

Southwest Regional Office

February 6, 2024

Delivered Electronically

Kimberly Kaal, P.G.
Shell Chemical Appalachia LLC
300 Frankfort Road
Monaca, PA 15061

Re: Final Report – Statewide Health & Site-Specific Standards – Letter of Technical Deficiency
Shell Polymers Monaca Site / Former Horsehead Corp Facility
eFACTS PF #782002
eFACTS Remediation ID #45257
LRP #5-4-947-19395
300 Frankfort Road, Monaca, PA 15061
Potter and Center Townships, Beaver County

Dear Kimberly Kaal,

The Department of Environmental Protection (DEP) reviewed the document titled “Act 2 Final Report,” (Report) that was submitted on November 17, 2023 for the site referenced above. The site has historically contained a zinc smelting facility, an acid plant and mercury production circuit, a plant scrubber clarifier, a coal fired power plant, and several landfills.

The Report was prepared by Environmental Resources Management, Inc. (ERM) and submitted to the DEP in accordance with the Land Recycling and Environmental Remediation Standards Act (Act 2) and constitutes a Final Report as defined in Chapter 3 of Act 2.

The procedures and regulations set forth in Act must be followed in order for your site to qualify for the liability protection provided by the Act. Upon initial review, the DEP finds the submission is technically deficient and the following items are needed to complete your submission:

- The Post-Remediation Care Plan needs to address the continued maintenance of access limiting structures such as fences, etc. and the maintenance of the culvert system installed at Rag Run and Poor House Run.
- The planned Groundwater Activity Use Limitations needs to be amended to address restriction of non-potable groundwater uses.
- Mercury in soil has not been evaluated for vapor intrusion. No determination of the speciation of mercury was conducted, soil gas samples were not collected, and no evaluation of the exposure pathway was performed. Therefore, technical deficiencies of Chapter § 250.312.(a), § 250.701.(d), and § 250.702.(b)(3)(i) exist.

Please address the above summarized technical deficiencies within 60 days. If the deficiencies noted above are corrected within 60 days, it will not be necessary to resubmit report review fees, resend the municipal notice, or republish the public notice. Please include a copy of this correspondence with any submitted correction to confirm to DEP staff that an administrative completeness check is not necessary. If the report is not corrected within 60 days from the date of this letter any report submission will require the appropriate fees and proofs of municipal and public notices.

Please submit the revised report and any related correspondence electronically through the DEP Public Upload portal at: <https://greenport.pa.gov/ePermitPublicAccess/PublicSubmission/Home>. Enter "LAND RECYCLING" under SUBMISSION TYPE and select the most appropriate type for your submittal.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

**IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST
BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS
OF RECEIPT OF NOTICE OF THIS ACTION.**

Thank you for your cooperation in working with the DEP in the remediation of this site. If you have any questions or need further information regarding this matter, please contact the DEP project officer, Jacob Browell, at jbrowell@pa.gov.

Sincerely,

Diane D. McDaniel, P.E.
Environmental Program Manager
Environmental Cleanup and Brownfields Program

Cc: Peter Beyer, P.G. – Environmental Resources Management, Inc.
Jason Schultz – Shell Chemical Appalachia, LLC
R. Bruce Morgan – Befesa Zinc US, Inc.
Beaver County Conservation District
Center Township
Potter Township
Region
T. Buchan
J. Browell