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PETER MAGGIORE  
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MEMORANDUM

TO: Joe Mauser, Philips Semiconductor

FROM: Kirby Olson

RE: **Class I modification of RCRA permit**

DATE: December 10, 1999

Attached is the draft of the proposed changes to the language in your RCRA permit to reflect the request for a Class I modification to change the monitoring schedule for the ground water monitoring wells. Language to be deleted is crossed out, language to be added is double underlined. Please review the proposed changes and let me know if they reflect the facility's request. I've summarized the ramifications of each proposed change below:

- The reference to MW-3 has been deleted because that well has gone dry and a replacement well is planned.
- MW-1, MW-2, and MW-4 are changed from quarterly to annual monitoring.
- Language has been added allowing other wells constructed by Philips Semiconductors to automatically go from quarterly to annual monitoring provided that 8 quarters of analyses show PCE below 10 ppb. This condition serves as a cap to ensure that only wells that show results consistent with current site conditions can automatically go to longer times between monitoring. The 10 ppb of PCE is not a standard; it represents a ceiling concentration which wells at the site have not exceeded in the last 12 months and therefore reflects current levels in groundwater at the site.
- The NCLF wells installed by the City of Albuquerque should be sampled as planned in the RFI Work Plan, but they are not referenced in the permit because they do not belong to Philips Semiconductors.
- The reference to screening wells at the bottom of the aquifer for DNAPLs is removed since this constraint is appropriate to confined aquifers. The Albuquerque aquifer does not fit the standard definition of a confined aquifer. The permit can state that wells can be constructed in accordance with the RFI Work Plan because the RFI Work Plan has been approved.

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“Solid Waste Management Unit” (SWMU) means any discernible unit at which solid wastes have been placed at any time, irrespective of whether the unit was intended for the management of solid or hazardous waste. Such units include any area at a facility at which solid wastes have been routinely and systematically releases.

If, subsequent to the issuance of this permit, regulations are promulgated which redefine any of the above terms, the Administrative Authority may, at its discretion, apply the new definition to this Permit.

C. SPECIAL CONDITIONS

Within ninety (90) days of the effective date of this Permit modification, the Permittee shall submit an RFI Workplan in accordance with Section F and Section N of this Permit. In addition to the RFI Workplan requirement, the Permittee shall complete the following items:

C.1 Quarterly Sampling of Existing Ground Water Monitoring Wells

(a) Within thirty (30) days of the effective date of this permit modification, the Permittee shall sample ground water monitoring wells MW-1, MW-2, ~~MW-3~~, and MW-4. These wells shall be sampled for *Appendix VIII* constituents, as codified in 40 CFR Part 261. The sampling and analysis program for these wells shall follow/be equivalent to the requirements of the RCRA Ground-Water Technical Enforcement Guidance Document, dated September 1986. All sampling results shall be reported to the Administrative Authorities as specified in Section B.5.

(b) ~~All existing~~ Monitoring wells MW-1, MW-2, and MW-4 shall be analyzed annually. Other ground water monitoring wells installed by the Permittee shall be analyzed on a quarterly basis for at least eight quarters. Any wells that have shown PCE levels under 10 ppb for all of the 8 quarters of monitoring may then be monitored annually. Target compounds may be proposed only after adequate data exists to verify that indicator compounds are reliable surrogates for all contaminants of concern. All ~~quarterly~~ sampling results shall be reported to the Administrative Authorities as specified in Section B.5.

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C.2 Installation of Additional Ground Water Monitoring Wells

The RFI Workplan, described further in Section F and Section N, shall include information on the proposed design, number, and placement of additional ground water monitoring wells. ~~Wells used to detect DNAPLs (dense non-aqueous phase liquids) shall be screened at the bottom of the aquifer of concern.~~ Wells shall be installed as described in the RFI Work Plan. Well screen length should not exceed 15 feet. Longer screens may be used only with adequate justification from the facility and approval from the Administrative Authorities. See the March, 1991 "Handbook of Suggested Practices for the Design and Installation of Ground Water Monitoring Wells" (EPA/600/4-89/034) for specific information on monitoring well design and installation.

C.3 Identification of Water Supply Wells and Submittal of Area Map(s)

- (a) Within ninety (90) days of the effective date of this permit modification, the Permittee shall locate all water supply wells within a one mile radius of the facility.
- (b) Within ninety (90) calendar days of the effective date of this permit modification, the Permittee shall submit information characterizing /describing the slope of the water table or potentiometric surface underlying their facility. The characterization/description shall be based upon current ground water level information, as collected by the Permittee.
- (c) Map(s) depicting the information required under Section C.3 (a) and (b) shall be consistent with the requirements set forth in 20 NMAC 4.1, Subpart IX, 40 CFR 270.14. This information shall be submitted to the Administrative Authorities specified in Section B.5.

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**D. REPORTING REQUIREMENTS**

D.1. Quarterly Progress Reports

The Permittee shall submit signed quarterly progress reports of all activities (i.e., well installation, RFI, CMS) conducted pursuant to the provisions of this Permit beginning no later than ninety (90) calendar days from the effective date of this Permit modification. These reports shall contain: