





VIA UPS

MAR 2 n 2003

Accuracy Scientific c/o Ferdinand Weiss G & W Instruments, Inc. 1 North Scott Street Carbondale, PA 18407

Re: Malvern TCE Superfund Site

Dear Mr. Weiss:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in Decree for 1999 by the United States District Court for the Faster District of Perusylvania a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

¹ De minimis guidance documents include: Methodologies for Implementation of ČERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41) Assistant Regional Counsel





VIA UPS

Airline Hydraulics Corporation Joseph Loughran, President PO Box 8500 S-2275 Philadelphia, PA 19178-7618 MAR 2 0 2003

Re:

Malvern TCE Superfund Site

Dear Mr. Loughran:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in Decree to 1990 to the United States District Constitute Eastern District of Purnsylvanian number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 n 2003

A&J Screw Machine Products 144 Limekiln Pike Chalfont, PA 18914

Re: Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the first beam of a flagmentation substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41) Assistant Regional Counsel





VIA UPS

Allister Manufacturing 315 Willowbrook Lane West Chester, PA 19382 MAR 2 n 2003

Re: Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substance at the Site. These performing parties are the plaintiffs the coverage 'you

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site:

http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41) Assistant Regional Counsel

2





VIA UPS

Ametek, Inc. c/o Madeline R. Berg, Esquire Stroock & Stroock & Lavan 180 Maiden Lane New York, NY 10038

MAR 2 0 2003

Re:

Malvern TCE Superfund Site

Dear Ms. Berg:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in Decree 1909 by the United States District Court for the Fasters District of Courty Fasters and number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)





VIA UPS

Ametek, Inc. Frank Hermance 37 N. Valley Road Bldg 4, P.O. Box 1764 Paoli, PA 19301

MAR 2 0 2003

Re:

Malvern TCE Superfund Site

Dear Mr. Hermance:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in Described 1925 I, the United States Disable Court for the Lawrent Interfer on the rest rate number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.1

BROODIII

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

AMP Inc. c/o Timothy Bergere, Esquire Montgomery McCracken Walker & Rhoades

123 South Broad Street Philadelphia, PA 19109

Re:

Malvern TCE Superfund Site

Dear Mr. Bergere:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site:

http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 n 2003

AMP Inc. c/o Tyco Electronics Juergen Gromer, President P.O. Box 3608 Harrisburg, PA 17105

Re: Malvern TCE Superfund Site

Dear Mr. Gromer:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)



RIGINAL

VIA UPS

MAR 2 n 2003

Ark Products Co., Inc. Rodney K. Gilbert 834 Millwood Road Willow Street, PA 17584

Re: Malvern TCE Superfund Site

Dear Mr. Gilbert:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

Customer Service Hotline: 1-800-438-2474

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

Artco Inc. c/o L-3 Communications Aydin Company 600 3rd Avenue New York, NY 10016

Re: Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site:

http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/

http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.1

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

Athena Controls c/o James J. Himsworth, Esquire Masterson, Braunfield & Milnor One Montgomery Plaza, Suite 702 Norristown, PA 19401

Re: Malvern TCE Superfund Site

Dear Mr. Himsworth:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III 1650 Arch Street

Philadelphia, Pennsylvania 19103-2029



VIA UPS

MAR 2 n 2003

Axel Johnson Metals Inc. . 215 Welsh Pool Road Exton, PA 19341

Re: Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that he seed you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

Bishop Tube Company c/o Christiana Metals 1191 McDermott Drive West Chester, PA 19380

Re:

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

Customer Service Hotline: 1-800-438-2474

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

Carvel Hall, Inc. c/o Syratech Corporation Leonard Florence, President 175 William F. McClellan Boston, MA 02128

Re: Malvern TCE Superfund Site

Dear Mr. Florence:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1909 by the United State: District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

Chem Cell Corporation 246 E. County Line Road Hatboro, PA 19040

Re: Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous subsequences the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site:

http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

C.K. Systematics, Inc. c/o Systematics Inc. James Conley, CEO 1025 Saunders Lane P.O. Box 2429 West Chester, PA 19380

Re: Malvern TCE Superfund Site

Dear Mr. Conley:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

Contamination Control c/o Unistar Industries 94 County Line Road Colmar, PA 18915

Re: Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a hard the Graph Misible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 n 2003

Continental Vanguard, Inc. 204 Harding Avenue Bellmawr, NJ 08031

Re: Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous subtrances at the Site. Thous performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

PelGIN1,

EPA has been contacted by a variety of defendants named in the Litigation, seeking to enter into a *de minimis* settlement with EPA. EPA currently is in the process of evaluating whether and/or with whom EPA would enter into a *de minimis* settlement relating to the Site. Towards this end, EPA requests that any defendant that believes it may qualify for *de minimis* settlement and wishes to pursue such a settlement with EPA contact Patrick Egan, Superfund Civil Investigator, at the following:

