DEPARTMENT OF ENVIRONMENTAL PROTECTION
Hazardous Sites Cleanup Program

RESPONSE TO COMMENTS

Boyertown Landfill HSCA Site
Douglass Township, Montgomery County

September 27, 2023

The Pennsylvania Department of Environmental Protection ("DEP") provided a public comment period concerning the proposed prompt response action at the Boyertown Landfill HSCA Site ("the Site") to address drinking water supplies that have been contaminated by to per- and poly-fluorinated alkyl substances ("PFAS"). Notices of the proposed action were published in the PA Bulletin and *The Mercury* on May 13, 2023. The publication of the notices began a 90-day public comment period that ended on August 11, 2023. A Public Hearing was held on Wednesday, June 21, 2023. DEP has compiled all comments, criticisms, and new data received during the comment period or at the public hearing, from the following individuals.

Karen Lewandowski
34 Diehl Drive
Gilbertsville, PA 19525
Comment 1, 2, 3, 4, 5, 6
Delivered at June 21, 2023 Public Hearing

George Moser
80 S. Werstler Ave.
Gilbertsville, PA 19525
Comment 7
Delivered at June 21, 2023 Public Hearing

Caleb J. Holmes
Green Traurig, LLP
1717 Arch Street, Suite 400
Philadelphia, PA 19103
Comment 8
Received via e-mail on August 11, 2023

Each comment, the source or sources of the comment identified by number, and DEP's response are listed below.

Comment 1 (excerpted from page 23 of the hearing transcript):
And my question is, why do we have this dump? Rolling Hills and Earl Pottstown Landfill now closed. Mascara, Birdsborough, Morgantown, Ephrata and many more. I am showing the map that's located on these 15 toxic dumps. We have one of the highest cancer rates in the state found by ACE or local organization that managed to shut down the Pottstown Landfill…

> **Comment No. 1 Response:** The Boyertown Sanitary Disposal Landfill (Landfill) ceased accepting waste in 1985, was covered in 1987, and has not been permitted to accept new waste since then.

Comment 2 (excerpted from page 23 of the hearing transcript):
We use this soil, which I am sure is contaminated for our gardens, which we consume. We water with the contaminated water. I have to say what about that? We ingest all those substances. Those compounds are proven to cause cancer in people and animals.

> **Comment No. 2 Response:** Potential PFAS soil contamination is outside the scope of this prompt interim response, which is to address PFAS contaminated drinking water. DEP's investigation of the PFAS at the Site in other media including groundwater, soil, and surface water is ongoing, and DEP will evaluate performing soil sampling at properties in the vicinity of the Landfill as part of the investigation.

Comment 3 (excerpted from pages 23 - 24 of the hearing transcript):
We need to steal this property at 300 Merkel Road. It has no fencing. You can drive and walk right on it and put signage all around the property that this is a landfill and is under investigation for a possible Superfund site. Inform people, not hide it from them. I know there's a business using said property, Wonder Construction. I want that shut down. Shut down the business that occupies this space. Hurt them as we are affected. And finally enclose the dump it's posted no trespassing, but what good is that?

> **Comment No. 3 Response:** Security of the Landfill is outside the scope of the prompt interim response which was initiated to address PFAS contamination of drinking water at the Site. Nevertheless, DEP agrees that increased signage, and repairs to the existing fencing at the Landfill is warranted. DEP, separate from the prompt interim response, will implement these actions. DEP has not identified Wunder Construction as a potentially responsible party for the Site.

Comment 4 (excerpted from page 24 of the hearing transcript):
I want to know the radius of notification of this dump site.
And I want more testing of the contamination of the surrounding soil developments of Summerhill and Greenbrier need to be notified and informed because they directly border the dump site.

> **Comment No. 4 Response:** DEP published notification of the prompt interim response in the Pennsylvania Bulletin and *The Mercury* on May 13, 2023. Additionally, DEP sent notice of the Public Hearing directly to all the residential properties that had been sampled by DEP at the Site.
> Regarding soil sampling please see DEP's response to Comment 2.

Comment 5 (excerpted from page 24 of the hearing transcript):
I myself, in my opinion, want something done to compensate our suffering. I doubt if I'm going to get that. But many people on Diehl Drive have succumbed to cancer. Both my parents did.

Unfortunately, I probably will. And so many of those purchasing those nice $500 to $800,000 homes.

> **Comment No. 6 Response:** Monetary compensation is outside the scope of the prompt interim response which was initiated to address PFAS contamination of drinking water at the Site.

Comment 6 (excerpted from page 24 - 25 of the hearing transcript):
Somehow this toxic landfill has to be dealt with and done responsibly this time. Maybe we need an injunction to stop the progression of the disaster until we and everyone involved is taken care of. For the residents that are affected, this area is expanding. Stop the building of developments around this. We need a long term answer. We want total remediation and we don't want to have to pay a cent for this damage, period.

> **Comment No. 6 Response:** The cessation of residential construction in the vicinity of the Site is outside the scope of the prompt interim response which was initiated to address PFAS contamination of drinking water at the Site. The costs associated with the prompt interim response will be incurred by DEP. DEP will continue its investigation of PFAS contamination of drinking water at the Site before proposing a final response for drinking water at the Site.

Comment 7 (excerpted from page 25 of the hearing transcript):
My question is, what is the range that you're going to do the testing in? Certainly my question was phrased earlier. I want to know how the water tables are being evaluated and what range you're going to be doing the testing on. That was all I wanted to.

> **Comment No. 7 Response:** To date, DEP has sampled residential wells at the landfill ranging out to approximately one-half mile from the landfill. To be protective of human health, DEP will assess the boundaries of the residential sampling as its investigation of the Site continues. DEP has conducted sampling of the monitoring wells located on the landfill property for PFAS in 2020 and 2022. DEP also is working to ensure further characterization of PFAS in groundwater at the Site is performed.

Comment 8:
Hi Bonnie,

I write on behalf of my client, Southeastern Pennsylvania Transportation Authority (SEPTA), regarding the Boyertown Sanitary Landfill HSCA Site. SEPTA makes this submission as one of the Members of the Boyertown Sanitary Landfill Site Coalition, and is not offering comments specific to the recently-announced HSCA response action in the neighborhood located near the Boyertown Sanitary Disposal Co.'s landfill in Gilbertsville, Pennsylvania. I write today regarding the detection of PFAS at the Site. SEPTA is not a source of PFAS present at the Site. SEPTA has reviewed the waste-in information provided by the Department. The waste that

was generated by SEPTA and transported to the Site is listed only as "contaminated soil." SEPTA has never manufactured PFAS, used PFAS in any product, nor has it purchased a PFAS-containing product that would have been present in the soil transported to the Boyertown Sanitary Landfill. Therefore, SEPTA cannot be a source of the PFAS at the Site.

I would request that this comment be included in the Site's administrative record.

Best,

Caleb J. Holmes
Shareholder

Comment No. 8 Response: DEP acknowledges receipt of this comment. DEP is continuing its investigation of the Site and has not made any determinations regarding the specific wastes that may have or have not contained PFAS.