

Mr. John Wells
Erie County Convention Center Authority
809 French Street
Erie, PA 16501

Re: Site-Specific Standard Final Report Approval
Former CSX Bayfront Site
eFACTS PF No. 765682
eFACTS Activity No. 45181
West from Sassafras Street approximately 1600 feet on north side of Bayfront Parkway
City of Erie, Erie County

Dear Mr. Wells:

The Department of Environmental Protection (DEP) reviewed the document titled, "Final Report – CSX Bayfront Site," (Report) for the property referenced above. The Report was prepared by AMEC Foster Wheeler Environment & Infrastructure, Inc. and submitted to DEP in accordance with the Land Recycling and Environmental Remediation Standards Act (Act 2) and constitutes a Final Report as defined in Chapter 3 of Act 2.

DEP hereby approves this Final Report for the substances identified and remediated to an Act 2 standard within the site specified. Chapter 5, Section 501 of Act 2, provides the liability protection where attainment of Act 2 cleanup standards is demonstrated. The cleanup liability protection provided by this chapter applies to the current and future owner or any other person who participated in the remediation; a person who develops or occupies the property; successor or assign of any person to whom liability protection applies; and a public utility to the extent the public utility performs activities on the identified property.

This project attained a residential standard for soil and groundwater on the CSX East portion of the site and a nonresidential standard for soil on the CSX West portion.

The Uniform Environmental Covenants Act (Act 68 of 2007), Title 27, Pa. C.S. Chapter 65 (UECA) and accompanying regulations provide a standardized process for creating, documenting, and assuring the enforceability of Activity and Use Limitations on contaminated properties involving most engineering and institutional controls used to achieve Act 2 standards. Since the Report utilizes Activity and Use Limitations or will have post remedial care obligations to meet and/or attain the Site-Specific Standard, an Environmental Covenant is required to be submitted within 30 days of the date of this approval letter.

Please refer to the enclosed Standard Attachment for other DEP program requirements for considerations which may be applicable to the referenced site.

Thank you for your cooperation in working with DEP in the remediation of this site. If you have any questions or need further information regarding this matter, please contact Chris Schiappa by e-mail at cschiappa@pa.gov or by telephone at 724.598.2206.

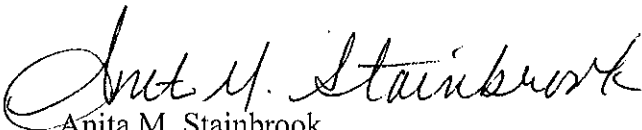
APR 06 2015

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

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD 717.787.3483 FOR MORE INFORMATION.

Sincerely,



Anita M. Stainbrook
Environmental Program Manager
Environmental Cleanup and Brownfields Program

Enclosure: Standard Attachment

cc: Joseph A. Senita, AMEC Foster Wheeler
Gerald Rafeew, DEP
Kim Bontrager, DEP
Christopher Schiappa, DEP
John O'Hara, DEP
NWRO File

AMS:CSS:keb:emr