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

CSS International Inc. Robert Nazeley, President 2061 East Glenwood Avenue Philadelphia, PA 19124

Re:

Malvern TCE Superfund Site

Dear Mr. Nazeley:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the first clean exactly orders substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

Customer Service Hotline: 1-800-438-2474

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

ORIGINAL Red)

EPA has been contacted by a variety of defendants named in the Litigation, seeking to enter into a *de minimis* settlement with EPA. EPA currently is in the process of evaluating whether and/or with whom EPA would enter into a *de minimis* settlement relating to the Site. Towards this end, EPA requests that any defendant that believes it may qualify for *de minimis* settlement and wishes to pursue such a settlement with EPA contact Patrick Egan, Superfund Civil Investigator, at the following:

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

David K. Robson, Inc. 738 Maryland Avenue Prospect Park, PA 19076

Re:

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substitutes at the Site. These performing parties are the plantoffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

AR000139

Le minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

Display Corporation of America c/o TSG Merchandising Paul Schmidt, President 1250 Easton Road, Suite 200 Horsham, PA 19044

Re: Malvern TCE Superfund Site

Dear Mr. Schmidt:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in the best of the first of States in page of the first of Ethernylvania. In number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

\$R000141

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

Doehler-Jarvis Corp. 5400 N. Detroit Ave. Toldeo, OH 43612

MAR 2 n 2003

Re:

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous states are the plainting that have streety in

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

AR000143

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41) Assistant Regional Counsel



Congress

VIA UPS

MAR 2 0 2003

E. Frank Hopkins Company, Inc. Stephen Marmer, CEO 3427 South Lawrence Road Philadelphia, PA 19148

Re: Malvern TCE Superfund Site

Dear Mr. Marmer:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a much of the property with the Site agreed to perform the final creation of hazardors substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

Electroloy Corporation c/o F.J. Cain Corporation 353 Thornbrook Road Rosemont, PA 19440

Re: Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a marches of responsible parties at the line layered to perform the final least up at baseless substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

AR000147

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III 1650 Arch Street

Philadelphia, Pennsylvania 19103-2029

VIA UPS

MAR 2 0 2003

Emeco Industries, Inc. c/o Robert Strickler, Esquire Griffith, Strickler, Leman, Solymas & Calkins 110 South Northern Way York, PA 17402

Re: Malvern TCE Superfund Site

Dear Mr. Strickler:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in Decree that Table 9 the United States Distance Central and the factors picture of Pennsylvanian number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.1

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 n 2003

Emeco Industries, Inc. Greg Buchbinder, CEO 2650 El Preesidio Long Beach, CA 90810

Re: Malvern TCE Superfund Site

Dear Mr. Buchbinder:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a granter comprehensive particle at the Ada agreed to perform the final claim of razardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

Customer Service Hotline: 1-800-438-2474

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)



VIA UPS

MAR 2 0 2003

Enterra Instrumentation Technology 251 Welsh Pool Road Exton, PA 19341

Re:

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous site later and the Site agreed to perform the final clean up of hazardous

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

AR0000153

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)



VIA UPS

MAR 2 0 2003

Fabric Development Inc. c/o Dennis Denard, Esquire 892 Second Street, Suite C Richboro, PA 18954

Re:

Malvern TCE Superfund Site

Dear Mr. Denard:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a cumber of the explainable parties at the Site agreed to perform the final clean apple the tank as substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)



VIA UPS

MAR 2 0 2003

Fabric Development Inc. Peter Shah, President 1217 West Mill Street PO Box 462 Quakertown, PA 19851

Re: Malvern TCE Superfund Site

Dear Mr. Shah:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601. et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in the seq., and the little States District Court for the Lasterr District Court for the Lasterr District Court for the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

Customer Service Hotline: 1-800-438-2474

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)



VIA UPS

MAR 2 0 2003

Fairfax Cleaners c/o Fairfax Valet Cleaners Steven Oh, Owner 3 Fairfax Boulevard Wilmington, DE 19803

Re: Malvern TCE Superfund Site

Dear Mr. Oh:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in Occas, but the high states the Site of Court for the Eastern District of Pennsylvania number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

Customer Service Hotline: 1-800-438-2474

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)



VIA UPS

MAR 20 2003

FBF Industries Norman H. Ryan 1145 Industrial Highway Southampton, PA 18966

Re: Malvern TCE Superfund Site

Dear Mr. Ryan:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a muniter of the sponse has been side Site agreed to perform the first the map of a grand as substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

