



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III

FINAL DECISION AND RESPONSE TO COMMENTS

SECHAN LIMESTONE INDUSTRIES, INC.  
2925 NEW CASTLE ROAD  
PORTERSVILLE, PENNSYLVANIA

EPA ID NO. PAD 002 860 377

Prepared by  
Office of Remediation  
Land and Chemicals Division  
September 2016

## I. FINAL DECISION

The United States Environmental Protection Agency (EPA) has determined that the actions described in this section will be the Final Remedy required for Sechan Limestone Industries, Inc. facility located at 2925 New Castle Road, Portersville, PA (Facility or Sechan). This determination is based on the findings as detailed in the Statement of Basis (attached).

1. Sechan shall continue to comply with the terms and conditions of the 1996 Consent Order and Agreement with the Pennsylvania Department of Environmental Protection (PADEP), which includes post-closure care requirements.
2. Sechan shall implement land and groundwater use restrictions to prevent human exposure to contaminants at the Facility through an Environmental Covenant pursuant to the Pennsylvania Uniform Environmental Covenants Act, 27 Pa. C.S. Sections 6501-6517 (UECA), to be recorded with the deed for the Sechan property. The land and groundwater use restrictions shall apply to the following areas (Restricted Areas), as identified on Figure 2 and Figure 3 of the Statement of Basis:
  - a. the entirety of the capped areas of waste disposal Areas A, A', C-3, G, and F; and,
  - b. the entirety of the capped areas and extending out past the groundwater monitoring wells of waste disposal Areas C-1 and C-2.

Should PADEP authorize Sechan to discontinue groundwater monitoring, the Restricted Areas associated with Areas C-1 and C-2 may be reduced to incorporate only the entirety of the capped areas.

The following restrictions shall apply to the Restricted Areas:

- a) The Restricted Areas shall not be used for residential purposes;
- b) Groundwater at the Restricted Areas shall not be used for any purpose, including, but not limited to, use as a potable water source, other than to conduct the maintenance and monitoring activities required by PADEP and/or EPA;
- c) No new wells shall be installed on the Restricted Areas unless it is demonstrated to PADEP that such wells are necessary to perform post closure activities and PADEP provides prior written approval to install such wells;
- d) The Restricted Areas shall not be used in any way that will adversely affect or interfere with the integrity and protectiveness of the multi-layered covers over the landfill areas, unless it is demonstrated to EPA that such use will not pose a threat to human health or the environment and EPA provides prior written approval for such disturbance; and
- e) All earth moving activities on the Restricted Areas, including excavation, drilling and construction activities, shall be conducted in a manner such that the activity will not pose a threat to human health and the environment or adversely affect or interfere with the post-closure requirements of the 1996 Consent Order and Agreement. No such activities shall take place at the Facility unless PADEP provides prior written approval.

The operations at the Facility are regulated by the PADEP under both the hazardous waste program and the solid waste program. The post-closure requirements are specified in the October 23, 1996 Consent Order and Agreement and Closure/Post-Closure Plan. The required post-closure activities including monitoring of the groundwater and maintenance of landfill caps, Operations at the Facility are restricted to inspection, maintenance, and monitoring by authorized personnel.

## II. PUBLIC COMMENT PERIOD

On August 10, 2016, EPA proposed a remedy of continued compliance with the terms and conditions of the PADEP Consent Order and Agreement, and implementation of land and groundwater use restriction. Consistent with public participation provisions under the Resource Conservation and Recovery Act (RCRA), EPA requested comments from the public on the proposed remedy as described in the Statement of Basis. The commencement of a thirty (30)-day public comment period was announced in *The New Castle Courier-Times* newspaper on August 11, 2016 and on the EPA Region III website. The public comment period ended on September 12, 2016.

## III. RESPONSE TO COMMENTS

EPA received one comment letter from counsel for Sechan Limestone Industries, Inc. The following describes the issues raised in the comment letter and EPA responses to the issues. EPA coordinated with PADEP on the responses to the issues raised by Sechan. PADEP concurs with the responses.

1. Comment: Sechan requests that it be allowed to cease groundwater monitoring at the Facility at the end of 2016.

Response: Post-closure care of the closed landfill areas at the Facility is regulated by PADEP under both the hazardous waste program and the solid waste program. Sechan may petition PADEP for modifications to the post-closure requirements for the Facility.

2. Comment: Sechan requests clarification regarding what EPA considers to be “Restricted Areas” for purposes of restricted use under an Environmental Covenant. Sechan further requests that the Environmental Covenant restrictions apply only to the closed hazardous waste units C-1 and C-2.

Response: The restrictions specified in Section I.2 (above) shall apply to all areas where solid waste remains in place. The language in Section I.2 is modified to include this clarification.

3. Comment: Sechan plans to request release of the entire bond amount posted for the site.

Response: Sechan may petition PADEP for modifications to the bonding requirements under the post-closure requirements for the Facility.

#### IV. AUTHORITY

EPA is issuing this Final Decision under the authority of the Solid Waste Disposal Act, as amended by RCRA, and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. Sections 6901 to 6992k.

#### V. DECLARATION

Based on the Administrative Record compiled for the Corrective Action at the Facility, EPA has determined that the Final Remedy selected in this Final Decision and Response to Comments is protective of human health and the environment.

*Original signed by JAA*

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John A. Armstead, Director  
Land & Chemicals Division  
U.S EPA Region III

*9/22/2016*

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Date

Attachment: Statement of Basis, Sechan Limestone Industries, Inc., (August 10, 2016)