COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENVIRONMENTAL CLEANUP PROGRAM

September 22, 2008
(484) 250-5721

SUBJECT: Response Justification Document
Nockamixon TCE HSCA Site
Nockamixon Township, Bucks County

TO: Craig Olewiler, Chief
Storage Tanks and Hazardous Corrective Actions Section
Bureau of Land Recycling and Waste Management, Central Office

FROM: Megan Harkins, Project Officer
Hazardous Sites Cleanup Program
Southeast Regional Office

Attached is the Response Justification Document for pursuing further investigations and response action at the Nockamixon TCE HSCA Site.

Steven Sinding, Manager
Environmental Cleanup Program
Southeast Regional Office

_____ Concur 9-23-09 Date

_____ Do not concur _____ Date

Ragesh Patel, Manager
Hazardous Sites Cleanup Program
Southeast Regional Office

_____ Concur 9/22/'09 Date

_____ Do not concur _____ Date

HSCA RESPONSE JUSTIFICATION DOCUMENT

NOCKAMINCON TCE HSCA SITE

NOCKAMIXON TOWNSHIP, BUCKS COUNTY

REGION I

HSCA Project Officer: Megan Harkins September 22, 2009

Attorney: Lauren Rosen

This report summarizes the technical and legal issues that justify further investigations by the Pennsylvania Department of Environmental Protection (Department) under the Pennsylvania Hazardous Sites Cleanup Act, Act of October 18, 1988, P.L. 756, 35 P.S. §§ 6020.101 –6020.1305 (HSCA), at the Nockamixon TCE HSCA Site (Site).

EXECUTIVE SUMMARY

The Site is located in Nockamixon Township, Bucks County. The Site consists of several residential homes located along Durham Road, Easton Road, and Tower Road in Ottsville and Revere, PA; the Site also consists of a school, a church, and a number of small businesses. The majority of homes and businesses in the area have private water wells for their potable water supply

During a public water supply inspection at Przyuski's Restaurant (Restaurant), located near the intersection of Easton Road and Durham Road, by the Bucks County Health Department (BCHD) in 2002, Trichloroethylene (TCE) was discovered at 1.8 parts per billion. In May and June of 2002, the BCHD initiated sampling at private residences in the area near the Restaurant. A few homes had elevated levels of TCE above the Statewide Health Standard of 5 parts per billion. The highest level of TCE, recorded during the BCHD's 2002 investigation, was 26.8 parts per billion. TCE is considered to be a listed RCRA hazardous waste as defined by Pennsylvania Code, Title 25, § 261.20 and as a hazardous substances within the meaning of Section 103 of HSCA, 35 P.S. § 6020.103.

In the spring of 2009 the BCHD referred the Site to the Department. On August 13, 2009, a private consulting firm, Princeton Hydro, conducted sampling in Nockamixon Township. One of the samples was in the vicinity of the Site and indicated levels at 7.99 parts per billion. Princeton Hydro alerted the Department to the elevated levels of TCE.

RESPONSIBLE PERSONS

Currently, there are no known Potentially Responsible Parties

FINDINGS AND AUTHORITY TO ACT

Based on the information available for the Site, the Department has determined that there is a release of hazardous substances that may present an actual or potential threat to human health and the environment. 35 P.S. §§ 6020.103 and 6020.501.

Pursuant to Section 501(a) of HSCA, 35 P.S. §6020.501(a), the Department is authorized to investigate a release or threat of release of a contaminant or hazardous substance. If the Department deems it appropriate the HSCA Program may undertake any further investigation that it deems necessary or appropriate to protect the public health, safety or welfare or the environment. 35 P.S. §6020.501(a).

When the Department determines that a release, or threat of a release, of hazardous substances at the Site presents a substantial danger to the public health or safety, as is the case at this Site, the Department may also undertake necessary or appropriate response action. 35 P.S. § 6020.501. Response actions can include further investigation, interim response and/or remedial response.

When the Department takes response actions at a Site, pursuant to Section 501 HSCA, 35 P.S. § 6020.507, the Department can recover response costs from responsible persons, as described in Section 701(a) of HSCA, 35 P.S. § 6020.701(a).

Based upon the above findings that there is a release of hazardous substances at the Site that may present an actual or potential threat to human health and the environment, the Department has determined that further investigations are appropriate pursuant to section 501(a) of HSCA, 35 P.S. §6020.501(a).

REFERENCES

1. DEP – Bureau of Labs Harrisburg, PA Analytical Report for Water Quality Protection collected May 29, 2009 and June 26, 2009 by Bucks County Health Department
2. QC Laboratories Southampton, PA Analytical Report collected August 13, 2009 by Princeton Hydro
3. Hazardous Site Cleanup Act, Act of October 18, 1988, P.L. 756, No. 108, 35 P.S. §§ 6020.101 –6020.1305