



U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 1 NEW ENGLAND

RESOURCE CONSERVATION AND RECOVERY ACT CORRECTIVE
ACTION PROGRAM
FINAL REMEDY DECISION/COMPLETION DETERMINATION AND
RESPONSE TO COMMENTS

for

DELTA RUBBER COMPANY
DANIELSON, CT

SEPTEMBER 27, 2007

INTRODUCTION

From August 6 through September 5, 2007, the United States Environmental Protection Agency ("EPA") and the Connecticut Department of Environmental Protection ("DEP") held a public comment period on a proposal that no further investigation and/or cleanup is needed to complete Resource Conservation and Recovery Act (RCRA) Corrective Action requirements at the Delta Rubber Company facility ("the Facility") located at 39 Wauregan Road in the Danielson section of Killingly, Connecticut. The proposal was based on the results of investigation and cleanup conducted by the Facility under the oversight of EPA, DEP, and a Licensed Environmental Professional (LEP) showing that all suspected releases of hazardous waste and hazardous constituents at the facility have been adequately investigated and that previous cleanup actions have successfully removed hazardous waste and hazardous constituents to meet DEP standards. Under the proposal, to ensure that conditions at the Facility remain protective of human health and the environment, Delta Rubber Company must execute and record an Environmental Land Use Restriction (ELUR) on the Facility property, pursuant to Section 22a-133q-1 of the Regulations of Connecticut State Agencies (R.C.S.A.). The ELUR for the Delta Rubber Facility must prohibit any and all "residential activity" on the Facility. The term "residential activity" is defined in R.C.S.A Section 22a-133k-1(a)(53) to include any activity related to a (a) residence or dwelling, including but not limited to a house, apartment, or condominium, or (b) school, hospital, day care center, playground, or outdoor recreational area. Delta Rubber has delivered a draft ELUR to DEP for DEP's review. Once DEP approves the ELUR, Delta Rubber must record the ELUR on the municipal land records. **EPA expects that the ELUR for the Delta Rubber Facility be approved by DEP and recorded on the municipal land records by no later than September 30, 2008.**

This document:

- finalizes EPA's and DEP's tentative determination as it was initially proposed (page 2);
- documents how information, relative to the proposal, was made available during the public comment period (page 2);
- presents public comments received on the proposal and EPA's responses to those comments (page 3); and
- provides sources of additional information on the project (page 3).

FINAL DECISION

No information altering the basis of EPA's and DEP's proposal was received during the public comment period. Therefore, EPA and DEP are finalizing this Remedy Decision and Completion determination exactly as it was proposed. The initial proposal was set out in an August 2007 Fact Sheet, known as a Statement of Basis, with the heading "EPA and DEP Propose No Further Resource Conservation and Recovery Act Corrective Action Investigation or Cleanup Needed at Delta Rubber Company." The August 2007 Fact Sheet/Statement of Basis is available at the following page of EPA's web site: <http://www.epa.gov/region1/rcra/deltarubber>

Notwithstanding this Completion determination, EPA or an authorized State may conclude additional cleanup is needed if, subsequent to this Completion determination, EPA or an authorized State discovers evidence of unreported or misrepresented releases.

PUBLIC COMMENT PERIOD

The public comment period on the proposed Remedy Decision and Completion determination at Delta Rubber was held for 30 days, from August 6 through September 5, 2007. Prior to the start of the comment period, EPA and DEP developed the August 2007 Fact Sheet/Statement of Basis: "EPA and DEP Propose No Further Resource Conservation and Recovery Act Corrective Action Investigation or Cleanup Needed at Delta Rubber Company." The Fact Sheet/Statement of Basis described, among other things, the proposed Remedy Decision and Completion determination and the opportunities for public comment. Prior to the start of the public comment period, the Fact Sheet was mailed to abutters to the facility and to several municipal offices in the Town of Killingly. In addition, copies of the Fact Sheet were provided to the Killingly Public Library to be made available to the public. A compact disc including documents on which the proposal was based was also made available through the Killingly Public Library. A public notice was run in the Norwich Bulletin on August 5, 2007. The public notice summarized the proposal, described opportunities for public comment, and provided locations where additional information could be found. Information was also made available on EPA's website, including a summary of the proposal, the August 2007 Fact Sheet/Statement of Basis, locations where additional information could be found,

and a list of documents on which the proposal was based. This information was available at the following web address <http://www.epa.gov/region1/rcra/deltarubber>

PUBLIC COMMENTS

One comment was received during the public comment period. The comment is presented below. EPA's response is also provided.

Comment:

On a daily basis, production of certain products, there is an unacceptable odor which lasts several minutes. Unsure of what is being produced causing these odors... ..They are a very good neighbor.

Response:

EPA discussed this comment with Delta Rubber Company. Delta Rubber Company representatives were not aware of odors emitted by their plant that met the above description. However, they were aware of odors from other sources in the vicinity of their plant. Delta Rubber Company recommended that any neighbors noticing such odors contact Mr. Jim Meagher of Delta Rubber Company by telephone at 860/779-0300. If neighbors call Mr. Meagher at the time during which they notice such odors, Delta Rubber Company may be able to identify whether the odor is from one of its production processes.

ADDITIONAL INFORMATION

EPA welcomes input from members of the public. For any questions, concerns, or comments on this project, please do not hesitate to contact:

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Additional information is also available on EPA's web page at:

<http://www.epa.gov/region1/rcra/deltarubber>