AR000161

Customer Service Hotline: 1-800-438-2474

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41) Assistant Regional Counsel



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY **REGION III**

1650 Arch Street Philadelphia, Pennsylvania 19103-2029 MAR 2 n 2003

VIA UPS

Fergusson-Solvents Company c/o Steven Harris, Esquire Harris & Harris 1760 Bristol Road-Box 160 Warrington, PA 18976

> Malvern TCE Superfund Site Re:

Dear Mr. Harris:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in I received that by the United States District Concessed the Fasture Detailed of Fernisyl anial a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.1

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)



MAR 2 n 2003



VIA UPS

Fergusson Solvents Company c/o Fergusson-McKenna Supply Co. Todd McKenna, CEO 320 North Mill Road Kennett Square, PA 19348

> Malvern TCE Superfund Site Re:

Dear Mr. McKenna:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in Decreased the holder to be distance that we have the rest for the confinence of methods in number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.1

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

Fraser-Volpe Joseph Volpe, President 1025 Thomas Drive Warrington, PA 18974

Re: Malvern TCE Superfund Site

Dear Mr. Volpe:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

AR000167

Le minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)



VIA UPS

MAR 20 2003

FTC Hazardous Inc. 7333 Milnor Street Philadelphia, PA 19136

Re:

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous a harmonic matter of the Site Court for the Eastern District Sibel have see form.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41) Assistant Regional Counsel



VIA UPS

MAR 2 0 2003

George K. Garrett Corporation 2914 North 16th Street Philadelphia, PA 19132

Re: Mal

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

AR000171

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

Glah Brothers Inc. c/o Formal Affairs Inc. 41 South York Road Hatboro, PA 19040 MAR 2 0 2003

Re:

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a man be a consent Decree that the Site appears to the find the support hazarde as substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III 1650 Arch Street

Philadelphia, Pennsylvania 19103-2029



VIA UPS

MAR 2 0 2003

Gulf & Western Industries c/o Viacom International, Inc. Sumner Redstone, President 1515 Broadway New York, NY 10023

Re:

Malvern TCE Superfund Site

Dear Mr. Redstone:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1906 to the United States District Court for the Faster. District of Pennsylvacional number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

High Energy Corp. George Georgeopolous, President Lower Valley Road Parkersburg, PA 19365

Re: Malvern TCE Superfund Site

Dear Mr. Georgeopolous:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a remisculate for the sponsible particulate the Site agreed to perform the final clean up of hazards substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

AR000177

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.





VIA UPS

MAR 2 0 2003

High Energy Corp. c/o Walter Leach, III, Esquire Inductotherm Industries, Inc. 10 Indel Avenue Rancocas, NJ 08073

Re: Malvern TCE Superfund Site

Dear Mr. Leach:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Enstern District of Pennsylvania a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

PA

EPA has been contacted by a variety of defendants named in the Litigation, seeking to enter into a de minimis settlement with EPA. EPA currently is in the process of evaluating whether and/or with whom EPA would enter into a de minimis settlement relating to the Site. Towards this end, EPA requests that any defendant that believes it may qualify for de minimis settlement and wishes to pursue such a settlement with EPA contact Patrick Egan, Superfund Civil Investigator, at the following:

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.





VIA UPS

MAR 2 n 2003

Hulltronics Inc. c/o Hull Corporation 21 Bonair Drive Warminster, PA 18974

Re:

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

Inland Pumping & Dredgeing 138 West Lancaster Avenue Downingtown, PA 19335

Re:

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued year

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

AR000183

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

PA

EPA has been contacted by a variety of defendants named in the Litigation, seeking to enter into a de minimis settlement with EPA. EPA currently is in the process of evaluating whether and/or with whom EPA would enter into a de minimis settlement relating to the Site. Towards this end, EPA requests that any defendant that believes it may qualify for de minimis settlement and wishes to pursue such a settlement with EPA contact Patrick Egan, Superfund Civil Investigator, at the following:

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.





VIA UPS

MAR 2 0 2003

J & J Spill Service & Supplies, Inc. c/o George Ozorowski, Esquire Hughes & Kalkbrenner 621 East Germantown Pike, Suite 205 Norristown, PA 19401

Re: Malvern TCE Superfund Site

Dear Mr. Ozorowski:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

J & J Spill Service & Supplies, Inc. C. Phillip Ettinger, President P.O. Box 370 Blue Bell, PA 19422

Re:

Malvern TCE Superfund Site

Dear Mr. Ettinger:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perfect the final clear approfitation of substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

A.

