December 26, 2024

Mr. Ishan Patel
ARK-1 Limited
9486 Myersville Road
Myersville, MD 21773

RE: SITE STATUS AND CASE CLOSURE
FUTURE GROUNDWATER MONITORING
Case No. 1990-1304-FR
Consent Decree Civil Action No. 10-C-002001OC
Notices of Violation NV-2002-069, NV-2006-010
Notices of Non-Compliance NNC-2016-065, NNC-2017-020
Former Myersville BP Amoco
9486 Myersville Road, Myersville
Frederick County, Maryland
Facility I.D. No. 1139

Dear Mr. Patel:

The Maryland Department of the Environment's (MDE) Oil Control Program (OCP) completed a review of the case file, including the *Monitoring Well Abandonment Report*, dated December 9, 2024. Proper abandonment of monitoring well MW-4 was requested in the enclosed MDE-OCP correspondence dated August 29, 2024, which included a summary of relevant historical site events and rationale for case closure consideration. The requirements of the above-referenced Consent Decree Civil Action, Notices of Violation, and Notices of Non-Compliance have been completed to the satisfaction of the MDE.

Based on the current land use and the available information reviewed, OCP is closing its case in reference to this site. Future excavation in the area of investigation may create exposure pathways to the existing petroleum related contamination that may impact human health or the environment. If impacted soil or groundwater is encountered during future excavation, it must be handled in a manner that complies with applicable federal, state, and local law and regulations. Please contact MDE if there is any proposed change to the land use or installation of any wells on the property. If a change in land use occurs or is proposed, a risk assessment may need to be performed.

The currently active UST systems include a 10,000-gallon gasohol tank and a 10,000-gallon compartmentalized gasohol/diesel tank, each constructed of double-wall fiberglass reinforced plastic (FRP) with double-walled FRP piping and installed in February 2015. The active UST systems are located in a high-risk groundwater use area (HRGUA). Owners of an active UST system in a HRGUA with over 2,000-gallon gasoline storage capacity must perform additional testing beyond

the standard compliance testing requirements. Based on our review and for continued compliance with COMAR 26.10.07, the OCP requires the following:

Future Groundwater Monitoring:
The five existing on-site groundwater monitoring wells are designated as MW-1, MW2, MW-3R, EMW-1 and EMW-2.

(1) **In March 2025**, continue annual (every 12 months) sampling of the monitoring well network. All groundwater samples collected must be analyzed for full-suite VOCs, including fuel oxygenates, ethanol and naphthalene, using EPA Method 8260.

(2) During future groundwater monitoring events, the OCP recommends completing an evaluation of the tank field monitoring pipes including: (a) checking for the presence of LPH; (b) screening, using a photo ionization detector (PID), for the presence of petroleum hydrocarbon vapors; and (c) gauging depth-to-water, if present. The information regarding the tank field monitoring pipes must be included with future *Groundwater Monitoring Reports*.

(3) Within 60 days of conducting sampling, in accordance with COMAR 26.10.07.03C, submit all future *Groundwater Monitoring Reports* to the Oil Control Program under **Facility I.D. No. 1139**. At a minimum, the *Report* should include a copy of the laboratory sample acceptance form, sample chain-of-custody, laboratory analytical results, and a site map identifying each groundwater monitoring well located at the facility.

UST System Compliance:

In accordance with COMAR 26.10.03.03, OCP requires the following to ensure UST system compliance:

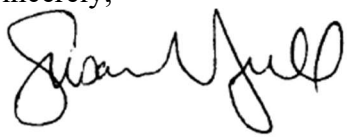
(1) **Annual** testing of all spill catchment basins must be conducted in accordance with the Maryland Containment System Testing Protocol or test method approved by MDE.

(2) **Every three (3) years**, test all containment sumps. If the most recent test conducted on the containment sump occurred before June 13, 2022, test the containment sump within 5 years of the most recent test.

This *Site Status and Case Closure* letter is not a waiver or limitation of MDE's right to take enforcement or other action in the future based upon contamination at and around the site. The MDE and the State of Maryland retain all authority and rights to seek all available relief, including equitable relief and damages of any nature, such as compensatory and natural resource damages, for contamination at and around the site.

If you have any questions, please contact the Oil Control Program at 410-537-3442.

Sincerely,



Susan R. Bull, Division Chief
Remediation Division
Oil Control Program

Enclosure: *Request for Monitoring Well Abandonment* letter, dated August 29, 2024

cc: Ms. Meredith Boyce, Advantage Environmental Consultants, LLC.
Mr. Barry Glotfelty, Director of Environmental Health Frederick County Health Department
Julie Kuspa, Deputy Counsel, Office of the Attorney General
Ms. Lindley Campbell, Case Manager, Remediation Division, Oil Control Program
Ms. Kathleen Thompson, Case Manager, Remediation Division, Oil Control Program
Mr. Jim Richmond, Supervisor, Remediation Division, Oil Control Program
Ms. Jackie Ryan, Acting Division Chief, Compliance Division, Oil Control Program
Mr. Christopher H. Ralston, Manager, Remediation Division, Oil Control Program

August 29, 2024

Mr. Ali Kazemzadeh
AKJK, LLC
6 Dune Rd
Bethany Beach, DE 19930

RE: REQUEST FOR MONITORING WELL ABANDONMENT
Case No. 1990-1304-FR
Consent Decree Civil Action No. 10-C-002001OC
Notices of Violation NV-2002-069, NV-2006-010
Notices of Non-Compliance NNC-2016-065, NNC-2017-020
Former Myersville BP Amoco
9486 Myersville Road, Myersville
Frederick County, Maryland
Facility I.D. No. 1139

Dear Mr. Kazemzadeh:

The Maryland Department of the Environment's (MDE) Oil Control Program (OCP) completed a review of the case file for the former Myersville BP Amoco (the *Site),* including the *Groundwater Monitoring Report – Fourth Quarter 2023*, dated January 17, 2024. In December 1984, the Department of Natural Resources – Water Resources Administration (DNR-WRA was the precursor to MDE) was made aware of environmental problems at the site upon receiving complaints of gasoline seeping from a stream bank on a nearby farm. The DNR-WRA responded to the report; abated the immediate release; and monitored the initial clean-up of the release. The subject case was opened on January 12, 1990, as the site monitoring responsibilities transferred from DNR-WRA to MDE-OCP. OCP oversaw the removal of the first-generation underground storage tank (UST) systems and continued to monitor water quality under the subject case as the property transferred owners and brand names over time. The station is located in a mixed use commercial and residential area.

Remedial activities at this site have included the recovery of liquid phase hydrocarbons (LPH), installation of a network of groundwater monitoring wells, periodic sampling of the monitoring well network, sampling of adjacent off-site private drinking water wells, and monitoring of the granular activated carbon (GAC) treatment system installed on the on-site drinking water well. In September 2007, MDE received the executed *Civil Action No. 10-C-06-0020001OC – Consent Decree* (Consent Decree) signed by the circuit court judge on September 13, 2007. The Consent Decree established specific requirements for future site investigations, continued groundwater monitoring, and stipulated penalties. In December 2014, the second generation of UST systems was removed and a total of 327 tons of petroleum impacted soils were excavated for proper off-site disposal.
The current UST systems were installed in February 2015 and is comprised of three UST systems,

including a 10,000-gallon gasohol tank and a 10,000-gallon compartmentalized gasohol/diesel tank, each constructed of double-walled fiberglass reinforced plastic (FRP) with double-walled FRP piping.

Quarterly gauging and sampling of the monitoring well network and the onsite potable well has been performed periodically since 2006. The presence of LPH was last observed in the existing monitoring wells (EMW-1 and EMW-2) in December 1996. OCP understands the on-site supply well was properly abandoned by a Maryland-licensed well driller when the site was connected to a municipal water supply in January 2023. The current monitoring well network consists of five on-site monitoring wells and one off-site monitoring well on the adjacent property located at 9460 Myersville Road. The monitoring well network was most recently sampled on November 15, 2023. Depth to groundwater ranged from 5.86 feet below the top of casing (TOC) in monitoring well MW-1 to 22.51 feet below TOC in monitoring well MW-4. The inferred groundwater flow direction is towards the southwest. The analytical results of the groundwater samples collected in November 2023 were either non-detect or below the MDE's groundwater standards with the following exceptions:

- TPH-DRO were reported in all monitoring wells at concentrations ranging from 190 to 3,630 ppb, which exceeds the 47 ppb standard.
- TPH-GRO were reported in MW-2, EMW-1, and EMW-2 at concentrations ranging from 59.5 to 395 ppb, which exceeds the 47 ppb standard.

A sensitive receptor survey was completed in December 2023. The presence of eleven private potable wells were identified within 2,640 feet of the site. Ten of the eleven potable wells are located to the west, east, and southeast of the site and are either hydraulically cross gradient and / or upgradient of the site. The one identified downgradient supply well, located at 9460 Myersville Road, is currently being monitored under OCP case number 2024-0363-FR for historical impacts attributed to a release from a separate registered UST system. OCP understands that the well serving 9460 Myersville Road is no longer used as a potable supply and remains protected with a GAC treatment system. The next closest proximity private potable wells located at 9419 and 9434 Myersville Road were sampled in December 2008 and reported non-detect concentrations for petroleum constituents.

Based on the nature of the petroleum contamination currently known, MDE does not anticipate requiring any additional investigative or remedial activities at this facility. **Because the active UST systems are located in a High-Risk Groundwater Use Area (HRGUA), monitoring wells MW-1, MW-2, MW-3R, EMW-1, and EMW-2 must be retained for continued groundwater monitoring in accordance with Code of Maryland Regulations (COMAR) 26.10.07**.

Off-site monitoring well MW-4 must be properly abandoned by a Maryland-licensed well driller in accordance with all applicable requirements of COMAR 26.04.04.34 (see enclosed map). Monitoring well MW-4 must be over drilled to properly remove both the well casing (solid and screened) and the annular gravel pack. After well casing removal, the well boring must be sealed completely with a cement/bentonite grouting mix from the bottom to the surface. Provide copies of the required well abandonment reports to both OCP (Attn: Mr. Jim Richmond) and the Frederick

County Health Department (Attn: Mr. Barry Glotfelty) **no later than September 30, 2024**. Following proper abandonment of monitoring well MW-4, and the receipt of all required documentation, OCP will issue case closure correspondence for the site.

This letter is not a waiver or limitation on MDE's right to take enforcement or other action in the future based upon contamination at and around the site. MDE and the state of Maryland retain all authority and rights to seek all available relief, including equitable relief and damages of any nature, such as compensatory and natural resource damages, for contamination at and around the site.

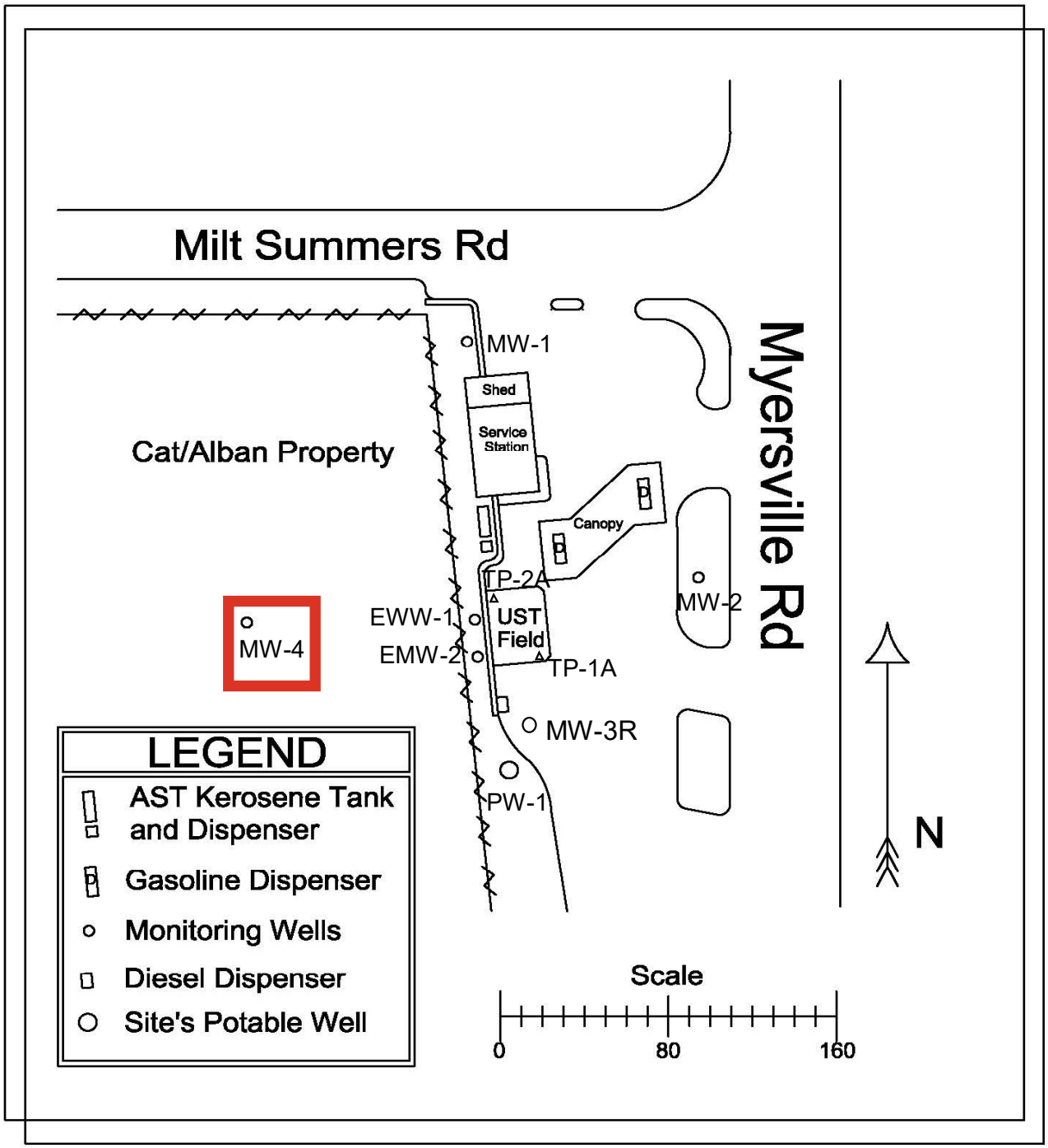
Notify the Oil Control Program at least five (5) working days prior to conducting monitoring well abandonment so we have an opportunity to be on site. If you have any questions, please contact Mr. Jim Richmond at 410-537-3337 or *jim.richmond@maryland.gov* or me at 410-537-3499 or *susan.bull@maryland.gov*.

Sincerely,

Susan R. Bull, Division Chief
Remediation Division
Oil Control Program

Enclosure: Figure 2 – Monitoring Well Location Map

cc: Mr. Ishan Patel, Current Registered Owner, Myersville Market
Mr. Barry Glotfelty, Director of Environmental Health, Frederick County Health Department
Julie Kuspa, Assistant Attorney General, Office of the Attorney General
Mr. Thomas L. Walter, Division Chief, Compliance Division, Oil Control Program
Mr. Christopher H. Ralston, Program Manager, Oil Control Program



Advantage Environmental Consultants, LLC
8610 Washington Boulevard, Suite 217
Jessup, Maryland 20794
Phone: 301-776-0500 Fax: 301-776-1123

Figure 2 – Monitoring Well Location Map
Myersville Crown Station
9486 Myersville Road
Myersville, Maryland 21773

AEC Project No.:	Report Date:	Drawn By:
06-170	January 2024	KC