



**Maryland**  
Department of  
the Environment

Larry Hogan  
Governor

Boyd Rutherford  
Lieutenant Governor

Ben Grumbles  
Secretary

August 29, 2016

Mr. John Wear  
Elkton Fair Hill Services, LLC  
4428 Telegraph Road  
Elkton MD 21921

**RE: NOTICE OF NON-COMPLIANCE NNC-OCP-2017-009**  
**Case No. 2017-0053-CE**  
**Fair Hill Shell**  
**4428 Telegraph Road, Elkton**  
**Cecil County, Maryland**  
**Facility I.D. No. 13160**

Dear Mr. Wear:

The Maryland Department of the Environment's (the Department) Oil Control Program recently completed a review of the registration file for the above-referenced high-risk groundwater use area property. Currently, two underground storage tank systems are registered at this active facility: a 10,000-gallon diesel tank and a 20,000-gallon compartmentalized gasohol tank. The Department understands that the subject property utilizes Stage I and Stage II vapor recovery. In 2009, three groundwater monitoring wells were installed in accordance with Code of Maryland Regulations (COMAR) 26.10.02.03-4. Samples collected from the monitoring well network on May 19, 2016 detected benzene at 19.1 parts per billion (ppb) in monitoring well MW-2. Sampling of the on-site drinking water supply well in May 2016 remained below regulatory levels for petroleum constituents. Although the groundwater samples were collected in May 2016, the Department was not notified of the detection of petroleum compounds until July 28, 2016.

**COMPLIANCE VIOLATION:**

**COMAR 26.02.03-5(B):** "If the concentrations of gasoline constituents in site groundwater sampling and testing required by this chapter are equal to or greater than the levels of concern (benzene  $\geq$  5 parts per billion, toluene  $\geq$  1,000 ppb, ethylbenzene  $\geq$  700 ppb, xylene  $\geq$  10,000ppb, and/or MTBE  $\geq$  20 ppb), the owner shall: report the concentrations to the Department within **24 hours**; initiate an investigation within **48 hours** to determine the impacts to groundwater, both on-site and off-site; and develop a Corrective Action Plan, as directed by the Department.

**WORK TO BE PERFORMED:**

On July 28, 2016, the Department required provision of a map of the site and the collection of confirmatory samples from the three monitoring wells. The confirmation sampling was required to be performed no later than August 1, 2016 with results due no later than August 5, 2016. To date, the required information has not been received.

- 1) Perform the required confirmation sampling immediately and have analysis performed on an expedited, 48-hour, basis. Sampling of all three monitoring wells must be performed. When providing the laboratory results, include a site map that illustrates well locations and well identification labels.

- 2) **No later than October 30, 2016**, submit a well survey identifying all drinking water wells (i.e. domestic, non-community/community water supply, agricultural) within a half-mile radius of the subject property and plot on a U.S. Geological Survey map or scaled street map.
  - a. Annotate on this map with 500-ft., 1,000-ft., and 0.5-mile radii.
  - b. Provide a summary table including, at a minimum, property address, property owner name, property owner address, depth of well, casing depth, screen depth, and current status of well usage.
  - c. Review well completion reports and evaluate whether on-site conditions could potentially impact any off-site drinking water supply wells in the area.
  - d. Submit documentation of which supply wells are historic and have been abandoned.
  - e. Submit copies of field notes documenting field reconnaissance performed to verify presence or absence of wells.
  - f. Provide written documentation of your findings and the list of persons contacted.
  
- 3) **Beginning December 2016**, conduct quarterly (every three months) sampling of the monitoring well network and tank field monitoring pipes for a minimum period of one year. All samples collected must be analyzed for full-suite volatile organic compounds (VOCs), including fuel oxygenates and naphthalene, using EPA Method 8260 and for total petroleum hydrocarbons – diesel and gasoline range organics (TPH-DRO and TPH-GRO) using EPA Method 8015.
  
- 4) **Beginning December 2016**, conduct quarterly (every three months) sampling of the on-site drinking water supply well. All samples collected must be analyzed for full-suite volatile VOCs, including fuel oxygenates and naphthalene, using EPA Method 524.2. If a granular activated carbon (GAC) filtration system is present, samples must be collected pre-, mid-, and post-filtration.

If you have any questions, please contact the case manager, Jeannette DeBartolomeo, at 410-537-3427 (email: [jeannette.debartolomeo@maryland.gov](mailto:jeannette.debartolomeo@maryland.gov)) or me at 410-537-3499 (email: [susan.bull@maryland.gov](mailto:susan.bull@maryland.gov)).

Sincerely,



Andrew B. Miller, Chief  
Remediation and State-Lead Division  
Oil Control Program

JD/nln

cc: Mr. Fred von Staden (Cecil County Health Dept.)  
Mr. Andrew B. Miller  
Mr. Christopher H. Ralston  
Ms. Hilary Miller