STATEMENT OF BASIS

REGION III
ID # PAD
060506805

Lyncott Corporation Landfill
New Milford, Pennsylvania
May 2014

Facility/Unit Type:	**Hazardous waste Treatment, Storage, Disposal Facility**
Contaminants:	**Volatile Organic Compounds (VOCs) and Heavy Metals**
Media:	**Groundwater, soil**
Proposed Remedy:	**Natural Attenuation with groundwater monitoring, land and groundwater use restrictions, operation & maintenance of cap**

I. INTRODUCTION

The United States Environmental Protection Agency (EPA) has prepared this Statement of Basis (SB) to solicit public comment on its proposed remedy for the Lyncott Corporation Landfill (Facility), which is subject to EPA's Corrective Action program under the Solid Waste Disposal Act, as amended, commonly referred to as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Sections 6901 et seq.

EPA is providing a 30-day public comment period on this SB and may modify its proposed remedy based on comments received during this period. EPA will announce its selection of a final remedy for the Facility in a Final Decision and Response to Comments (Final Decision) after the comment period has ended.

Information on the Corrective Action program as well as a fact sheet and the Government Performance and Results Act Environmental Indicator Determinations for the Facility can be found by navigating http://www.epa.gov/reg3wcmd/correctiveaction.htm.

The Administrative Record (AR) for the Facility contains all documents on which EPA's proposed remedy is based. See Section VIII for information on how you may review the AR.

II. FACILITY BACKGROUND

The Facility is located at Road 1, Route 1554 New Milford, Susquehanna County, Pennsylvania. The Facility is situated on approximately 192 acres of land, of which only approximately 10 acres were utilized for waste disposal, storage or processing.

The Facility was originally developed as the Scott Sanitary Landfill as a Municipal Solid Waste Disposal Area in the mid 1970s. Industrial waste began to be deposited at the Facility in the third quarter 1979. The Facility applied for a RCRA Part A permit as a hazardous waste disposal facility in November 1980 as a result of the corrosivity, reactivity and toxicity of the disposed waste.

Lyncott Corporation (Lyncott) is the current owner of the Facility. Lyncott became a subsidiary of Chemical Waste Management (CWM) in November 1980. The Facility was closed to incoming waste on March 31, 1981 following the issuance of a cessation order by the Pennsylvania Department of Environmental Resources (PADER). The acquisition of Lyncott by CWM was rescinded in April 1985 and Lyncott was no longer affiliated with CWM. However, Lyncott Corporation retained ownership of the Facility (under the name of S.C. Holdings Inc.), and CWM, a subsidiary of Waste Management Incorporated (WMI), has been performing the remediation at the Facility.

III. SUMMARY OF ENVIRONMENTAL HISTORY

Areas of Investigation	Description
Module #1 Vault #1 with Sedimentation Pond #1(SWMU #1) and the Sludge Storage Area (SWMU #2)	• As part of a September 4, 1981 PADER Consent Order, SWMU #1 was excavated. Excavated materials were shipped to an out-of-state hazardous waste landfill. • Wastes and soil from SWMU #2 were excavated in 1981 and 1982. • Post closure sampling data confirm soils from SWMUs #1 and #2 have been remediated to EPA Region 3 Regional Screening Levels (RSLs) for non- residential exposure scenarios. • Post waste removal sampling results show groundwater associated with Module #1 has either not been impacted or is below National Drinking Water Standard Maximum Contaminant Levels (MCLs) promulgated at 40 C.F.R. Part 141 pursuant to Section 1412 of the Safe Drinking Water Act, 42 U.S.C. Section 300g-1.
Module #2 Municipal Solid Waste Disposal Area (SWMU #3), the proposed Vault #2 Area (SWMU #4,) and Vault #3 with Sedimentation Pond #3 (SWMU #5)	• SWMU #3 was closed and capped in 1979. Groundwater monitoring in accordance with a PADEP-approved 1994 Post Closure Plan remains ongoing. Iron and Manganese exceed their respective Secondary MCLs. Groundwater sampling results for the past 5 years show that Arsenic levels that exceeded the MCL by 10x in one well have been attenuating naturally and now only exceed the MCL by a multiple of 2 (see Figure 1). • SWMU #4 was proposed and never constructed. • As part of a September 4, 1981 PADER Consent Order, SWMU #5 was excavated and the excavated materials were shipped to an out-of-state hazardous waste landfill. • Post closure sampling data confirm soils in SWMU #5 have been remediated to EPA Region 3 RSLs.
Module #3 IBM Stabilized Sludge Area (SWMU #6) and the McGraw Edison Storage Pad (SWMU #7)	• SWMU #6 has been closed with waste in place. Terra-Tite sludge cement material was used to stabilize the waste in the IBM pad. Stabilization was completed in 1979, then SWMU #6 was capped with two feet of soil with sloping sides, and then vegetated. Based on 2004 groundwater monitoring data, statistical analyses were run and PADEP approved terminating groundwater monitoring of the IBM Pad in March 2005. • Wastes and soil from SWMU #7 were removed in 1981 and 1982. Post closure sampling data confirm soils in SWMU

