

**BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III**

<b>In the Matter of:</b>	:	<b>CONSENT AGREEMENT</b>
<b>Leed Foundry, Inc.</b>	:	
<b>Wade Road</b>	:	<b>Docket Nos. RCRA-03-2004-0061</b>
<b>St. Clair, PA 17970</b>	:	<b>CWA-03-2004-0061</b>
<b>Respondent</b>	:	<b>Proceeding under Section 3008(a)</b>
	:	<b>of the Resource Conservation and</b>
	:	<b>Recovery Act, as amended, 42 U.S.C.</b>
	:	<b>§ 6928(a), and Section 309(g) of the</b>
	:	<b>Clean Water Act, 33 U.S.C. § 1319(g)</b>

**CONSENT AGREEMENT**

**Preliminary Statement**

The Director of the Office of Enforcement, Compliance, and Environmental Justice, U.S. Environmental Protection Agency - Region III ("Complainant") and Leed Foundry, Inc. ("Respondent"), the Parties herein, wish to settle all matters pertaining to this case and agree that entry of this Consent Agreement and accompanying Final Order (collectively referred to as the "CAFO") without further litigation is the most appropriate means of resolving this matter, **NOW, THEREFORE**, the Parties consent to the entry of this CAFO.

**General Provisions**

1. This Consent Agreement is entered into by the Parties pursuant to Section 3008(a) of the Solid Waste Disposal Act, commonly referred to as the Resource Conservation and Recovery Act of 1976, as amended by, *inter alia*, the Hazardous and Solid Waste Amendments of 1984 (collectively referred to hereinafter as "RCRA"), 42 U.S.C. § 6928(a); Section 309(g) of the Clean Water Act ("CWA"), 33 U.S.C. § 1319(g); and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22. This CAFO resolves Complainant's civil claims, under RCRA § 3008(a) and CWA § 309(g), alleged in the Complaint, Compliance Order, and Notice of Right to Request Hearing ("Complaint") filed in this matter on September 30, 2004.

2. An *Initial Decision* in *In the Matter of Leed Foundry, Inc.*, 2007 EPA ALJ LEXIS 13 (April 24, 2007), and a *Remand Order*, RCRA (3008) Appeal No. 07-02, 13 E.A.D. \_\_\_, 2008 EPA App. LEXIS 9 (February 20, 2008) were issued previously in this matter.

3. For purposes of this proceeding, Respondent admits the jurisdictional allegations in the Complaint.

4. Except as provided in paragraph 3, above, Respondent neither admits nor denies the factual allegations contained in the Complaint and agrees not to contest further the findings of fact and conclusions of law set forth in the above-cited *Initial Decision* and *Remand Order*.

5. Respondent agrees not to contest the jurisdiction of the U.S. Environmental Protection Agency (“EPA”) with respect to the execution of this Consent Agreement, to the issuance of the attached Final Order, or to the enforcement of this CAFO.

6. For the purposes of this proceeding, Respondent expressly waives any right to further hearing, under RCRA § 3008(b), 42 U.S.C. § 6928(b), and CWA § 309(g), to contest any issue of law or fact set forth in this Consent Agreement, and any right to appeal the accompanying Final Order.

7. Pursuant to Section 309(g)(4)(A) of the CWA, 33 U.S.C. § 1319(g)(4)(A), and Section 22.45(b) of the Consolidated Rules of Practice, EPA published, on the EPA Region III website, a public notice of commencement of the administrative action and the proposed penalty assessment brought under the authority of the CWA, and received no comments thereto.

8. Respondent consents to the issuance of this Consent Agreement and the accompanying Final Order and agrees to comply with their terms and conditions.

9. Respondent shall bear its own costs and attorney’s fees incurred in connection with these proceedings.

#### **EPA’s Findings of Fact and Conclusions of Law**

10. The allegations set forth in the Complaint, and the findings of fact and conclusions of law set forth in the *Initial Decision* and *Remand Order* referred to in paragraph 2, above, are incorporated into this Consent Agreement as EPA’s Findings of Fact and Conclusions of Law as if fully set forth at length herein. Except as provided in paragraph 3, above, such findings and conclusions are not admitted by Respondent, although Respondent hereby agrees not to contest them in any proceeding initiated by EPA to enforce this Consent Agreement and accompanying Final Order.

#### **Compliance Order**

11. Pursuant to the authority of Section 3008(a) of RCRA, Respondent is hereby ordered to perform the Compliance Tasks listed in paragraphs 11.A through 11.G, below. “Days” as used herein shall mean calendar days unless specified otherwise. “Facility” means the Leed Foundry located on Wade Road in St. Clair, Pennsylvania including all contiguous land, structures, appurtenances, and improvements included in the definition of “facility” set forth at 25 Pa. Code § 260a.10. Unless otherwise noted, citations in braces ({} ) to the Code of Federal Regulations (“C.F.R.”) are to the edition that has been incorporated by reference into the authorized Pennsylvania Hazardous Waste Regulations, 25 Pa. Code Ch. 260a-266a, 266b, and 268a-270a (authorization effective March 22, 2004). See 65 *Fed. Reg.* 57734 (September 26, 2000) and 69 *Fed. Reg.* 2674 (January 20, 2004).

Compliance Tasks

- A. Respondent shall not store hazardous waste at Leed Foundry unless the waste is being stored in accordance with applicable law including, but not limited to, RCRA and the authorized Pennsylvania Hazardous Waste Regulations found at 25 Pa. Code Ch. 260a-266a, 266b, and 268a-270a.
- B. Within 60 days of the effective date of this Order, Respondent shall submit to the Pennsylvania Department of Environmental Protection ("PADEP") for approval a closure plan and implementation schedule for the former baghouse dust staging area in accordance with requirements identified in PADEP's letter dated April 10, 2008, which is attached hereto as Exhibit "A."
- C. Promptly upon receipt of PADEP's approval of the closure plan required in paragraph 11.B, above, Respondent shall implement the closure plan as approved; provided, however, that nothing herein is intended, nor be construed, as prohibiting Respondent from appealing, in accordance with applicable Pennsylvania law, any such PADEP approval if the plan or implementation schedule as approved by PADEP is materially different from the plan and implementation schedule submitted by Respondent.
- D. Certification of Compliance. Within ninety (90) days after the effective date of this Order, submit to EPA a written statement, accompanied by a certification in the form set forth in paragraph 11.F, below, and signed by a responsible corporate officer, certifying that Respondent has completed or has made substantial progress in completing Compliance Tasks A through C, above, and is in compliance with the requirements of RCRA and the federally authorized Pennsylvania hazardous waste management program, with emphasis on the requirements cited in the Complaint. If Respondent is not in compliance with the above requirements at the time of the certification, Respondent shall describe those requirements with which it is not in compliance and shall describe the measures it has taken and will take to achieve compliance (including a schedule for achieving such compliance).
- E. Responsible Corporate Officer. Any notice, report, certification, data presentation, or other document submitted by Respondent pursuant to this Order which discusses, describes, demonstrates, or supports any finding or makes any representation concerning Respondent's compliance or non-compliance with any requirements of this Order shall be certified by a responsible corporate officer of Respondent. A responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

- F. The certification of the responsible corporate officer required above shall be in the following form:

I certify that the information contained in or accompanying this [type of submission] is true, accurate and complete. As to [the/those] identified portions of this [type of submission] for which I cannot personally verify [its/their] accuracy, I certify under penalty of law that this [type of submission] and all attachments were prepared in accordance with a system designed to assure the qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

- G. Any notifications or submissions to EPA required by this Order shall be sent to the attention of:

Kenneth Cox  
RCRA Enforcement and Compliance Officer (3WC31)  
United States Environmental Protection Agency - Region III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

and

John Ruggero  
Senior Assistant Regional Counsel (3RC30)  
United States Environmental Protection Agency - Region III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

**Civil Penalty**

12. In settlement of EPA's claims for civil monetary penalties for the violations alleged in the Complaint and herein, Respondent consents to the assessment of a civil penalty of Twenty-Five Thousand Dollars (\$25,000.00), which Respondent agrees to pay in accordance with the terms set forth below. Such civil penalty amount shall become due and payable immediately upon the effective date of this CAFO as provided in paragraph 25, below. In order

to avoid the assessment of interest, administrative costs, and late payment penalties in connection with the civil penalty assessed by this CAFO, Respondent must pay the civil penalty no later than thirty (30) calendar days after the effective date.

