

October 31, 2018

Mr. Jeff Bell  
14 Armory Lane  
Lewistown, PA 17044

**Re:** Site Characterization Report and Remedial Action Plan  
Storage Tanks System Release in September 2014  
Point Store  
Facility ID No. 44-12044  
Incident No. 46777  
5867 Highway 522 North  
McClure, PA 17841  
Decatur Township, Mifflin County

Dear Mr. Bell:

The Department of Environmental Protection (Department) has reviewed the September 13, 2018 document titled Supplemental Site Characterization Report and Remedial Action Plan for the release referenced above. This document was prepared by Mountain Research, LLC and submitted as a Site Characterization Report (SCR) as required by 25 Pa. Code § 245.310(a) and a Remedial Action Plan as required by 25 Pa. Code § 245.311. You selected the Site-Specific Standard (SSS) as the remediation standard for soil and groundwater. In accordance with 25 Pa. Code § 245.311(c)1, the Department approves the Supplemental SCR and RAP.

Please be aware that any wording related to the Environmental Covenants included in the report is not covered by this letter. The Department will issue a final determination on Environmental Covenant wording following submission of the signed and executed Environmental Covenant.

25 Pa. Code § 245.312(a) requires that remedial action shall be implemented upon approval of the RAP according to the schedule contained in the RAP. Remedial action should, therefore, commence immediately upon receipt of this letter and proceed in accordance with the schedule in the RAP until the selected remediation standard is attained.

Remedial Action Progress Reports (RAPRs) must be submitted to the Department in accordance with Section 245.312(b-d) by the 30<sup>th</sup> day of the month following the end of each quarter (April 30, July 30, October 30 and January 30). The final RAPR is submitted as part of the Remedial Action Completion Report. Your first RAPR should be submitted no later than January 30, 2019.

Failure to implement remedial action or submit complete progress reports in accordance with the schedule outlined above may result in enforcement action by the Department. If you wish to modify any part of this Remedial Action Plan or select a new remediation standard, you must prepare and submit a new or modified Remedial Action Plan to the Department in accordance with Section 45.312(e).

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. 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.

If you have questions, please contact me at 717.705.4857 or by email to [cystine@pa.gov](mailto:cystine@pa.gov).

Sincerely,



Cynthia Stine, P.G.  
Licensed Professional Geologist  
Storage Tank Section  
Environmental Cleanup and Brownfields Program

Cc: Michael Crowe, Mountain Research, LLC  
USTIF