	#7 have been remediated to EPA Region 3 RSLs for non-residential exposure scenarios. • Post waste removal sampling results show groundwater associated with Module #3 has not been impacted.
Module #4 Drum Storage Barns (SWMU #8)	• Wastes and soil from SWMU #8 were excavated in 1981 and 1982. • Post closure sampling data confirm soils in SWMU #8 have been remediated to EPA Region 3 RSLs for non-residential exposure scenarios.

In total, remediation of the hazardous waste storage and disposal areas has already occurred and included the removal of all drummed waste (over 19,800 drums); excavation of 80,400 tons of stored sludge and contaminated soil; removal of 399,600 gallons of water from two sedimentation ponds and two leachate tanks; solidification and stabilization of approximately 262,000 cubic feet of hazardous waste; and closure and capping of the municipal waste landfill.

The remediation efforts have been implemented in accordance with the requirements of a September 4, 1981 PADER Consent Order, an October 22, 1984 Order of the Commonwealth Court of Pennsylvania, and a September 28, 1984 Stipulation of the Parties.

Environmental Protection Levels (EPLs), which are set at MCLs when one exists or calculated as Threshold Limit Values (TLVs) when an MCL does not exist, have been established as the cleanup goals. EPA has determined that the cleanup levels are protective of human health and the environment for non-residential land use.

IV. CORRECTIVE ACTION OBJECTIVES

EPA's Corrective Action Objectives for the specific environmental media at the Facility are the following:

1. Soils

EPA's Corrective Action Objective for the Facility soils is long term control of exposure to hazardous wastes and constituents remaining in the soils by requiring the implementation of land use restrictions at the Facility.

2. Groundwater

EPA's Corrective Action Objective for Facility groundwater is to meet drinking water standards established by the MCLs. Until such time that MCLs are met, EPA proposes to

control exposure to the hazardous constituents remaining in the groundwater by requiring the compliance with and maintenance of groundwater use restrictions at the Facility.

V. PROPOSED REMEDY

Monitoring at the Facility has shown that the contaminants are effectively being addressed by natural attenuation. Specifically, the extent of contamination in groundwater is not increasing and concentrations of contaminants are declining over time. The most contaminated groundwater is less than ten times levels appropriate for use as drinking water. Therefore, the proposed remedy for groundwater consists of monitored natural attenuation until drinking water standards are met, and compliance with and maintenance of groundwater use restrictions at the Facility to prevent exposure to contaminants while levels remain above drinking water standards. The groundwater monitoring shall be conducted in accordance with the PADEP-approved Post Closure Plan.

Post closure sampling data confirm soils have been remediated to EPA Region 3 RSLs for non-residential exposure scenarios. Therefore, the proposed remedy for soils is land use restrictions to prevent exposure to contaminants above a residential use scenario.

The IBM pad (SWMU #6) has been closed with waste in place. Stabilization was completed in 1979, then SWMU #6 was capped with two feet of soil with sloping sides, and then vegetated. Therefore, the proposed remedy for the IBM pad is operation & maintenance of the capped hazardous waste area to prevent exposure to contaminants.

