

MAR 27 2019

CERTIFIED MAIL NO. 91 7199 9991 7038 4331 5972

Lynnett Beck
Secretary/Treasurer
Shenango Township Municipal Building
3439 Hubbard-West Middlesex Road
West Middlesex, PA 16159

Re: Revised Remedial Action Plan Disapproval
Storage Tank System Release December 4, 2015
Shenango Township Municipal Building
Facility ID No. 43-04177
Incident No. 48741
3439 Hubbard-West Middlesex Road
West Middlesex, Mercer County

Dear Lynnett Beck:

The Department of Environmental Protection (Department) has reviewed the document titled, "Combined Remedial Action Progress Report, 4th Quarter 2018, and Revised Remedial Action Plan" dated January 31, 2019 for the release referenced above (Report). The Department received this Report on February 1, 2019. The Report was prepared by Compliance Environmental Services and submitted as a Remedial Action Plan as required by 25 Pa. Code § 245.311. The Report indicates you selected the residential Statewide Health Standard as the remediation standard for soil and groundwater.

In accordance with 25 Pa. Code § 245.311(b), the Department disapproves the Report based on the deficiencies described below.

- The Report does not include copies of plans relating to health & safety, waste management, and quality assurance/quality control as required by 25 Pa. Code § 245.311(a)(2).
- The Report does not include a list of required federal, state and local permits or approvals to conduct the remedial action as required by 25 Pa. Code § 245.311(a)(3).
- The Report does not include a discussion of how the remedial action will attain the selected standard as required by 25 Pa. Code § 245.311(a)(4). Specifically, the Report lacks an adequate level of hydrogeological testing and analysis of the aquifer to: 1) demonstrate that the groundwater plume will be contained and prevented from further migration and 2) justify that there will be sufficient influence on the aquifer from injection events to fully disperse the nutrient/oxygen mixture into the contaminant plume to enhance biological degradation.
- The Report does not include results of treatability, bench scale or pilot scale studies to support the remedial action as required by 25 Pa. Code § 245.311(a)(5).

- The Report does not include design and construction details for the remedial action, including expected effectiveness as required by 25 Pa. Code § 245.311(a)(6).
- The Report does not include operation and maintenance details for the remedial action as required by 25 Pa. Code § 245.311(a)(7). Specifically, the schedule provided in the Report does not: 1) justify how a remedial action conducted once every two weeks will control the contaminant plume; 2) provide a basis for the 24-30 month overall timeframe; provide details concerning a schedule for monitoring/sampling; or provide a discussion of anticipated discharge quantities and contaminant concentrations.
- The Report does not include a site map showing anticipated area of influence as required by 25 Pa. Code § 245.311(a)(8).
- The Report does not include a description of all parameters to be monitored, analytical methods and references as required by 25 Pa. Code § 245.311(a)(9)(10); in addition, the Report should discuss how this information will be used to evaluate remedial effectiveness.
- The Report does not include a methodology to demonstrate attainment as required by 25 Pa. Code § 245.311(a)(11).
- The Report does not include a description of proposed post-remedial care as required by 25 Pa. Code § 245.311(a)(12).

Pursuant to 25 Pa. Code § 245.311(b)(4), you should correct the deficiencies and submit a revised Remedial Action Plan by October 4, 2019.

The Department notes that Separate Phase Liquid was measured in one groundwater monitoring well on December 3, 2018. Pursuant to 25 Pa. Code § 245.306(b), you are required to prevent movement of Separate Phase Liquids into previously uncontaminated areas. Further, pursuant to 40 CFR § 280.64 you are required to remove Separate Phase Liquid to the "maximum extent practicable." Thus, monthly gauging for Separate Phase Liquid is recommended, followed by interim remedial actions to remove Separate Phase Liquid in accordance with 25 Pa. Code § 245.306(b)(1).

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800.654.5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717.787.3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. 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 AT 717.787.3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

If you have questions, please contact Nancy Duerring at 814.332.6824 or by email to nduerring@pa.gov.

Sincerely,



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

cc: USTIF 2016-008
Albert Richnafsky - Compliance Environmental Services
David Siekkinen - Compliance Environmental Services
Nancy Duerring - DEP
Kammy Halterman - DEP
John O'Hara - DEP
Sarah Johnston - DEP
NWRO File

AMS:NTD:keb