



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III

FINAL DECISION AND RESPONSE TO COMMENTS

FERRO CORPORATION  
WASHINGTON, PENNSYLVANIA  
EPA ID NO. PAD041731670

I. FINAL DECISION

The United States Environmental Protection Agency (EPA) has selected the characterization and disposal of any contaminated soil from future intrusive operations, the inspection and maintenance of the cover over the former settling ponds, and the implementation of land use restrictions as the Final Remedy for the Ferro Corporation facility (the Facility), located at 251 West Wylie Avenue in Washington, Pennsylvania. This determination is based on EPA's 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).

EPA's Final Remedy ensures that soil from future intrusive operations at the Facility is properly characterized and disposed of, and relies on the annual inspection and maintenance of the cover over the former settling ponds to eliminate exposure to any remaining contamination in this area. Additionally, EPA's Final Remedy relies on a land use restriction prohibiting residential development or use of the Facility property unless approved by EPA. The components of EPA's Final Remedy may be enforced through an

order, permit, or through an Environmental Covenant to be executed by the Facility pursuant to the Pennsylvania Uniform Environmental Covenants Act, 27 Pa. C.S. Sections 6501-6517 (UECA).

If the Facility fails to meet its obligations or EPA, in its sole discretion, deems that additional activities and/or ICs are necessary to protect human health or the environment, EPA has the authority to require and enforce additional corrective actions.

## II. PUBLIC COMMENT PERIOD

In March 2016, EPA issued a 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 *Tribune Review* on April 12, 2016 and on the EPA Region III website. The public comment period ended on May 12, 2016.

## III. RESPONSE TO COMMENTS

EPA received no comments on the proposal. 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.

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/John A. Armstead/

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

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5.26.16

Date

Attachment A: Statement of Basis, March 2016