



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III

FINAL DECISION AND RESPONSE TO COMMENTS

Parcel B  
Former 6Twelve Properties, L.P. La Brea Flats  
Follansbee Plant  
Follansbee, West Virginia

EPA ID: WVD004319539

## I. FINAL DECISION

In this Final Decision and Response to Comments (Final Decision), the United States Environmental Protection Agency (EPA) selects coal tar decanter sludge and soil encapsulation and capping, groundwater monitored natural attenuation, and compliance with and maintenance of land and groundwater use restrictions as the Final Remedy for the La Brea Flats Parcel B of the Follansbee Plant (the Facility), located at 600 Veterans Drive, Follansbee, Brooke County, West Virginia. The Final Remedy is based on EPA's findings as detailed in the Statement of Basis (SB), which EPA issued for the Facility on November 23, 2021, and is consistent with EPA's February 2003 *Final Guidance on Completion of Corrective Action Activities at RCRA Facilities* (68 FR 8757).

EPA's Final Remedy, as selected in this Final Decision, may be implemented through an order, permit, or environmental covenant.

If the owner and/or operator of the Facility fail to meet their/its obligations or EPA, in its sole discretion, deems additional activities and/or controls are necessary to protect human health or the environment, EPA has the authority to require and enforce additional corrective actions consistent with public participation provisions under the Resource Conservation and Recovery Act (RCRA).

## II. PUBLIC COMMENT PERIOD

On November 23, 2021, EPA issued a SB in which it announced its proposed remedy for the Facility. Consistent with public participation provisions under RCRA, EPA requested comments from the public on the proposed remedy. The commencement of a forty-five (45)-day public comment period was announced in the *Pittsburgh Post-Gazette* on December 16, 2021, and on the EPA Region III website. The public comment period ended on January 31, 2022.

## III. RESPONSE TO COMMENTS

EPA did not receive any comments on the proposed remedy. Consequently, the Final Remedy is unchanged from that proposed in the SB for the Facility. The SB is incorporated herein and made a part hereof as Attachment A.

## 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 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 is protective of human health and the environment.

03/03/2022

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Dana Aunkst, Director  
Land, Chemicals, and Redevelopment Division  
U.S. EPA Region III

Date

Attachment A: Statement of Basis, November 2021