EPA's preferred instrument to enforce the land and groundwater use restrictions and impose operation and maintenance requirements against the current and any future land owner is an Environmental Covenant prepared under Pennsylvania's Uniform Environmental Covenants Act, 27 Pa. C.S. § 6501 et seq. (UECA).

If the Facility fails to obtain an Environmental Covenant from the owner, EPA will use its enforcement authorities to impose the components of the remedy.

VI. EVALUATION OF PROPOSED REMEDY

This section provides a discussion of the criteria EPA used to evaluate the proposed remedy consistent with EPA guidance.

Threshold Criteria	Evaluation
1) Protect human health and the environment	The majority of the hazardous wastes have been excavated and removed. The remaining areas of waste have been stabilized and closed in place. Soils have been remediated to industrial risk based levels in accordance with EPA guidance. Land use restrictions are proposed to be implemented at the Facility to restrict future, non-industrial property uses to ensure that human health and the environment will remain protected. SWMU #6 is capped and is protective of human health and the environment by controlling migration of contaminants through environmental media. Operation and maintenance of the cap will ensure continued protection of human health and the environment. Groundwater use restrictions are being proposed to protect human health and the environment. There is no off-site migration of contaminated groundwater.
2) Achieve media cleanup objectives	Media cleanup objectives have been based on protection of human health and the environment. Soil remedial efforts achieved risk based cleanup levels for soils based on these objectives. Groundwater will continue to be monitored in accordance with the Post Closure Plan until MCLs are met. EPA's proposed remedy requires the implementation of land and groundwater use restrictions and the operation and maintenance of caps to minimize the potential for exposure during this period. Therefore, EPA's proposed decision meets the media cleanup objectives based on current and reasonably anticipated land and water resource use.
3) Remediating the Source of Releases	In all proposed remedy decisions, EPA seeks to eliminate or reduce further releases of hazardous wastes or hazardous constituents that may pose a threat to human health and the environment. As described in the Summary of Environmental History section above, the Facility has remediated the sources of releases. Therefore, EPA has determined that this criterion has been met.

Balancing Criteria	Evaluation
1) **Long-Term Effectiveness**	EPA's proposed remedy will maintain protection of human health and the environment over time by controlling exposure to any hazardous constituents that remain in the soil and groundwater. EPA's proposed remedy requires the compliance with and maintenance of a land and groundwater use restrictions and operation and maintenance of a capped hazardous waste area.
2) **Reduction of Toxicity, Mobility, or Volume of the Hazardous Constituents**	Reduction of the mobility and volume of the hazardous constituents has been achieved through the excavation, removal, and stabilization activities followed by the installation of a permanent cap.
3) **Short-Term Effectiveness**	EPA's proposed remedy does not involve any activities, such as construction or excavation that would pose short-term risks to workers, residents, or the environment.
4) **Implementability**	EPA's proposed remedy is readily implementable. EPA's proposed remedy incorporates work already completed and the proposed land and groundwater use restrictions. Therefore, EPA does not anticipate any regulatory constraints in the implementation of its proposed remedy.
5) **Cost**	The proposed remedy is cost effective. Active remediation is complete and the costs to implement the land and groundwater use restrictions and maintain the existing caps are covered under the existing financial assurance mechanism described below.
6) **Community Acceptance**	EPA will evaluate community acceptance of the proposed remedy during the public comment period, EPA's evaluation will be described in the Final Decision and Response to Comments (FDRTC).

7) **State/Support Agency Acceptance**	PADEP concurs with EPA's proposed remedy. PADEP will also have the opportunity to comment on this SB during the public comment period. EPA will respond to any comments received in the FDRTC.

VII. FINANCIAL ASSURANCE

EPA has evaluated whether financial assurance for corrective action is necessary to implement EPA's proposed remedy at the Facility. EPA's proposed remedy does require maintaining the integrity of the former IBM pad as well as continued groundwater monitoring in accordance with the PADEP-approved Post Closure Plan. EPA is proposing that financial assurance requirements are satisfied by Lyncott's current Letter of Credit already in place in the amount of $4,000,000 that includes costs associated with EPA's proposed remedy.

