



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

FINAL DECISION AND RESPONSE TO COMMENTS

FORMER CHAIN BIKE CORPORATION

ALLENTOWN, PENNSYLVANIA

EPA ID NO. PAD053061909

I. FINAL DECISION - Corrective Action Complete with Controls

The United States Environmental Protection Agency (EPA) has determined that no further action is required to make the former Chain Bike Corporation (Facility) property suitable for current and anticipated land use. This determination is based on our findings as detailed in the Statement of Basis (SB) and is consistent with EPA's February 2003 *Final Guidance on Completion of Corrective Action Activities at RCRA Facilities* (reference 68 FR 8757). Because contamination will remain in the soil and groundwater at the Facility, EPA is requiring institutional controls (IC). ICs are non-engineered instruments such as administrative and/or legal controls that minimize the potential for human exposure to contamination by limiting land or resource use. The required ICs are:

- a. a restriction on the use of groundwater beneath the Facility for potable purposes or any other use that could result in human exposure

- b. a restriction on land use to prevent residential, recreational, or residential-style use or occupation of the Facility property

In addition to the above ICs, the owner of the Facility and each subsequent owner must notify EPA or the Pennsylvania Department of Environmental Protection (PADEP) of any transfers in property, proposed changes in use of the property, or any work on the property that may potentially affect areas of remaining contamination. These ICs are enforceable through deed restrictions that were recorded in the deed of January 10, 2007 for the Facility property. The groundwater IC is further enforceable through a Mandatory Aquifer Non-Use Ordinance (Hanover Township Ordinance Number 494) that was signed into law in June 2009 designating an aquifer non-use area surrounding the Facility.

II. PUBLIC COMMENT PERIOD

On December 8, 2009, EPA proposed a determination of “Corrective Action Complete with Controls.” 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 SB. The commencement of a thirty (30)-day public comment period was announced in *The Express Times* on December 8, 2009 and on the EPA Region III website. The public comment period ended on January 7, 2010.

III. RESPONSE TO COMMENTS

EPA received no comments on the proposal. Consequently, our final determination is unchanged from the proposal.

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 former Chain Bike Corporation 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/

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

2/3/10

Date