



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Karla A. Mercer
Quality Assurance/Regulatory Compliance Coordinator
Envirite of Pennsylvania, Inc
730 Vogelsong Road
York, Pennsylvania 17404

April 28, 2010

Dear Ms. Mercer:

This letter is in response to your request for CERCLA Off-Site Acceptability Determination for Envirite of Pennsylvania, 730 Vogelsong Road, York, PA 17404. This letter serves to inform you that the U.S. Environmental Protection Agency (EPA), Region III has made an affirmative determination under the CERCLA Off-Site Rule [40 CFR Section 300.440] for Envirite of Pennsylvania.

On September 16, 1993, EPA amended the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300, by adding Section 300.440, now known as the Off-Site Rule ("Rule"). The Rule codifies the requirements contained in Section 121 (d)(3) of CERCLA, 42 U.S.C. Section 9612 (d)(3), and incorporated many provisions of EPA's former Off-Site Policy. The Rule establishes criteria and procedures for determining whether facilities are acceptable for the receipt of CERCLA waste.

The Rule requires that prior to a facility's initial receipt of CERCLA waste, EPA must determine that there are no relevant violations or relevant releases at the facility. EPA has made this determination of acceptability for Envirite of Pennsylvania based on a review of inspection documents and compliance history and discussions with representatives of the Pennsylvania Department of Environmental Protection.

Should any new information affecting this determination be obtained in the future, EPA reserves the right to re-evaluate the acceptability of Envirite of Pennsylvania in accordance with the Rule.

If you have any questions concerning this matter, please contact me at (215) 814-3159.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Morton".

Gary Morton
Regional Off-Site Coordinator

