

**BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III**

IN THE MATTER OF:

Precision National Plating Site

U.S. EPA-REGION 3-RHC
FILED-4NOV2019am10:50

Precision National Plating Services, Inc.,

Docket No. CERC-03-2012-0031DC

Respondent

Proceeding Under Sections 106(a) and 122(a)
of the Comprehensive Environmental
Response, Compensation, and Liability Act of
1980, as amended.

**FIRST AMENDMENT TO
ADMINISTRATIVE SETTLEMENT AGREEMENT AND ORDER ON
CONSENT FOR REMOVAL RESPONSE ACTION**

On September 9, 2011, the United States Environmental Protection Agency (EPA) determined the necessity for implementation of removal response activities at an area of real property located in and around Ackerly Road in Clarks Summit, Abington Township, and Glenburn Township, Lackawanna County, Pennsylvania. On May 3, 2012, EPA and Respondent Precision National Plating Services, Inc. (Precision) entered into an Administrative Settlement Agreement and Order by Consent for Removal Response Action (EPA Docket No. CERC-03-2012-0031DC) (Settlement Agreement or Agreement) for performance of such removal response activities.

EPA has determined that certain modifications to the Settlement Agreement are necessary and appropriate. This Settlement Agreement is amended to reduce the sampling frequency of Ackerly Creek from quarterly to biannually. Therefore, pursuant to Paragraph 18.2 of the Settlement Agreement, EPA and Precision hereby mutually agree to the following:

I. MODIFICATIONS

1. Section III is amended to add the following Paragraphs:
 - 3.33 Sampling of Ackerly Creek between October 2016 and July 2019, during and following several bedrock ISCR events, show that the concentrations of hexavalent chromium have decreased and remained below EPA's Water Quality Criterion Continuous Concentration (CCC) of 11 µg/L.
 - 3.34 Removal Activities have reduced the levels of hexavalent chromium in Ackerly Creek to "non-detect" in most circumstances and to levels below 11 µg/L in all sampling results, since October 2016.

2. Paragraph 8.3.f is amended as follows:
 - f. Sample Ackerly Creek biannually, once during the winter and once during summer months, and analyze for hexavalent chromium to measure effectiveness of treatment and to monitor for levels of total chromium.

II. LIMITATION OF MODIFICATION

Except as otherwise stated herein, nothing in this First Amendment to the Settlement Agreement shall alter or otherwise affect any term or condition of the Settlement Agreement.

III. EFFECTIVE DATE

As provided by Paragraph 18.2 of Section XVIII of the Settlement Agreement, this First Amendment to the Settlement Agreement shall be the date on which it is signed by EPA.

FOR EPA:



PAUL LEONARD

Acting Director, Superfund Emergency and Management
Division
U.S. Environmental Protection Agency, Region III

11/04/19

Date

FOR RESPONDENT PRECISION NATIONAL PLATING SERVICES, INC.:

The undersigned hereby certifies that he or she is authorized to execute this First Amendment to the Settlement Agreement on behalf of the Respondent and bind Respondent to the terms and conditions herein:



[Signature]

10/16/2019
Date

Please Type the Following:

Name: EUGENE HEYWARD

Title: PRESIDENT

Address: 120 WHITE PLAINS RD.
TARRYTOWN, NY 10591