



# MARYLAND DEPARTMENT OF THE ENVIRONMENT

Oil Control Program, Suite 620, 1800 Washington Blvd., Baltimore MD 21230-1719  
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Martin O'Malley  
Governor

Robert M. Summers, Ph.D.  
Secretary

Anthony G. Brown  
Lieutenant Governor

March 6, 2014

Mr. Herbert M. Meade  
Environmental Health and Safety Director  
Carroll Fuel Service  
2700 Loch Raven Road  
Baltimore MD 21208

**RE: NOTICE OF DISPUTE RESPONSE**

**Case No. 2006-0319-BA**  
**Wally's BP (former Citgo)**  
**19200 Middletown Road, Parkton**  
**Baltimore County, Maryland**  
**Facility I.D. No. 4593**

Dear Mr. Meade:

On March 18, 2011, the Maryland Department of the Environment (MDE), Land Management Administration and Carroll Independent Fuel (CIF) executed an Administrative Consent Order for this case. In response to the Oil Control Program's *Response to Work Plan Submittals – November 5, 2013* and the *Response to Meeting – January 7, 2014* directive letters, CIF exercised the dispute resolution procedures defined in the Consent Order by submitting the *Notice of Dispute, Consent Agreement – February 6, 2014*. In the letter, CIF disputed the Department's requirements regarding monitoring well sampling, potable well sampling, and monitoring well installation.

As required by the Consent Order, the Department has reviewed the disputed items and has reached an agreement with CIF as described below. In its review, the Department considered the original MDE requirements, the CIF letter, and associated data provided by CIF. Additionally, various previously submitted reports and relevant data were reviewed to finalize the responses below. The Department and CIF reached agreement during a telephone conversation that took place on March 5, 2014. The following is a summary of the disputed items and the agreed to resolutions.

**Disputed Items**

The MDE *Response to Work Plan Submittals – November 5, 2013* directive letter was issued in response to two CIF proposals: the *Off-Site Remedial Activities Work Plan – September 10, 2013*; and the *Request to Revise the Monitoring and Potable Well Sampling and Monitoring Program – September 10, 2013*. The *Request to Revise the Monitoring and Potable Well Sampling and Monitoring Program* proposed to abandon 11 monitoring wells, to reduce the sampling frequency of 3 potable supply wells, and to

eliminate 15 potable supply wells from the sampling schedule. The Department denied the request to abandon the monitoring wells and required continued quarterly gauging and sampling of the monitoring well network. The Department also denied eliminating any potable wells from the sampling schedule, but allowed a reduced sampling frequency of some potable wells.

In the *Notice of Dispute* letter, CIF requested to discontinue sampling of the same 11 monitoring wells, but not to abandon them. CIF also requested to discontinue sampling 12 potable wells and to reduce the sampling frequency of 4 potable supply wells. The CIF requests were based on statistical analysis of groundwater sampling data and hydrogeologic conditions. In the *Response to Meeting – January 7, 2014* directive letter, the Department required the delineation of dissolved phase petroleum constituents in the vicinity of monitoring wells MW16A and MW16B. In the *Notice of Dispute* letter, CIF requested this requirement be rescinded based on the location of down-gradient well series and the property use.

**Resolutions**

**Groundwater Monitoring Well Network**

The requirement to maintain and sample the 11 monitoring wells stands; however, the gauging and sampling frequency for the 11 monitoring wells (MW5B, MW6, MW8A, MW8B, MW9A, MW9B, MW12B, MW13A, MW13B, MW17A, and RW3) will be reduced from quarterly to semi-annually.

**Potable Wells**

Based on the groundwater sampling data and hydrogeologic conditions, the potable well sampling frequencies will be adjusted as indicated in the “Required Sampling Frequency” column in the table below.

Address	Current Sampling Frequency	Requested Sampling Frequency	Required Sampling Frequency
19119 Middletown Road	Semi-Annually	Semi-Annually	Semi-Annually
19124 Middletown Road	Semi-Annually	Semi-Annually	Semi-Annually
19200 Middletown Road (all 3 wells)	Quarterly	Annual (PW-1 & PW-3) Semi-Annual (PW-2)	Semi-Annually
19201 Middletown Road	Semi-Annually	Semi-Annually	Semi-Annually
19205 Middletown Road	Semi-Annually	Discontinue	Discontinue
19222 Middletown Road	Semi-Annually	Semi-Annually	Semi-Annually
1606 Rayville Road	Quarterly*	Quarterly*	Quarterly*
1608 Rayville Road	Monthly	Monthly	Monthly
1612 Rayville Road	Quarterly	Quarterly	Quarterly
1614 Rayville Road	Quarterly	Annual	Semi-Annually
1616 Rayville Road	Quarterly	Discontinue	Semi-Annually
1620 Rayville Road	Semi-Annually	Discontinue	Semi-Annually
1624 Rayville Road	Semi-Annually	Discontinue	Semi-Annually
1717 Rayville Road	Semi-Annually	Semi-Annually	Semi-Annually
19201 Shandall Court	Annually	Discontinue	Discontinue
19203 Shandall Court	Annually	Discontinue	Discontinue
19205 Shandall Court	Semi-Annually	Discontinue	Discontinue
19207 Shandall Court	Semi-Annually	Discontinue	Discontinue

Address	Current Sampling Frequency	Requested Sampling Frequency	Required Sampling Frequency
19209 Shandall Court	Semi-Annually	Discontinue	Discontinue
19211 Shandall Court	Semi-Annually	Discontinue	Discontinue
19213 Shandall Court	Semi-Annually	Discontinue	Discontinue
19214 Shandall Court	Semi-Annually	Semi-Annually	Discontinue
19215 Shandall Court	Annually	Discontinue	Discontinue

\* Sampling frequency for routine POET system maintenance monitoring is quarterly. Sampling frequency of 1606 Rayville Road influent is increased to monthly during the implementation of on-site system pulsing activities.

### Installation of Additional Monitoring Wells

At this time, the Department suspends the requirement to further delineate groundwater conditions in the vicinity of well cluster MW16A and MW16B based on the current land use and data from nearby monitoring wells.

If you have any questions, please contact me at 410-537-3443 (email: [chris.ralston@maryland.gov](mailto:chris.ralston@maryland.gov)) or Jenny Herman at 410-537-3413 (email: [jenny.herman@maryland.gov](mailto:jenny.herman@maryland.gov)).

Sincerely,



Christopher H. Ralston, Administrator  
Oil Control Program

CHR/nln

cc: Mr. Steven Slatnick (Groundwater and Environmental Services, Inc.)  
Dwight Stone, Esquire (Whiteford, Taylor and Preston Law)  
Mr. Kevin Koepenick (Baltimore County DEPS)  
Pricilla N. Carroll, Esquire  
Mr. Andrew B. Miller  
Mr. Horacio Tablada