



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

FINAL DECISION AND RESPONSE TO COMMENTS

SAFETY-KLEEN SYSTEMS, INC.
NEW KINGSTOWN, PENNSYLVANIA

EPA ID NO. PAD 000 738 823

I. FINAL DECISION - Compliance with, and maintenance of, the Activity and Use Limitations in the June 23, 2017 Environmental Covenant

The United States Environmental Protection Agency (EPA) has determined that compliance with, and maintenance of, the land and groundwater use restrictions in the June 23, 2017 Environmental Covenant will be the Final Remedy required for the Safety-Kleen Systems, Inc. facility located at 10 Eleanor Drive New Kingstown, Pennsylvania 17072 (Facility). This is based on our findings as detailed in the Statement of Basis (SB).

The Activity and Use Limitations that became enforceable on June 23, 2017 under the Environmental Covenant are:

a. Groundwater Exposure Restriction. No water supply wells of any kind (including, without limitation, water wells used for drinking, bathing or other human consumption purposes and water wells used for livestock, farming or irrigation) shall be installed or used on the Property (collectively, the “Groundwater Exposure Restriction”); provided, however, that the Groundwater Exposure Restriction does not prohibit the installation or use of any compliance wells or any groundwater monitoring, recovery or extraction wells or similar devices used for or related to the performance of any remediation or environmental corrective action work on the Property.

b. Residential Use Restriction. The Property shall not be used or occupied (if used or occupied at all) for residential purposes, and additionally, no part of the Property shall be used for the purpose of operating a child care or elder care facility, a nursing home facility or hospice, a medical or dental facility, a school, a church or other place of worship, a park or recreation area or a hospital (collectively, the “Residential Use Restriction”). If applicable state environmental laws and regulations define residential use, any use that is deemed to be a residential use by such laws and regulations will also be a residential use as the terms are used herein. Notwithstanding the forgoing, the Property shall be used only for purposes included in the meaning of the term “nonresidential property” as such term is defined in Act 2.

c. Engineered Barriers. No person shall construct any building on the Property without installing a vapor barrier under such newly-constructed building, unless a vapor intrusion investigation determines that the barrier is unnecessary.

II. PUBLIC COMMENT PERIOD

On August 21, 2017, EPA proposed a remedy of compliance with, and maintenance of, the Activity and Use Limitations in the June 23, 2017 Environmental Covenant. 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 Sentinel* newspaper and on the EPA Region III website.

III. RESPONSE TO COMMENTS

EPA received no comments on the proposal. Consequently, the Final Decision is unchanged from the original proposed decision.

IV. AUTHORITY

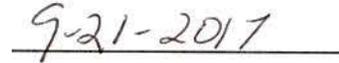
EPA is issuing this Final Decision under the authority of the Solid Waste Disposal Act, as amended by RCRA, and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. Sections 6901 to 6992k.

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 and Response to Comments is protective of human health and the environment.



Martha Shimkin, Acting Director
Land & Chemicals Division
U.S EPA Region III



Date