ESTATE TRANSFER TAX CERTIFICATION

BOOK NO. PAGE NO.

DATE RECORDED

CITY TAX PAID

Complete each section and file in duplicate with Recorder of Deeds when (1) the full consideration/value is/is not set forth in the deed, (2) when the deed is with consideration, or by gift, or (3) a tax exemption is claimed. If more space is needed, attach additional sheet(s).

A. CORRESPONDENT — All Inquiries may be directed to the following person:

NAME Downtown Abstract Incorporated	TELEPHONE NUMBER: AREA CODE () (856) 810-5959
STREET ADDRESS 70 E Main Street Suite B	CITY STATE ZIP CODE Marlton, NJ 08053

B. TRANSFER DATA DATE OF ACCEPTANCE OF DOCUMENT: **3/16/2018**

GRANTOR(S)/LESSOR(S) John F. Joyce	GRANTEE(S)/LESSEE(S) MAS Management LLC
STREET ADDRESS 1144 Morton Ave.	STREET ADDRESS 2601 Pennsylvania Ave, Apt 1231
CITY STATE ZIP CODE Folsom PA 19033	CITY STATE ZIP CODE Philadelphia PA 19130

C. PROPERTY LOCATION

STREET ADDRESS 2710 Lefevre St	CITY, TOWNSHIP, BOROUGH Philadelphia City
COUNTY Philadelphia	SCHOOL DISTRICT Philadelphia
TAX PARCEL NUMBER 884350250	

1. ACTUAL CASH CONSIDERATION 190,000.00	2. OTHER CONSIDERATION + 0	3. TOTAL CONSIDERATION = 190,000.00
4. COUNTY ASSESSED VALUE 67,900.00	5. COMMON LEVEL RATIO FACTOR X 1.01	6. FAIR MARKET VALUE = 68,579.00

E. EXEMPTION DATA

1A. AMOUNT OF EXEMPTION 0	1B. PERCENTAGE OF INTEREST CONVEYED 100
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2. Check Appropriate Box Below for Exemption Claimed
- Will or intestate succession _____ (NAME OF DECEDENT) (ESTATE FILE NUMBER)
 - Transfer to Industrial Development Agency.
 - Transfer to agent or straw party. (Attach copy of agency/straw party agreement).
 - Transfer between principal and agent. (Attach copy of agency/straw trust agreement). Tax paid prior deed \$ _____.
 - Transfers to the Commonwealth, the United States, and Instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (Attach copy of resolution).
 - Transfer from mortgagor to a holder of a mortgage in default. Mortgage Book Number _____, Page Number _____ Mortgagee (grantor) sold property to Mortgagor (grantee) (Attach copy of prior deed).
 - Corrective deed (Attach copy of the prior deed).
 - Other (Please explain exemption claimed, if other than listed above.) _____

Under penalties of law or ordinance, I declare that I have examined this Statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

SIGNATURE OF CORRESPONDENT OR RESPONSIBLE PARTY John F. Joyce, By: 	DATE March 16, 2018
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ATTACHMENT 2

1. Indenture dated March 16, 2018, between John F. Joyce (Grantor/Seller) and MAS Management LLC (Grantee/Buyer);
2. General Notice Letter, dated April 20, 2020, from Claudette Reed, Chief, Program Support & Cost Recovery Branch, Superfund & Emergency Management Division, EPA Region 3, to MAS Management, LLC (Attention: Zahra and Amer Saeed);
3. Email dated April 23, 2020, from Zahra Saeed, MAS Management LLC, to Benjamin Joseph, Civil Investigator, Cost Recovery Section, Superfund & Emergency Management Division, EPA Region 3 (acknowledging receipt of April 20, 2020 General Notice Letter);
4. Action Memorandum for Lefevre Street Container Site, June 11, 2020;
5. Final Letter Trip Report, Lefevre Street Container Site, prepared by Tetra Tech for EPA, December 8, 2021;
6. EPA Itemized Cost Summary Verification, Lefevre Street Container Site (Site ID No. A3 MZ), August 4, 2022