VIII. PUBLIC PARTICIPATION

Interested persons are invited to comment on EPA's proposed remedy. The public comment period will last thirty calendar days from the date that notice is published in a local newspaper. Comments may be submitted by mail, fax, e-mail, or phone to Mr. Kevin Bilash at the address listed below.

A public meeting will be held upon request. Requests for a public meeting should be made to Mr. Kevin Bilash at the address listed below. A meeting will not be scheduled unless one is requested.

The Administrative Record contains all the information considered by EPA for the proposed remedy at this Facility. The Administrative Record is available at the following location[s]:

U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103
Contact: Mr. Kevin Bilash (3LC20)
Phone: (215) 814-2796
Fax: (215) 814 - 3113
Email: bilash.kevin@epa.gov

IX. INDEX TO ADMINISTRATIVE RECORD

- Preliminary Assessment, NUS, October 26, 1984

- PADER Order on Commence of certain Clean-up Procedures, September 4, 1981

- Court order PADER v. Lyncott, September 28, 1984

- Post-Closure Plan Lyncott Facility, Golder Associates Inc., September 2, 1994

- Final Environmental Indicator Inspection Report, URS, September 2009

- Fourth Quarter 2012 Groundwater Monitoring Report, Applied Testing Geosciences, LLC, May 2013

- Figure 1: Natural Attenuation of Arsenic (WR-07), EPA, 2014

Date: 5.9.14

John A. Armstead, Director
Land and Chemicals Division
US EPA, Region III
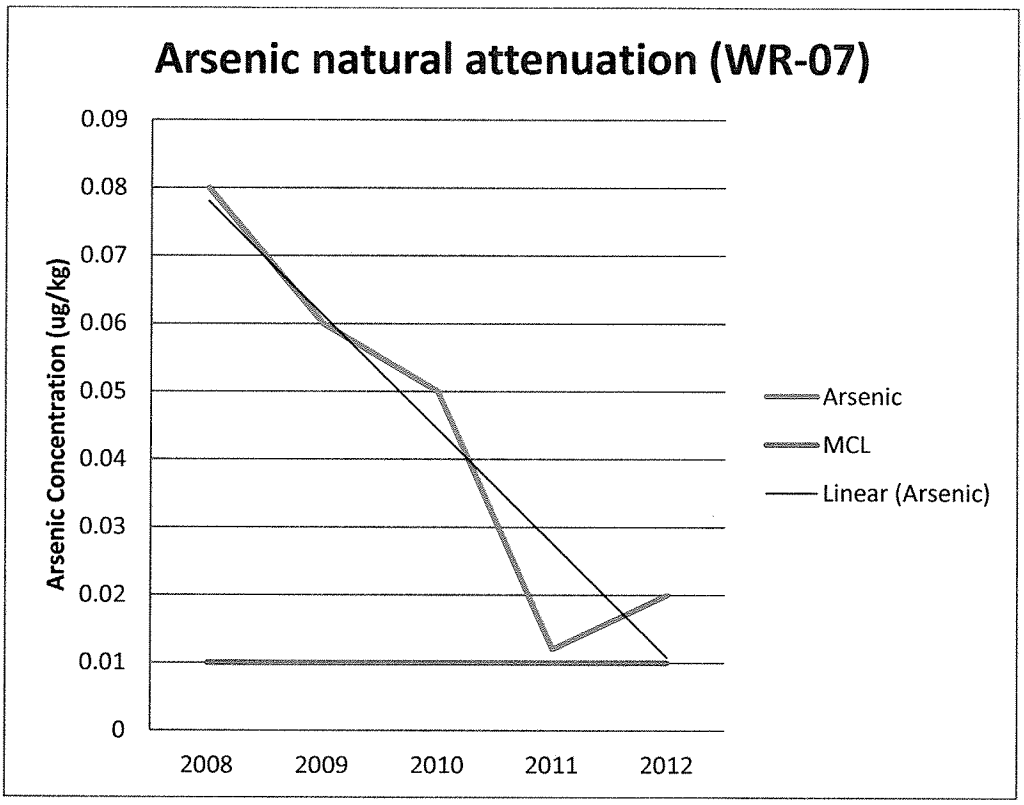
Figure 1: Natural Attenuation of Arsenic (WR-07)