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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL RESOURCES

Lee Park, Suite 6010  
555 North Lane  
Conshohocken, PA 19428-2233  
October 7, 1994

(610) 832-6000

Southeast Regional Office

Mr. Peter H. Kostmayer  
Regional Administrator  
U.S. EPA Region III  
841 Chestnut Building  
Philadelphia, PA 19107-4431

Re: Record of Decision  
Letter of Concurrence  
Stanley Kessler NPL Site  
Upper Merion Township  
Montgomery County

Dear Mr. <sup>Peter</sup> Kostmayer:

The Record of Decision (ROD) for the Stanley Kessler NPL Site has been reviewed by the Department of Environmental Resources (the Department).

The major components of the selected remedy include:

\* Extraction and Treatment of Ground Water

Ground water would be pumped from a network of extraction wells, numbers and locations of which would be determined during Remedial Design. VOCs would be removed by carbon filtration. Best Available Technology (BAT) would be used to reduce emissions of VOCs from the treatment system. Effluent meeting NPDES standards would be discharged to an on-site intermittent stream.

\* Long-Term Ground Water Monitoring

Additional wells would be installed to provide sampling locations suitable for monitoring to determine any background concentrations of the monitored chemicals, and for continuing evaluation of the effectiveness of the remedial action. Sampling would be conducted quarterly for the first three years and semi-annually thereafter.

I hereby concur with the EPA's proposed actions with the following conditions:

As noted in the Department's comments on the RI/FS reports, any final remedial action at the Stanley Kessler Site must address soils contamination in order to assure that there will be no migration of contamination to the ground water in satisfaction of the Commonwealth's background standard. The Department has reviewed the RI/FS as well as the Record of Decision and has made a preliminary determination that the residual soils contamination at the Site will not migrate to the ground water and therefore that the remedial action complies with the Pennsylvania ground water ARAR in this regard. However, the Department reserves the right to reassess this determination following future ground water monitoring at the Site and take whatever action the Department deems appropriate at that time.

The Pennsylvania ARAR for groundwater for hazardous substances is that all groundwater must be remediated to "background" quality as specified by 25 Pa. Code Sections 264.90 to 264.100. The Commonwealth of Pennsylvania also maintains that the requirement to remediate to background is also found in other legal authorities.

The Department will be given the opportunity to concur with decisions related to future remedial design and remedial Actions to assure compliance with DER cleanup ARARs and design-specific ARARs.

This concurrence with the selected remedial action is not intended to provide any assurances pursuant to CERCLA Section 104(c)(3), 42 U.S.C. Section 9604(c)(3).

The Department will reserve its rights and responsibilities to take independent enforcement actions pursuant to state and federal law.

AR302375

Mr. Peter H. Kostmayer

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October 7, 1994

This letter documents the Department's concurrence with the EPA ROD for the Stanley Kessler NPL Site. If you have any questions regarding this matter, please feel free to contact me at the above telephone number.

Sincerely,

  
James W. Rue  
Regional Director  
Southeast Regional Office

cc: Robert Orwan  
Donald Becker  
Craig Olewiler  
Anderson Hartzell  
Bruce Beitler  
George Danyliw  
Robert Zang  
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Alice Tremont

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