



MARYLAND DEPARTMENT OF THE ENVIRONMENT

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Martin O'Malley
Governor

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Secretary

Anthony G. Brown
Lieutenant Governor

Robert M. Summers, Ph.D.
Deputy Secretary

May 28, 2009

Mr. John Phelps
Carroll Independent Fuel Company
2700 Loch Raven Boulevard
Baltimore, Maryland 21208

**RE: DIRECTIVE: REQUEST FOR CAP ADDENDUM AND
POTABLE WELL INVESTIGATION WORK PLAN
Case No. 2006-0319-BA2
Notice of Violation NV-2007-067
Wally's Citgo
19200 Middletown Road, Parkton
Baltimore County, Maryland
Facility I.D. No. 4593**

Dear Mr. Phelps:

The Maryland Department of the Environment, Oil Control Program (MDE-OCP) has received and reviewed the *Corrective Action Plan (CAP) - February 26, 2009* for the above referenced site, as required by the Department's directive letter dated January 9, 2009. The *CAP* proposed remediation of the site via soil vapor extraction (SVE) combined with a groundwater pump-and-treat system. The Department issued letters to members of the Parkton community for a comment period to the *CAP*, per Code of Maryland Regulations (COMAR) 26.10.09.08.08 (Community Letter dated April 15, 2009). A letter from counsel representing select members of the community was received by the Department on April 30, 2009. On May 5, 2009, representatives of the MDE-OCP, Carroll Independent Fuel Company (CIFCO), your environmental consultants, and legal council met to discuss the case and the *CAP*. A copy of the response from legal council representing select members of the community was presented to CIFCO at that time.

Based on the Department's review of the case and *CAP*, the following comments and requirements are outlined below:

1. The Department approves the SVE pilot test as proposed in the *CAP*. The pilot test must be completed **no later than July 24, 2009**. The pilot test report with recommendations for full scale implementation of the proposed SVE system must be received by the Department **no later than September 4, 2009**. The Department must be notified prior to any work related to this activity, including installation of the approved SVE wells and conducting the pilot test, at least five (5) days prior to field work.

2. In order for the MDE-OCP to evaluate the pump-and-treat remedial action as proposed in the *CAP* (i.e. suitability of the proposed well locations, the recovery well capture area, and monitoring), the Department requires an investigation of the impacted off-site drinking water wells. This investigation is necessary to understand the hydrogeology and contaminate migration pathways that contributed to the impacts of these drinking water wells.

The MDE-OCP requires borehole geophysics testing that, at a minimum, must include the following: caliper; acoustic televiewer; optical televiewer; and resistivity tests. These tests will be performed at the drinking water wells located at 1606, 1608, and 1612 Rayville Road. The data collected for the Department's review must include, but may not be limited to the following: casing depth and casing integrity; depth of all fractures, joints, foliations (with orientations), degree of water production, and aperture size; total depth of the well; depth to water; pump depth; and well yield. The Department must receive a Work Plan detailing the down well investigation **no later than June 12, 2009**.

Please note, the data collected will be used not only to understand how these wells were impacted, but also to evaluate potential remedial strategies such as drilling replacement drinking water wells and using the existing drinking water wells as groundwater recovery wells.

3. Per the January 9, 2009 directive letter, the Department still requires the installation of a monitoring well network to delineate the total extent of contamination (i.e. horizontal and vertical extent of dissolved levels) both on-site and off-site. At this time, the Department does not consider this task to be completed. The MDE-OCP requires a Work Plan to be submitted with a site map and well construction details for the placement of monitoring wells at properties down gradient and to the west of monitoring wells MW-7 and MW-7B. Drinking water wells in this area have been impacted and the groundwater must be investigated. As such, monitoring/test wells must be installed to monitor and delineate the extent of contamination (properties included but not limited for investigation are 1606, 1608 and 1612 Rayville Road). CIFCO must obtain access agreements with these impacted residents. Domestic well sampling and carbon change-outs must continue at each residence, as previously required.
4. With regard to the groundwater pump-and-treat proposal, the MDE-OCP does not approve discharge of treated water into the tank field or septic field, as proposed. Alternative discharge methods and locations (e.g. on-site storm water inlet, construction of an infiltration gallery) must be thoroughly evaluated for MDE-OCP approval.
5. Pending off-site investigations and an evaluation of the *CAP Addendum*, additional wells may be needed for recovery, both on-site and off-site, to obtain hydraulic control of the dissolved plume. Potential monitoring locations may be identified between MW-7A/MW-7B and MW-10A/MW-10B and near MW-7.

6. The Department understands that a computer model was used for the *CAP* design. All data must be included with the *CAP Addendum* including model parameters, input values, and the results.
7. The Department must receive a revised site map depicting additional groundwater monitoring well and recovery well locations.

Requirements 3 through 7 must be completed and submitted as a *CAP Addendum* to the Department no later than July 10, 2009. The geophysical data collected from the three off-site drinking water wells (i.e. Requirement 2) must also be included in the *CAP Addendum*.

Failure to complete the advised actions may result in enforcement proceedings that could include the issuance of civil penalties and other legal sanctions. All information, data, reports or plans generated for this site must be submitted to the Oil Control Program for review by the dates specified or agreed upon by the Department.

If you have any questions, please contact the case manager, Ms. Jenny Martin, at 410-537-3413 (email: jmartin@mde.state.md.us) or Central Region Section Head, Ms. Ellen Jackson, at 410-537-3482 (email: ejackson@mde.state.md.us).

Sincerely,



for

Christopher H. Ralston, Chief
Remediation and State-Lead Division
Oil Control Program

JM/nln

cc: Mr. Andrew Applebaum (Environmental Alliance, Inc.)
Mr. Dwight Stone (Whiteford, Taylor and Preston Law)
Mr. Peter Angelos (Law Offices of Peter G. Angelos, PC)
Mr. Howard Phelps (CIFCO)
Mr. Kevin Koepenick (Baltimore County DEPRM)
Ms. Barbara Brown (MDE)
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