



December 22, 2016

07-053 F

**CERTIFIED MAIL NO.: 7016 0910 0000 4016 7433**

Lewis Brothers Garage  
c/o Mr. Sean T. Phillips, Executor  
121 Aspen Lane  
Nicholson, PA 18846

Re: ECB-Storage Tanks Program  
SCR Approval with Modifications Letter  
Lewis Brothers Facility  
Facility ID #: 35-10233  
Incident#(s): 8473, 37784  
RR 347  
Scott Township, Lackawanna County

DEC 22 2016

Dear Mr. Phillips:

The Department of Environmental Protection (Department) has reviewed the September 26, 2016 document titled Site Characterization Report for the release incident(s) referenced above. This document was prepared by Pennsylvania Tectonics, Inc. and submitted as a Site Characterization Report (SCR) as required by 25 Pa. Code § 245.310(a). You selected a combination of the Statewide Health standard and the Site Specific standard as the remediation standard for soil and groundwater.

The Department approves the SCR in accordance with Section 245.310(c)(2) with the following modification(s)/stipulation(s):

1. Dissolved lead has not been detected above laboratory method detection limits in groundwater since sampling was initiated in 2008. Analysis for dissolved lead may be discontinued.
2. The Department concurs that under current conditions, no additional assessment of surface water is necessary at this time.
3. The Johnson and Ettinger model performed for the Jarrow residence used a depth to groundwater value of ten feet below the floor of the basement. Groundwater elevations in nearby monitoring wells are often at depths of six to seven feet below grade. It does not appear that there is a buffer of five feet of soil between impacted groundwater and the basement floor. Indoor air sampling should be conducted.

4. In Table BB-1 for the Strong residence, results are listed for an August 1, 2015 sampling event. Laboratory data sheets could not be located within the report for this date.
5. The Department has reviewed the analytical results of Point of Entry Treatment (POET) systems and has determined that influent results for Tier 2 wells have non-detect results for five to six quarterly events over seven to eight years. Tier 3 wells have non-detect results for seven to eight events over seven to 8 years. Based on current conditions the POET systems may be removed from Tier 2 and Tier 3 wells.
6. In accordance with Section 250.305(c)(1) of the Department's Land Recycling regulations, the use of Direct Contact Values for soil is not relevant for screening the constituents of concern at the site. In sections 5.6, 6.1 and other locations of the report the Direct Contact Values are used. The Soil-to-Groundwater MSCs are the correct screening values for the site.
7. Based on refusal of access to potentially relevant properties to the west and southwest, the Department will not require additional delineation in this direction at this time. The report indicates that impacted smear zone soils to the southeast are not delineated based on results collected from soil boring TB-38A; which contained an exceedance of the benzene MSC at the nine to ten foot interval. Based on nine of twelve previous gauging events of groundwater in nearby monitoring well MW-10s, this interval is saturated. No further smear zone delineation is necessary in this direction.
8. In section 9.2 of the report, it is suggested that the Site Specific standard (SSS) may be selected for soils at the site. There is no discussion of how that may be attained. Such a remedy would require activity and use restrictions be applied to impacted off-site properties memorialized in an Environmental Covenant. This might be very difficult to obtain.
9. Additional remedial alternatives need to be evaluated and/or additional remedial pilot testing should be conducted. In Section 10.9 it is concluded that soil vapor extraction/air sparge technology is not appropriate for the site. There is a lack of detail in the pilot study, including but not limited to justification of the diameter and construction of SVE test wells, and the selection of specifications of the test equipment. Additionally, sparging was not conducted during this test.

A Remedial Action Plan (RAP) conforming to the requirements of Section 245.311(b) of the Department's Corrective Action Regulations, shall be submitted to the Department for review. Section 245.311(a) requires that the RAP be submitted within 45 days of your SCR submittal, or submitted within an alternative time frame as determined by the Department. **Your RAP is due no later than February 28, 2017.** Your RAP submission should address the modifications noted above.

Failure to submit a complete RAP within the alternative timeframe as determined by the Department may result in enforcement action.

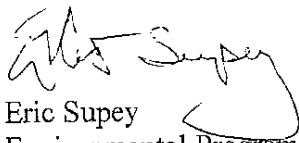
Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 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.

The technical review of this document was conducted under the responsible charge of a Pennsylvania Licensed Professional Geologist. If you have any questions or desire clarification regarding the above, then please contact Sherry Carlo, P.G. who can be reached either by telephone at 570-826-2498 or through e-mail to [shcarlo@pa.gov](mailto:shcarlo@pa.gov).

Sincerely,



Eric Supey  
Environmental Program Manager  
Environmental Cleanup & Brownfields Program

cc: Scott Township  
PA Tectonics, Inc.  
USTIF