



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

September 12, 2008

Patrick K. O'Neill  
Divisional Deputy City Solicitor  
City of Philadelphia Law Department  
One Parkway  
1515 Arch Street  
Philadelphia, PA 19102-1595

Re: Airport Runway 8-26- Enterprise Avenue Superfund Site  
Administrative Order By Consent, Docket No. III-2001-0007-DC

Dear Pat:

Enclosed please find one original and one copy of the Administrative Order By Consent for Removal Action, Modification No. 1 fully executed by the U.S. EPA on September 10, 2008. Please note that I have not included the two appendices to the Modification since I note that you have received them from the City's contractor (see Paragraph 8.6 1. and 1.a.). I would be willing to provide them to you if needed.

With the execution of this AOC Modification No. 1, I understand that the City is ready to commence the MNA evaluation. Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Patricia C. Miller".

Patricia C. Miller  
Senior Assistant Regional Counsel

Enclosures

cc: Kristine Matzko, EPA RPM



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

<b>IN THE MATTER OF:</b>	:	
	:	
Enterprise Avenue Landfill/ Philadelphia International Airport Runway 8-26 Project Area Site,	:	
	:	
City of Philadelphia,	:	Docket No. III-2001-0007-DC
	:	
<b>Respondent</b>	:	
	:	
Proceeding Under Sections 106(a) and 122(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986, 42 U.S.C. §§ 9606(a) and 9622(a)	:	MODIFICATION No. 1

**ADMINISTRATIVE ORDER BY CONSENT  
FOR REMOVAL ACTION**

Pursuant to Paragraph 18.5 of Section XVIII. (Effective Date and Subsequent Modification) of the Administrative Order By Consent For Removal Action, Docket No. III-2001-0007-DC, (“Consent Order” or “Order”), and by the mutual agreement of the City of Philadelphia (“City”) and the U.S. Environmental Protection Agency (“EPA”) modifications to the Order are as follows:

**VIII. RESPONSE ACTION PLAN DEVELOPMENT  
AND IMPLEMENTATION**

- 8.1 The City shall commence and complete the performance of the following actions (“Work”) pursuant to this Modification No. 1, within the time periods specified herein.
- 8.2. The approved Response Action Plan (“RAP”) shall be modified to include the evaluation of Monitored Natural Attenuation (“MNA”) in accordance with 8.6 below, and shall be known as the Modified RAP.

8.6 The Work shall consist of the following, which the City shall accomplish in accordance with the terms of the Order and this Modification No. 1. This Paragraph 8.6 replaces Paragraph 8.6 of the Order as follows:

1. Implementation of the monitored natural attenuation (“MNA”) evaluation pursuant to the report entitled “Evaluation of Remedial Technologies for Enterprise Avenue Landfill” (January 2008) [Appendix 1]
  - a. The implementation of the MNA evaluation shall be in accordance with an EPA-approved schedule. The schedule shall include, inter alia, submittal to EPA of four rounds of analytical sampling results, and shall be incorporated herein as Appendix 2.
  - b. For the duration of the MNA evaluation, the City shall not operate the Western Boundary Area Mitigation System (“WBAMS”).
  - c. The City shall install three wells (LF-7S, LF-9S and LF-16S) for use during the MNA evaluation.
  - d. At the conclusion of two rounds of analytical sampling during the MNA evaluation, the City shall submit to EPA a Preliminary Report that includes a full analysis of MNA as compared to other remedial technologies. The full analysis shall include, inter alia: 1) the rationale for the three wells (LF-7S, LF-9S and LF-16S); 2) the depth of the wells as well as the geologic unit; 3) An explanation of whether the two areas ( area in the vicinity of the LF-2 and the area in the vicinity of the LF-6 and LF-8) will be treated jointly or separately in response to the MNA evaluation; and, 4) include estimated timeframes to compare MNA to the WBAMS.
  - e. After EPA’s review of the Preliminary Report, EPA shall provide comments to the City on the MNA evaluation set forth in the Preliminary Report. EPA’s comments shall be reviewed and addressed and incorporated in a Final Report to be submitted to EPA. The Final Report shall also include the results of two additional rounds of analytical sampling conducted after the submittal of the Preliminary Report.
  - f. Unless otherwise directed by EPA, within thirty (30) days of EPA’s written acceptance of the Final Report, the City shall implement the recommendations of the Final Report, or as directed by EPA, begin the reactivation of the WBAMS operations which consist of extraction wells EW-1, EW-2, EW-3 and EW-A and monitoring wells LF-2, LF-3, LF-6, LF-8, as required under the Order and the RAP.
2. This paragraph shall be omitted.

3. Sampling Protocol

a. The City shall prepare a Sampling and Analysis Plan (“SAP”) consisting of a Quality Assurance Project Plan (“QAPP”) and a Field Sampling Plan (“FSP”) for sample collection, transportation, analysis, validation and reporting to be conducted pursuant to this Modification No. 1. The SAP shall be submitted as part of the Modified RAP, or if additional time is required, at such time as may be specified by EPA in its discretion, to the Remedial Project Manager for review and approval. The FSP shall include the types, locations, analytical parameters and frequency of samples. Selection of analytical methods shall be justified in conjunction with the Data Quality Objectives.

b. At the request of EPA, the City shall allow split or duplicate samples to be taken by EPA, and or its authorized representatives, of any samples collected by the City pursuant to this Modification No. 1. The City shall notify EPA in writing not less than thirty (30) days in advance of any such sample collection activity. In addition, EPA shall have the right to take any additional samples that EPA deems appropriate and shall allow split or duplicate samples to be taken by the City. If practicable, EPA shall provide notification of the sample collection activity.

4. This paragraph shall be omitted.

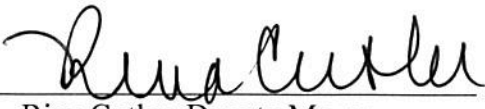
5. Provide Health and Safety Measures.

The City shall provide Site specific health and safety measures, including preparation and implementation of a plan (“HASp”), for Site activities required by this Modification No. 1, to protect the health and safety of workers, other personnel and the public from hazardous substances and work-related health and safety hazards during performance of the Work specified herein. The HASp shall, as appropriate, provide for proper decontamination of personnel and equipment, monitoring and control of off-site migration of hazardous substances from the Site and protection of public health from exposure to hazardous substances during the conduct of activities at the Site pursuant to this order. Applicable sections of the HASp shall be at least as stringent as the Occupational Safety and health Administration and EPA requirements including, but not limited to, 29 C.F.R. §1910.120.

6. Obtain a Hazardous Waste Generator Identification Number in accordance with the regulations set forth at 40 C.F.R. Part 262, and any applicable Commonwealth regulations

Except for the modifications set forth herein which supercede the previous paragraphs so numbered, all other provisions of the Order shall remain in effect.

FOR THE CITY:

BY:   
Rina Cutler, Deputy Mayor  
of Transportation & Utilities


DATE: 8/8/08

Approved as to form:

BY:   
Patrick K. O'Neill  
Divisional Deputy City Solicitor

DATE: 8/4/08

FOR THE EPA:

BY:   
James J. Burke  
Director, Hazardous Site Cleanup Program  
U.S. Environmental Protection Agency  
Region III

DATE: 9/10/08