13. a. Complainant finds that the aforesaid settlement amount is reasonable, based upon a consideration of a number of factors, including, but not limited to, the statutory factors set forth in Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), and Section 309(g)(3) of the CWA, 33 U.S.C. § 1319(g)(3). The assessed penalty is consistent with the *Interim Clean Water Act Settlement Penalty Policy* (March 1, 1995), *RCRA Civil Penalty Policy* (June 2003), and 40 C.F.R. Part 19.

b. In reliance upon and based upon an analysis of, among other things, the financial information adduced at the hearing held October 31 through November 7, 2005, as well as the documents listed below and related correspondence and attachments, which were provided to EPA by Respondent, Complainant has concluded that Respondent has demonstrated that it is not able to pay the full civil penalty assessable for the violations alleged in the Complaint, but that Respondent is able to pay a civil penalty in the amount of Twenty-Five Thousand Dollars (\$25,000.00).

- Correspondence of Salvatore A. Nole, Jr. CPA, dated May 2, 2008
- Financial Statements for 2005, 2006, and 2007
- Statement of income and cash flow 2007
- U.S. Corporate Income Tax Returns for tax years 2005 through 2007.

14. a. Respondent shall pay the civil penalty specified in paragraph 12, above, by electronic funds transfer (“EFT”), as described below, or by sending a corporate check or certified check, made payable to the order of “**United States Treasury.**”

b. Checks sent by regular US Postal Service mail delivery must be sent to:

U.S. EPA  
Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, MO 63197-9000

Contact: Natalie Pearson (314-418-4087)

c. Checks sent by private commercial overnight delivery service must be sent to:

U.S. Environmental Protection Agency  
Fines and Penalties  
U.S. Bank  
1005 Convention Plaza  
Mail Station SL-MO-C2GL  
St. Louis, MO 63101

Contact: Natalie Pearson (314-418-4087)

- d. Any EFT shall be transmitted to:

Wire Transfer

Federal Reserve Bank of New York  
ABA = 021030004  
Account = 68010727  
SWIFT Address = FRNYUS33  
33 Liberty Street  
New York, NY 10045  
(Field Tag 4200 of the wire transfer message should read:  
"D 68010727 Environmental Protection Agency")

Automated Clearing House (ACH) Transfer for receiving U.S. currency  
(also known as REX or remittance express)

PNC Bank  
ABA = 051036706  
Environmental Protection Agency  
Account 310006  
CTX Format  
Transaction Code 22 - checking  
808 17<sup>th</sup> Street, NW  
Washington, DC 20074

Contact for ACH: Jessie White 301 887-6548

- e. There is now an On Line Payment Option, available through the Department of Treasury. This payment option can be accessed from the information below:

WWW.PAY.GOV  
Enter sfo 1.1 in the search field

- f. Open the form and complete required fields. All payments by Respondent shall reference its name and address and the Docket Numbers of this case (RCRA-03-2004-0061, CWA-03-2004-0061).

