



**2 Public Square**  
**Wilkes-Barre, PA 18701-1915**  
June 17, 2010

**Northeast Regional Office**

570-826-2511  
Fax 570-820-4907

Mr. Richard M. Fetzer  
Federal On-Scene Coordinator  
USEPA Region III  
100 Gypsum Road  
Stroudsburg, PA 18360

RE: ECP – Special Projects – Act 2  
Former Mohr Orchard Removal Assessment  
Intersection of Cortland Drive & Rome Court  
North Whitehall Township, Lehigh County

Dear Mr. Fetzer:

The Department of Environmental Protection (Department) has received and reviewed USEPA's January 15, 2010 correspondence for the Former Mohr Orchard Site (Site) located in North Whitehall Township, Lehigh County.

The elevated arsenic concentration at the Site is believed to be related to former pesticide application and because of Pennsylvania's (PA) pesticide exclusion, there is no liability and, therefore, no state applicable or relevant and appropriate requirement (ARAR) for this compound. The site-specific approach proposed in the aforementioned correspondence, dated January 14, 2010, is consistent with other PA site-specific cleanups for arsenic. The Department finds this approach and calculated cleanup standard of 73.4 mg/kg for arsenic acceptable.

If you have any questions or need further information regarding this matter, please contact me at the number listed above.

Sincerely,

Ronald S. Brezinski  
Environmental Cleanup Program Manager  
Northeast Regional Office