



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

FINAL DECISION AND RESPONSE TO COMMENTS

GROVE U.S., L.L.C.
SHADY GROVE, PENNSYLVANIA
EPA ID NO. PAD043891647

I. FINAL DECISION

The United States Environmental Protection Agency (EPA) has selected the compliance with and maintenance of Institutional Controls (ICs) as the Final Remedy for the Grove U.S., L.L.C. facility (the Facility), located at 1565 Buchanan Trail East, Shady Grove, Pennsylvania. This determination is based on EPA's findings as detailed in the Statement of Basis (SB). This determination is consistent with EPA's February 2003 *Final Guidance on Completion of Corrective Action Activities at RCRA Facilities* (reference 68 FR 8757).

EPA's Final Remedy relies on an Environmental Covenant executed by the Facility and approved by the Pennsylvania Department of Environmental Protection (PADEP) pursuant to the Pennsylvania Uniform Environmental Covenants Act, 27 Pa. C.S. Sections 6501-6517, (UECA) as part of previous remedial efforts overseen by PADEP. The Environmental Covenant prohibits the on-site withdrawal or use of groundwater for potable, domestic, or agricultural purposes. The Environmental Covenant restricting groundwater use at the Facility was executed by the Facility on December 19, 2007 and

approved by PADEP on January 31, 2008. The Environmental Covenant was recorded in the chain of title for the Facility by the Franklin County Recorder's Office on February 7, 2008.

If the Facility fails to meet its obligations under the Environmental Covenant or EPA or PADEP, in its sole discretion, deems that additional ICs are necessary to protect human health or the environment, both agencies have the authority to require and enforce additional ICs.

II. PUBLIC COMMENT PERIOD

On August 28, 2012, EPA issued a Statement of Basis (SB) in which it announced its proposed remedy for the Facility. Consistent with public participation provisions under the Resource Conservation and Recovery Act (RCRA), EPA requested comments from the public on the proposed remedy. The commencement of a thirty (30)-day public comment period was announced in *The Record Herald* on August 28, 2012 and on the EPA Region III website. The public comment period ended on September 27, 2012.

III. RESPONSE TO COMMENTS

EPA received no comments on the proposed remedy. Consequently, the Final Remedy is unchanged from that proposed in the SB. The SB is incorporated herein and made a part thereof as Attachment A.

IV. AUTHORITY

EPA is issuing this Final Decision and Response to Comments 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.

/Abraham Ferdas/

9/28/12

Abraham Ferdas, Director
Land and Chemicals Division
U.S. EPA Region III

Date

Attachment A: Statement of Basis dated August 23, 2012