EPA has been contacted by a variety of defendants named in the Litigation, seeking to enter into a de minimis settlement with EPA. EPA currently is in the process of evaluating whether and/or with whom EPA would enter into a de minimis settlement relating to the Site. Towards this end, EPA requests that any defendant that believes it may qualify for de minimis settlement and wishes to pursue such a settlement with EPA contact Patrick Egan, Superfund Civil Investigator, at the following:

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,



MAR 2 n 2003



The s

<u>VIA UPS</u>

Keystone Block Transportation Company c/o Keystone Environmental Services 1866 W. Main Street
Stroudsburg, PA 18630

Re:

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of the parties at the Site of reed to perform the final clean up of hazardens substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)



VIA UPS

MAR 2 0 2003

Keystone Transformer Company 166 West Pryce Street Philadelphia, PA 19144

Re:

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous summer of the Site of the Site agreed to perform the final clean up of hazardous summer of the Site agreed to perform the final clean up of hazardous sequences.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

AR000191

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.





VIA UPS

MAR 2 0 2003

Kosempel Manufacturing Company, Inc. c/o Philip L. Hinerman, Esquire Fox, Rothchild, O'Brien and Frankel 2000 Market Street 10th Floor Philadelphia, PA 19103

Re:

Malvern TCE Superfund Site

Dear Mr. Hinerman:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in the comben 1992 begins of States Descript Coast for the Fastern Discree. (Pennsylvania) number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

AR000193

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

A Park

EPA has been contacted by a variety of defendants named in the Litigation, seeking to enter into a de minimis settlement with EPA. EPA currently is in the process of evaluating whether and/or with whom EPA would enter into a de minimis settlement relating to the Site. Towards this end, EPA requests that any defendant that believes it may qualify for de minimis settlement and wishes to pursue such a settlement with EPA contact Patrick Egan, Superfund Civil Investigator, at the following:

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.



VIA UPS

MAR 20 2003

Kosempel Manufacturing Company, Inc. Paul Kosempel, President 3760 M Street Philadelphia, PA 19124

Re:

Malvern TCE Superfund Site

Dear Mr. Kosempel:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seg., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a aux for all the an letter confer of the Site agreed to be form the first clean as of his ordons. substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site:

http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.1

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.



VIA UPS

MAR 2 0 2003

Lancaster Machinery 715 Mountain Road Lancaster, PA 17601

Re:

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous subscious at the Site. There perfore high parties are fice pickers is:

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

£R000197

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

- A

EPA has been contacted by a variety of defendants named in the Litigation, seeking to enter into a *de minimis* settlement with EPA. EPA currently is in the process of evaluating whether and/or with whom EPA would enter into a *de minimis* settlement relating to the Site. Towards this end, EPA requests that any defendant that believes it may qualify for *de minimis* settlement and wishes to pursue such a settlement with EPA contact Patrick Egan, Superfund Civil Investigator, at the following:

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III 1650 Arch Street

Philadelphia, Pennsylvania 19103-2029



VIA UPS

MAR 2 n 2003

Lavelle Aircraft Company Albert Bailey 275 Geiger Road Philadelphia, PA 19115

Re:

Malvern TCE Superfund Site

Dear Mr. Bailey:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of the consent between the Site agreed to perform the final closure modification and substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)





VIA UPS

MAR 20 2003

Leeds & Northrup c/o Joel Bolstein, Esq. Fox Rothschild O'Brien & Frankel, LLP 102 North Main Street Doylestown, PA 18901-0700

> Re: Malvern TCE Superfund Site

Dear Mr. Bolstein:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Lotter District of Pernselland and number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site:

http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.1

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.



VIA UPS

MAR 2 0 2003

Leeds & Northrup c/o Honeywell 101 Columbia Road Morristown, NJ 07962

Re:

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a problem of respondible packets at the Site agreed to perform the final clean up of hazarderes substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.1

Le minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,





VIA UPS

MAR 20 2003

Lightman Drum Company J. Lightman, President State Highway #73 P.O. Box 22 Berlin, NJ 08009

Re:

Malvern TCE Superfund Site

Dear Mr. Lightman:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1990 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site:

http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.1

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.



Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

Lovekin R.E. Corporation 1505 Race Street Philadelphia, PA 19103

Re:

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous subsequence at the Site. The coper forming parties are the plaintiff, that have such pour

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)



VIA UPS

MAR 2 0 2003

Malco Inc. c/o Unistar Industries 94 County Line Road Colmar, PA 18915

Re: Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clear up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY **REGION III** 1650 Arch Street

Philadelphia, Pennsylvania 19103-2029



VIA UPS

MAR 2 n 2003

Manorgraphics Inc. 541 Washington Avenue Phoenixville, PA 19460

> Re: Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances of the Site. Those performing narties are the plaintiff; that he are a diver-

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.1

AR000211

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,





VIA UPS

MAR 20 2003

Matheson Instruments c/o Tom Jackson, Esquire Kelley, Drye and Warren, LLP 1200 19th Street, NW Washington, DC 20036

Re: Malvern TCE Superfund Site

Dear Mr. Jackson:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1990 to the United States District Court for the Eastern District of Pennsylvania a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

AR000213

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)



VIA UPS

MAR 2 0 2003

Matheson Instruments c/o Matheson Tri-Gas Inc. Susan Sandro, Director of Compliance 2402 Brittany Court Dayton, OH 45459

Re:

Malvern TCE Superfund Site

Dear Ms. Sandro:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in the 10,00 to the tent States Dietales Court by the Parts a Dietal Confront to number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site:

http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.1

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III 1650 Arch Street

Philadelphia, Pennsylvania 19103-2029

VIA UPS

MAR 2 0 2003

McClarin Plastics Todd Kennedy, President 600 Linden Avenue Hanover, PA 17331

Re

Malvern TCE Superfund Site

Dear Mr. Kennedy:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a contribute of first particle of the Site agreed to perform the first land, of the airdoor substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site:

http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)

Assistant Regional Counsel



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III 1650 Arch Street

Philadelphia, Pennsylvania 19103-2029

VIA UPS

MAR 2 J 2003

Model Finishing Business Ms. Francis Freed, Vice President 4949 Cottman Avenue Philadelphia, PA 19135

Re:

Malvern TCE Superfund Site

Dear Ms. Freed:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a muchous foresponsible parties at the Site agreed to perform the final dean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site:

http://cfpub.epa.gav/compliance/resources/policies/cleanup/superfund/.1

AR000219

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)

Assistant Regional Counsel



VIA UPS

MAR 2 0 2003

Monitor Systems c/o L-3 Communications Aydin Company 600 3rd Avenue New York, NY 10016

Re: Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final change of headers at the substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

Le minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III 1650 Arch Street

Philadelphia, Pennsylvania 19103-2029

VIA UPS

MAR 2 0 2003

Narco Avionics c/o Douglas R. Blazey, Esq. Elliott Reihner Siedzikowski & Egan, P.C. P.O. Box 3010 925 Harvest Drive Blue Bell, PA 19422

Re: Malvern TCE Superfund Site

Dear Mr. Blazey:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § Gold of the comprehensive Environmental Pursuant to a Consent Decree that the confidence in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

AR000223

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)

Assistant Regional Counsel



VIA UPS

MAR 2 n 2003

Narco Avionics Edward M. Zimmer, Jr. 270 Commerce Drive Fort Washington, PA 19034

Re: Malvern TCE Superfund Site

Dear Mr. Zimmer:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final claim up with conclusion substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

Le minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)

Assistant Regional Counsel



VIA UPS

MAR 2 n 2003

National Metalcrafters Inc. Neal Greenberg, CEO 1401 Oxford Street Philadelphia, PA 19125

Re:

Malvern TCE Superfund Site

Dear Mr. Greenberg:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hararde is substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.\frac{1}{2}

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.



VIA UPS

MAR 20 2003

NW Controls c/o David Toomey, Esquire Duane Morris & Heckscher One Liberty Place Philadelphia, PA 19103-7396

Re:

Malvern TCE Superfund Site

Dear Mr. Toomey:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1990 to the United States District Court for the Eastern District of Pennsylvania a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,



VIA UPS

MAR 2 n 2003

NW Controls Inc. Henry Schontz, President 2210 Shelly Road Harleysville, PA 19438

Re:

Malvern TCE Superfund Site

Dear Mr. Schontz:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a murchant for pensible parties at the Site agreed to perform the final clean up of hazardous, substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site:

http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

åR000231

Le minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III 1650 Arch Street

Philadelphia, Pennsylvania 19103-2029

VIA UPS

MAR 2₀ 2003

Oxford Metal Products, Inc. c/o Alvin T. Feldman, President 130 Spruce Street, Apt 34A Philadelphia, PA 19106

Re: Malvern TCE Superfund Site

Dear Mr. Feldman:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of expensive profiles at the Site agreed to perform the final clean profibe and was substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III 1650 Arch Street

Philadelphia, Pennsylvania 19103-2029

VIA UPS

MAR 2 0 2003

Penske VDA c/o Penski Corporation Roger Penski, CEO 13400 Outer Drive, West Detroit, MI 48239

Re:

Malvern TCE Superfund Site

Dear Mr. Penske:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Lie ton District of Pennsylvaniae a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site:

http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.