15. At the time of payment, Respondent shall send a notice of such payment, including a copy of any check or EFT authorization form and EFT transaction record, as appropriate, to:

John Ruggero  
Senior Assistant Regional Counsel  
U.S. Environmental Protection Agency  
Region III (Mail Code 3RC30)  
1650 Arch Street  
Philadelphia, PA 19103-2029

and

Ms. Lydia Guy  
Regional Hearing Clerk  
U.S. Environmental Protection Agency  
Region III (Mail Code 3RC00)  
1650 Arch Street  
Philadelphia, PA 19103-2029

16. a. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim, as more fully described below. Accordingly, Respondent's failure to make timely payment or to comply with the conditions in this Consent Agreement and Final Order shall result in the assessment of late payment charges including interest, penalties, and/or administrative costs of handling delinquent debts.

b. Interest on the civil penalty assessed in this CAFO will begin to accrue on the date that this CAFO becomes effective. However, EPA will not seek to recover interest on any amount of the civil penalty that is paid within thirty (30) calendar days after the date on which such interest begins to accrue. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a).

c. The costs of the Agency's administrative handling of overdue debts will be charged and assessed monthly throughout the period the debt is overdue. 40 C.F.R. § 13.11(b). Pursuant to Appendix 2 of EPA's *Resources Management Directives - Cash Management*, Chapter 9, EPA will assess a \$15.00 administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period after the payment is due and an additional \$15.00 for each subsequent thirty (30) days during which the penalty remains unpaid.

d. A penalty charge of six percent per year will be assessed monthly on any portion of the civil penalty which remains delinquent more than ninety (90) calendar days. 40 C.F.R. § 13.11(c). Should assessment of the penalty charge on the debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d).

17. Respondent agrees not to deduct for federal taxation purposes the civil penalty paid pursuant to this CAFO.

**Certification**

18. By signing this Consent Agreement, Respondent's representative certifies that the financial information listed in paragraph 13, above, accurately reflects the financial status of Respondent.

**Other Conditions**

19. Within 90 days of the effective date of this Order, Respondent shall submit for EPA's review and comment a revised Preparedness, Prevention and Contingency Plan, ("PPC Plan") to supersede the PPC Plan produced at the hearing in this matter. The revised PPC Plan shall be consistent with PAG-03, Pennsylvania's General Permit for Discharges of Storm water Associated with Industrial Activities, and specifically appendix B for the primary metal industry facilities. The revised PPC Plan shall include a plan for monitoring flow and constituents of discharges of storm water from the facility through all outfalls (including, but not limited to, outfalls 1, 2, 3 and 4), analysis of monitoring results, and best management practices and/or other measures (including a schedule for implementation) to minimize the discharge of storm water from the facility.

**Other Applicable Laws**

20. This CAFO shall not relieve Respondent of its obligation to comply with all applicable federal, state, and local laws and regulations, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state, or local law, regulation, or permit.

**Reservation of Rights**

21. This Consent Agreement and the accompanying Final Order resolve only EPA's civil claims for penalties for the specific violations alleged in the Complaint and herein. EPA reserves the right to commence action against any person, including Respondent, in response to any condition that EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. In addition, this settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Section 22.18(c) of the Consolidated Rules of Practice. Further, EPA reserves any rights and remedies available to it under RCRA and the CWA, the regulations promulgated thereunder, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this CAFO, following its filing with the Regional Hearing Clerk. Additionally, Complainant reserves the right to take any and all actions, including, but not limited to, initiation of a judicial action seeking appropriate relief if it is determined that Respondent has in any manner misrepresented a material fact pertaining to its financial status or the information relied upon by Complainant in evaluating Respondent's "inability to pay" claim.

22. Any failure by Respondent to comply with the requirements of paragraphs 11 and 12 of this Consent Agreement, including the failure to complete any Compliance Task within the deadline specified for such task, shall be deemed a violation of this Consent Agreement and the accompanying Final Order, and may subject the Respondent to further administrative, civil and/or criminal enforcement actions, including, but not limited to, the issuance of an administrative complaint and imposition of penalties as provided by Section 3008(a), (c), and (g) of RCRA, 42 U.S.C. § 6928(a), (c), and (g), and Section 309(g) of the CWA.

**Full and Final Satisfaction**

23. Payment of the penalty specified in paragraph 12, above, shall constitute full and final satisfaction of Complainant's civil claims for penalties for the specific violations alleged in the Complaint. Compliance with this CAFO shall not be a defense to any action commenced at any time for any other violation of the federal laws and regulations administered by EPA.

