

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III

1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029  
September 28, 2005

PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
LAND RECYCLING PROGRAM

400 Market Street  
Harrisburg, PA 17105-8471



Ms. Sharon Fisher  
Harley-Davidson Motor Company Operations, Inc  
1425 Eden Road  
York, PA 17402

Dear Ms Fisher:

The United States Environmental Protection Agency (EPA) and the Pennsylvania Department of Environmental Protection (DEP) thank you for performing an environmental assessment and cleanup at your York facility. DEP and EPA have developed a new approach to conducting such work at RCRA facilities which we refer to as the One Cleanup Program.

EPA and DEP signed a *One Cleanup Program Memorandum of Agreement* (MOA) on April 21, 2004. The MOA provides a streamlined approach for Pennsylvania facilities with corrective action obligations under the Resource Conservation and Recovery Act (RCRA) to complete federal corrective action and, concurrently, receive a liability release from Pennsylvania.

The project managers for your facility are Pam Trowbridge (DEP) and Darius Ostrauskas (EPA). Their job is to work with you to coordinate the review and approval process to make certain that the requirements of both programs are met. For most projects, the DEP project manager will have the overall lead, while the EPA project manager will provide support to address RCRA issues, including a determination of the environmental indicators for human health and groundwater control. Currently, Darius has the lead for your facility.

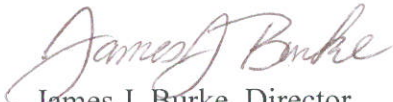
Upon completion of site characterization, all parties will discuss the appropriate next steps and schedules. Where possible, we will rely on Act 2's Statewide health or site specific options to develop a remedy. We also plan to follow Act 2 time frames as much as possible. If these options do not fully satisfy RCRA requirements, we expect to develop an acceptable alternative.

Once agreement is reached on any necessary cleanup, EPA will publish a draft Final Decision for public input and proceed to a final Decision using EPA's *Final Guidance on Completion of Corrective Action Activities at RCRA Facilities*, which can be found in the February 23, 2003 *Federal Register*. DEP will proceed with a review and an approval decision on the Act 2 reports as provided in Act 2, Sections 302(e), 303(h) and 304(n). Responsibility for any post-remedial measures or institutional controls will be determined by the joint work team on a facility-specific basis in order to ensure the needs of both programs are met.

For your convenience, the full text of the MOA can be found at the following link:  
<http://www.epa.gov/region03/revitalization/pennsylvania.htm>

EPA and DEP thank you for participating in this new program. For more information, please contact Pam Trowbridge, DEP at (717)-705-4851 or Darius Ostrauskas, EPA at (215) 814-3360.

Sincerely,



James J. Burke, Director  
Waste and Chemical Management  
Division  
Region III  
Environmental Protection Agency



Eugene A. DePasquale, Deputy Secretary  
Community Revitalization and Local  
Government Support  
Department of Environmental Protection