VIA UPS

MAR 2 n 2003

Petrocon Inc. c/o Safety Kleen Corp. 5400 Legacy Drive Cluster II, Bldg. 3 Plano, TX 75024

> Re: Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Fast and District of Percent and number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site:

http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.1

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)

Assistant Regional Counsel



VIA UPS

MAR 2 (2003

Philadelphia Steel Drum Co. Lee Piekutoski, CEO 9 Woodside Drive Richboro, PA 18954-1802

Re: Malvern TCE Superfund Site

Dear Mr. Piekutoski:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a mind and representation of the file agreed to perform the file that the content of the superfund of the file agreed to perform the file and applications substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Contract Con

EPA has been contacted by a variety of defendants named in the Litigation, seeking to enter into a de minimis settlement with EPA. EPA currently is in the process of evaluating whether and/or with whom EPA would enter into a de minimis settlement relating to the Site. Towards this end, EPA requests that any defendant that believes it may qualify for de minimis settlement and wishes to pursue such a settlement with EPA contact Patrick Egan, Superfund Civil Investigator, at the following:

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.



MAR 2 0 2003



<u>VIA UPS</u>

Philco Ford Corporation c/o Space Systems/Loral Inc. C. Patrick DeWitt, President 3825 Fabian Way Palo Alto, CA 94303

Malvern TCE Superfund Site

Dear Mr. DeWitt:

Re:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in Discenden 1900 Locke United States District Court for the Eastern District to Pennsylvanians number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site:

http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.1

AR000241

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Ring to (Reg) At thing

EPA has been contacted by a variety of defendants named in the Litigation, seeking to the enter into a de minimis settlement with EPA. EPA currently is in the process of evaluating whether and/or with whom EPA would enter into a de minimis settlement relating to the Site. Towards this end, EPA requests that any defendant that believes it may qualify for de minimis settlement and wishes to pursue such a settlement with EPA contact Patrick Egan, Superfund Civil Investigator, at the following:

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,





VIA UPS

MAR 20 2003

Precision Arts Manufacturing Al Musso 200 West Somerdale Road Voorhees, NJ 08043

Re: Malvern TCE Superfund Site

Dear Mr. Musso:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a most of Compensation at the Site agreed to perform the final classes and large and large as substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)

Assistant Regional Counsel





VIA UPS

MAR 2 0 2003

Princo Instruments
Paul Waster, President
1020 Industrial Blvd.
Southampton, PA 18966

Re: Mal

Malvern TCE Superfund Site

Dear Mr. Waster:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a manda of Compensation at the Site agreed to perform the final closury of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

AR000245

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

00,01441

EPA has been contacted by a variety of defendants named in the Litigation, seeking to enter into a de minimis settlement with EPA. EPA currently is in the process of evaluating whether and/or with whom EPA would enter into a de minimis settlement relating to the Site. Towards this end, EPA requests that any defendant that believes it may qualify for de minimis settlement and wishes to pursue such a settlement with EPA contact Patrick Egan, Superfund Civil Investigator, at the following:

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 g 2003

Princo Instruments c/o Harry Bellwoar, III, Esquire Schubert, Bellwoar, Mallon & Walheim Two Penn Center, Suite 1400 1500 John F. Kennedy Boulevard Philadelphia, PA 19102-1890

Re: Malvern TCE Superfund Site

Dear Mr. Bellwoar:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 96th angular contraction of the same to a Consent Decree that was conserved by

December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 20 2003

Prodelin, Inc. c/o M/A-Com, Inc. Richard P. Clark, President 1011 Pawtuckett Blvd. Lowell, MA 01853

Re:

Malvern TCE Superfund Site

Dear Mr. Clark:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1990 by the United States District Court for the Fastian District of Pennsylvanian number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

0810/141

EPA has been contacted by a variety of defendants named in the Litigation, seeking to enter into a de minimis settlement with EPA. EPA currently is in the process of evaluating whether and/or with whom EPA would enter into a de minimis settlement relating to the Site. Towards this end, EPA requests that any defendant that believes it may qualify for de minimis settlement and wishes to pursue such a settlement with EPA contact Patrick Egan, Superfund Civil Investigator, at the following:

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41) Assistant Regional Counsel





VIA UPS

MAR 2 0 2003

Quaker City Chemicals c/o Robert L. Collings, Esq. Schnader Harrison Segal & Lewis LLP 1600 Market St. Philadelphia, PA 19103-7286

Re: Malvern TCE Superfund Site

Dear Mr. Collings:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1990 in the Liability of States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)



1650 Arch Street Philadelphia, Pennsylvania 19103-2029

<u>VIA UPS</u>

MAR 2 a 2003

Quaker City Chemicals, Inc. Steve Metzman 7360 Milnor Street Philadelphia, PA 19136

Re:

Malvern TCE Superfund Site

Dear Mr. Metzman:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a matches Crespondible particle of the Site agreed to a minute final closure particle arrives substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

ARGC0253

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41) Assistant Regional Counsel



Philadelphia, Pennsylvania 19103-2029

VIA UPS

MAR 2 n 2003

RC Kletzing Inc. Arthur Griesiger, President 1325 Industrial Highway Southampton, PA 18966

Re:

Malvern TCE Superfund Site

Dear Mr. Griesiger:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a and the course plane by a series of the Situagreed in perform the final classe up of her actions substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.1

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)
Assistant Regional Counsel





VIA UPS

MAR 2 n 2003

Resource Technology Services, Inc. 6 Berkeley Road Devon, PA 19333

Re: Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous subscience at the Site. These performing parties are the relaining that have such you

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)
Assistant Regional Counsel





VIA UPS

MAR 20 2003

Sanivan Laboratories 5129 F Street Philadelphia, PA 19124

Re:

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substantial and the Site. There is a forming parties are the plaintiffs that has a said your

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

AR000259

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)



Philadelphia, Pennsylvania 19103-2029

VIA UPS

MAR 2 0 2003

Sermetal c/o Teleflex Joan W. Schwartz, Assistant General Counsel 155 South Limerick Road Limerick, PA19468

Re: Malvern TCE Superfund Site

Dear Ms. Schwartz:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-38964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in Decree 1999 by the United States District Court for the Fastern District of Pennsylvania and number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.1

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

Shur-Kut Supply Corporation Joe Saddie, President 7 Mount Pleasant Road Aston, PA 19014

Re:

Malvern TCE Superfund Site

Dear Mr. Saddic:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a man have seed to perform the final charton of hazetdour substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41) Assistant Regional Counsel



Philadelphia, Pennsylvania 19103-2029

VIA UPS

MAR 2 0 2003

Simon Wrecking Company, Inc. c/o Steven Yermish, Esquire Kaplan & Luber 40 Darby Road Paoli, PA 19301

Re: Malvern TCE Superfund Site

Dear Mr. Yermish:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in Decree that United States District Coast for the Extra District Character District Coast for the Extra District Character Character and the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)





VIA UPS

MAR 2 0 2003

Simon Wrecking Company, Inc. c/o Simon Resources, Inc. Samuel Simon, President 2525 Trenton Avenue P.O. Box 3275 Williamsport, PA 17701

Re:

Malvern TCE Superfund Site

Dear Mr. Simon:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 2601, ct seg comments in the Superfund Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

AK000267

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)



Philadelphia, Pennsylvania 19103-2029

VIA UPS

MAR 2 0 2003

Singer Co. 3030 Kutztown Road Reading, PA 19612

Re: Malvern

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41) Assistant Regional Counsel



Philadelphia, Pennsylvania 19103-2029

VIA UPS

MAR 2 0 2003

Solid State Scientific c/o Sprague Electric Company Felix Zandman, CHB 63 Lincoln Highway Malvern, PA 19355-4004

Re: Malvern TCE Superfund Site

Dear Mr. Zandman:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in Decree that the United States District Court for the Factors District of Pennsylvania number of responsible parties at the Site agreed to perform the initial clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)



VIA UPS

MAR 2 0 2003

Specialty Castings Inc. John Cogwill, President 42 Curtis Avenue Woodbury, NJ 08096

Re:

Malvern TCE Superfund Site

Dear Mr. Cogwill:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a mumber of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site:

http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.1

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)



VIA UPS

MAR 2 0 2003

Storm Weather Products 3621-31 B Street Philadelphia, PA 19134

Re:

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)



Philadelphia, Pennsylvania 19103-2029

VIA UPS

MAR 2 0 2003

Technitrol c/o Andrew S. Levine, Esq. Stradley Ronon Stevens & Young LLP 2600 Commerce Square Philadelphia, PA 19103

> Re: Malvern TCE Superfund Site

Dear Mr. Levine:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site:

http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.1

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III

1650 Arch Street Philadelphia, Pennsylvania 19103-2029

VIA UPS

MAR 2 0 2003

Technitrol
James M. Papada III, CEO
1210 Northbrook Drive
Suite 385
Trevose, PA 19085

Re:

Malvern TCE Superfund Site

Dear Mr. Papada:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in Decree to 1990 by the United States District Court for the Fastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be de minimis contributors of hazardous substances to the Site. By de minimis, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with de minimis contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

AR000279

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)



VIA UPS

MAR 2 0 2003

Tele-Dynamics c/o United Technologies Corporation George David, CEO 1 Financial Plaza Hartford, CT 06103

Re: Malvern TCE Superfund Site

Dear Mr. David:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1909 by the United States District Court for the Fastern District of Pennsylvania a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41)



Philadelphia, Pennsylvania 19103-2029

VIA UPS

MAR 2 0 2003

Transicoil Inc. c/o Horizon Aerospace LLC William Blossom, President 2560 General Armistead Avenue Norristown, PA 19403

Re: Malvern TCE Superfund Site

Dear Mr. Blossom:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in Decree for 1999 by the United States District Court for the Eastern District of Pennsylvania a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

AR000283

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely.