**Parties Bound**

24. This Consent Agreement and the accompanying Final Order shall apply to and be binding upon Respondent and its officers, directors, agents, employees, successors, and assigns. By his or her signature below, the person signing this Consent Agreement on behalf of Respondent certifies that he or she is fully authorized by Respondent to enter into this Consent Agreement and to legally bind Respondent to the terms and conditions of this Consent Agreement and the accompanying Final Order.

**Effective Date**

25. Pursuant to 33 U.S.C. § 1319(g)(5), this CAFO will become final 30 days after the date on which the Final Order is signed by the Regional Administrator of U.S. EPA Region III, at which time the CAFO will be filed with the Regional Hearing Clerk of U.S. EPA Region III pursuant to the Consolidated Rules of Practice. Pursuant to 40 C.F.R. § 22.31(b), this CAFO shall become effective immediately upon filing.

**Entire Agreement**

26. This Consent Agreement and the accompanying Final Order constitute the entire agreement and understanding of the parties concerning settlement of above-captioned action and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this Consent Agreement and the accompanying Final Order.

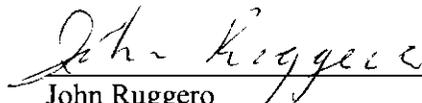
**For Respondent:**

Date \_\_\_\_\_

  
\_\_\_\_\_  
Edmund P. Quirin, President  
Leed Foundry, Inc.

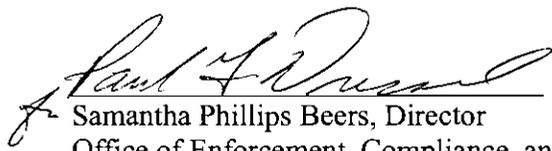
**For Complainant:**

Date: May 21, 2008

  
\_\_\_\_\_  
John Ruggero  
Senior Assistant Regional Counsel

After reviewing the Findings of Fact, Conclusions of Law and other pertinent matters, I recommend that the Regional Administrator, or his designee, issue the attached Final Order.

Date: May 22, 2008

  
\_\_\_\_\_  
Samantha Phillips Beers, Director  
Office of Enforcement, Compliance, and  
Environmental Justice



Pennsylvania Department of Environmental Protection

2 Public Square  
Wilkes-Barre, PA 18711-0790  
April 10, 2008

Northeast Regional Office

570-826-2511  
Fax 570-826-5448

**CERTIFIED MAIL: 7007 0710 0000 0777 8652**

Leed Foundry  
Wade Road, P.O. Box 98  
Saint Clair, PA 17970

Attention: Mr. Edmund Quirin, President

Re: Closure Plan  
Leed Foundry  
Saint Clair Borough, Schuylkill County  
I.D. No. PAR 000507103

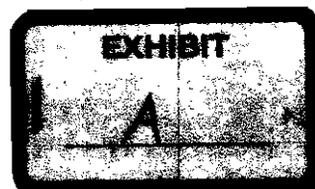
Dear Mr. Quirin:

On March 19, 2008, representatives of the Department of Environmental Protection ("Department") and the U. S. Environmental Protection Agency met with you at Leed Foundry to discuss the requirements of a "Closure Plan" for the former unpermitted hazardous waste storage/disposal area. The following items were discussed:

- The need to conduct comprehensive sampling and analysis of the storage area to verify that all of the hazardous waste was removed and that the underlying ground has not been negatively impacted.
- The need to demonstrate that all waste has been removed from a storage unit, and remove or decontaminate all waste residues, contaminated containment systems, soils, structures, media and equipment. Please refer to the closure performance standards found in 40 CFR 264.111 and 40 CFR 265.111.
- The need to demonstrate that clean closure has been achieved.

Toward this end, you are requested to submit to the Department within thirty days, documentation (a/k/a a Closure Plan) showing that the closure standards have been met as they pertain specifically to the area where hazardous waste was improperly managed. The Closure Plan is to include a sampling plan for Department review that provides details on contaminated containment systems, soils, structures, media and equipment.

