



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

FINAL DECISION AND RESPONSE TO COMMENTS

Kelly Run Sanitation Inc.

EPA ID NO. PAD 004 810 222

I. FINAL DECISION

The United States Environmental Protection Agency (EPA) has selected as the Final Remedy for the Kelly Run Sanitation Inc (the Facility) the operation and maintenance of the Facility's landfill caps, monitoring systems, leachate detection and collection system, and groundwater remediation system and the compliance with and maintenance of institutional controls. The Facility is located at 1500 Hayden Boulevard, Elizabeth, Allegheny County, Pennsylvania. The components of the Final Remedy are being implemented under the Facility's RCRA Post-Closure Permit, No. PAD 004 810 222, and Municipal Solid Waste Operating Permit, No. 100663, issued by the Pennsylvania Department of Environmental Protection (PADEP).

This Final Decision and Response to Comments (Final Decision) will be federally enforceable through a permit issued to the Facility by EPA under Section 3004(u) of the Solid Waste Disposal Act, commonly referred to as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Section 6924(u) (EPA Permit). The EPA Permit will be signed concurrently with this Final Decision and both will become effective upon signature. The Final Decision will be incorporated into the EPA Permit and made a part thereof.

II. PUBLIC COMMENT PERIOD

On November 23, 2011, EPA issued a Statement of Basis (SB) which summarized the information gathered during the environmental investigations at the Facility and proposed operation and maintenance actions for the landfill caps, monitoring systems,

leachate detection and collection system, and groundwater remediation system and the compliance with and maintenance of institutional controls as the Final Remedy. In conjunction with the SB, EPA issued a draft EPA Permit under which EPA proposed to implement the Final Remedy. Consistent with public participation provisions under RCRA, EPA requested comments from the public on the proposed final remedy as described in the SB and on the draft EPA Permit. The commencement of a joint forty-five (45)-day public comment period was announced in The Daily News (McKeesport) on November 29, 2011 and on the EPA Region III website. The public comment period ended on January 12, 2012.

III. RESPONSE TO COMMENTS

EPA received no comments on its proposed Final Remedy or the draft EPA Permit and, therefore, has not modified the Final Remedy as proposed in the SB. The SB is hereby incorporated into this Final Decision by reference and made a part hereof as Attachment A.

IV. AUTHORITY

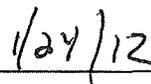
EPA is issuing this Final Decision under the authority of the Solid Waste Disposal Act, as amended by RCRA, and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. Sections 6901 to 6992k.

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 is protective of human health and the environment.



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



Date

Attachment A: Statement of Basis
Kelly Run Sanitation Inc.
EPA ID NO. PAD 004 810 222

ATTACHMENT A

United States Environmental Protection Agency
Region III
Statement of Basis
Kelly Run Sanitation Inc.
PAD 004 810 222
November 23, 2011