Joan A. Johnson (3RC41) Assistant Regional Counsel



Philadelphia, Pennsylvania 19103-2029

VIA UPS

MAR 2 0 2003

U.S. Environmental Services Box 511 Rumbaugh Avenue Mount Pleasant, PA 15666

Re:

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

Customer Service Holline: 1-800-438-2474 ñ R n H n 285

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two *de minimis* settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine *de minimis* eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established *a de minimis* settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)



Philadelphia, Pennsylvania 19103, 2029 17AK 2 0 2003

VIA UPS

Waste Consulting & Brokerage Service 128 Nottoway Drive Blue Bell, PA 19422

Re:

Malvern TCE Superfund Site

Dear Sir or Madam:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.

De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)



Philadelphia, Pennsylvania 19103-2029

VIA UPS

MAR 2 0 2003

Xynatech Inc.
James T. Redd, President
545 Vortex Road, NE
Rio Rancho, NM 87124

Re:

Malvern TCE Superfund Site

Dear Mr. Redd:

It has been brought to the attention of the United States Environmental Protection Agency ("EPA") that you have been named as a defendant in a private cost recovery action captioned Action Manufacturing Co., Inc. et al., v. Simon Wrecking Company, et al., Civil Action No. 02-8964 (E.D. Pa.) (the "Litigation").

Upon review of the complaint in that Litigation, it appears that the plaintiffs are seeking to recover the costs of environmental response actions at the Malvern TCE Superfund Site ("Site") in Pennsylvania. As you are probably aware, since the early 1990's, response actions have been conducted by EPA at the Site pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601, et seq., commonly know as Superfund. Pursuant to a Consent Decree that was entered in December 1999 by the United States District Court for the Eastern District of Pennsylvania, a number of responsible parties at the Site agreed to perform the final clean up of hazardous substances at the Site. Those performing parties are the plaintiffs that have sued you.

A preliminary review of evidence available to EPA indicates that many of the defendants named in the Litigation may be *de minimis* contributors of hazardous substances to the Site. By *de minimis*, EPA is referring to parties that have made only a minimal contribution (in terms of amount and toxicity) of hazardous substances, in comparison to other hazardous substances at the Site. EPA has issued guidances with regard to settling with *de minimis* contributors of waste to a Site. You may review these guidances at the following web site: http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/.¹

¹ De minimis guidance documents include: Methodologies for Implementation of CERCLA Section 122(g)(1)(a) De Minimis Waste Contributor Settlements, dated December 20, 1989, Oswer No. 9834-1B; Methodology for Early De Minimis Waste Contributor Settlements Under CERCLA Section 122(g)(1)(a), dated June 2, 1992, Oswer No. 9834.7-1C; Streamlined Approach for Settlements with De Minimis Waste Contributors Under CERCLA Section 122(g)(1)(a), date July 30, 1993, Oswer No. 9834.7-1.D.

Patrick Egan (3HS11)
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
(215) 814-3167
egan.patrick@epa.gov

In the past, EPA entered into two de minimis settlements (in 1999 and 2001, respectively) relating to the Site. In order to determine de minimis eligibility for those settlements, EPA utilized Volumetric Ranking Summaries, prepared by EPA, that provided waste-in volume and percentage information for each potentially responsible party. In connection with those settlements, EPA established a de minimis settlement eligibility cut-off at or less than .75% of the total waste volume. EPA believes that most of you are familiar with and have been provided copies of these Summaries.

Please contact Mr. Egan if you would like copies of EPA de minimis guidance documents or the referenced Summaries, or have any questions about this matter.

If you are interested in pursuing a de minimis settlement with EPA, please notify Mr. Egan of your interest within fifteen days of receipt of this letter. If EPA does not hear from you by that date, EPA will assume that you are not interested in pursuing a de minimis settlement with EPA. EPA is mindful that some parties already have contacted EPA, prior to receipt of this letter, and expressed an interest in pursuing a de minimis settlement. EPA requests that any such party confirm with Mr. Egan, within fifteen days of receipt of this letter, whether the party remains interested in pursuing a de minimis settlement with EPA.

Sincerely,

Joan A. Johnson (3RC41)
Assistant Regional Counsel