



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III

FINAL DECISION AND RESPONSE TO COMMENTS

FORMER LAWRENCE MCFADDEN COMPANY
PHILADELPHIA, PENNSYLVANIA
EPA ID NO. PAD002279008

I. FINAL DECISION

The United States Environmental Protection Agency (EPA) has selected the implementation of land and groundwater use restrictions and compliance with a Post-Remediation Care Plan (PRCP) as the Final Remedy for the former Lawrence McFadden Company facility (the Facility), located at 7430 State Road in Philadelphia, Pennsylvania. The Final Remedy is based on EPA's findings as detailed in the Statement of Basis (SB) which EPA issued for the Facility on December 4, 2019 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 relies on the development of a Post-Remediation Care Plan that will include a soil management plan detailing work procedures and personal protective equipment requirements for any intrusive operations conducted within the area of impacted soil or groundwater; operational, maintenance, and inspection procedures for the existing vapor mitigation system and any other vapor mitigation systems that may be installed at the Facility in the future; and a monitoring plan for groundwater to continue until federal Maximum Contaminant Levels (MCLs) promulgated pursuant to Section 42 U.S.C. §§ 300f et seq. of the Safe Drinking Water Act and codified at 40 CFR Part 141, or if there was no MCL, EPA Region III Screening Levels (RSL) for tap water are met or EPA approves cessation of monitoring. Additionally, EPA's Final Remedy requires a land use restriction prohibiting residential development or use of the Facility, a

groundwater use restriction prohibiting any use of groundwater beneath the Facility other than for remedial purposes, and a vapor intrusion evaluation or mitigation prior to any building construction within the area of impacted soil or groundwater. The components of EPA's Final Remedy may be enforced through an order, permit, or through an Environmental Covenant to be executed pursuant to the Pennsylvania Uniform Environmental Covenants Act, 27 Pa. C.S. Sections 6501-6517 (UECA).

If the owner and/or operator of the Facility fail to meet their/its obligations or EPA, in its sole discretion, deems that additional activities and/or controls are necessary to protect human health or the environment, EPA has the authority to require and enforce additional corrective actions consistent with public participation provisions under the Resource Conservation and Recovery Act (RCRA).

II. PUBLIC COMMENT PERIOD

On December 4, 2019, EPA issued a SB in which it announced its proposed remedy for the Facility. Consistent with public participation provisions under 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 *Northeast Times* on December 4, 2019 and on the EPA Region III website. The public comment period ended on January 3, 2020.

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.



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



Date

Attachment A: Statement of Basis, November 2019