All correspondence with the Department shall be mailed to: Pennsylvania Department of Environmental Protection, 2 Public Square, Wilkes-Barre, PA 18711, Attn: Mr. William Tomayko, Waste Management Program Manager.



Leed Foundry

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April 10, 2008

If you have any questions regarding this letter, please contact me at 570-826-2511.

Sincerely,



John Leskosky

Compliance and Monitoring Manager  
Waste Management Program

Enclosure

**BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III**

<b>In the Matter of:</b>	:	<b>FINAL ORDER</b>
<b>Leed Foundry, Inc.</b>	:	
<b>Wade Road</b>	:	<b>Docket Nos. RCRA-03-2004-0061</b>
<b>St. Clair, PA 17970</b>	:	<b>CWA-03-2004-0061</b>
<b>Respondent</b>	:	<b>Proceeding under Section 3008(a)</b>
	:	<b>of the Resource Conservation and</b>
	:	<b>Recovery Act, as amended, 42 U.S.C.</b>
	:	<b>§ 6928(a), and Section 309(g) of the</b>
	:	<b>Clean Water Act, 33 U.S.C. § 1319(g)</b>

**FINAL ORDER**

Complainant, the Director of the Office of Enforcement, Compliance, and Environmental Justice, U.S. Environmental Protection Agency - Region III, and Respondent, Leed Foundry, Inc., have executed a document entitled "Consent Agreement," which I hereby ratify as a Consent Agreement in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 40 C.F.R. Part 22 ("Consolidated Rules of Practice"). The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated into this Final Order as if fully set forth at length herein.

**NOW, THEREFORE, PURSUANT TO** Section 3008(a) of the Resource Conservation and Recovery Act of 1976, as amended by, *inter alia*, the Hazardous and Solid Waste Amendments of 1984 (collectively referred to hereinafter as "RCRA"), 42 U.S.C. § 6928(a), 309(g) of the Clean Water Act ("CWA"), 33 U.S.C. § 1319(g), and the Consolidated Rules of Practice, and based on the representations in the Consent Agreement, having determined that the penalty agreed to in the Consent Agreement is based on a consideration of the factors set forth in Section 3008(a)(3) of RCRA, 42 U.S.C. § 6928(a)(3), and Section 309(g)(3) of the CWA, 33 U.S.C. § 1319(g)(3), **IT IS HEREBY ORDERED** that Respondent pay a penalty of Twenty-Five Thousand Dollars (\$25,000.00), perform the Compliance Tasks set forth in paragraphs 11.A through 11.G of the Consent Agreement, and comply with its terms and conditions.

This Final Order will be filed with the Regional Hearing Clerk 30 days after issuance and will become effective immediately upon filing.

Date: 5-22-08

  
\_\_\_\_\_  
Donald S. Welsh  
for Regional Administrator  
U.S. EPA, Region III

CERTIFICATE OF SERVICE

I hereby certify that, on the date noted below, I hand-delivered to the Regional Hearing Clerk, EPA Region III the original Consent Agreement and Final Order (CAFO) in *In the Matter of: Leed Foundry, Inc.*, Docket Nos. RCRA-03-2004-0061 and CWA-03-2004-0061. In addition, I sent via the manner specified below a true and correct copy of the CAFO to the following individuals:

First Class Mail:                   Honorable William B. Moran  
United States Administrative Law Judge  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges MC 1900L  
1200 Pennsylvania Avenue NW  
Washington, D.C. 20460

Fed Ex:                               Timothy J. Bergère, Esquire  
Montgomery, McCracken, Walker & Rhoads LLP  
123 South Broad Street  
Philadelphia, PA 19109

June 23, 2008  
Date

John Ruggero  
John Ruggero  
Senior Assistant Regional Counsel  
EPA Region III (3RC30)  
1650 Arch St.  
Philadelphia, PA 19103-2029  
215-814-2142