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GOVERNOR

State of New Mexico *PSC 80*
ENVIRONMENT DEPARTMENT

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PETER MAGGIORE
SECRETARY

PAUL R. RITZMA
DEPUTY SECRETARY

*Rec'd
Mailed
1/11/00
PSC 80*

January 6, 2000

Mr. Steve Szmyd
Manager, Environment, Health, and Safety
Philips Semiconductors M/S 02
9201 Pan American Frwy, NE
Albuquerque, NM 87113

**RE: Approval of Class I Permit Modification For Philips Semiconductors, Inc.
EPA ID # NMD000709782**

Dear Mr. Szmyd:

This letter is in response to your request for a Class I modification to your RCRA permit to reduce the ground water monitoring requirements at a portion of the monitoring wells at your facility to annual monitoring for only VOC compounds. The change from quarterly to annual monitoring is a Class I modification that requires prior Agency approval. This letter constitutes Agency approval of this request; the pages with revised permit language are enclosed with this letter. The revised pages should be substituted for the previous versions of the same pages in your current operating permit.

Pursuant to the New Mexico Hazardous Waste Management Regulations 20 NMAC 4.1.900 incorporating 40 CFR 270.42(1)(ii), Philips Semiconductors must send a notice of the modification to all persons on the enclosed mailing list in accordance with 40 CFR 124(10)(c)(viii). This notification must be made within 90 calendar days from the date of this letter.

The request to change the analytical constituents from the complete Appendix VIII list to only VOC compounds constitutes a Class II permit modification. This portion of your request is

Mr. Steve Szmyd

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therefore denied at this time. If this request is resubmitted as a Class II permit modification following the procedure in 20 NMAC 4.1 (which incorporates 40 CFR 270.42 (b)) and 20 NMAC 4.2, please be assured that it will receive every consideration by the Agency. If you have questions regarding this determination or permit modifications please contact Kirby Olson at (505) 827-1561 ext. 1034.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gregory J. Lewis', with a long, sweeping flourish extending to the right.

Gregory J. Lewis

Director

Water and Waste Management Division

Cc: Stephanie Kruse, Supervisor, HRMB
John Kieling, Acting Program Manager, HRMB
James P. Bearzi, Chief, HRMB

**PERMIT MODIFICATION TO BE INCORPORATED INTO THE
OPERATING PERMIT FOR PHILIPS SEMICONDUCTORS, INC.**

JANUARY 6, 2000

Version showing language ~~added~~ and removed

“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-3 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.

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.

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:

- (a) A description of the work completed and an estimate of the percentage of work completed;

**PERMIT MODIFICATION TO BE INCORPORATED INTO THE
OPERATING PERMIT FOR PHILIPS SEMICONDUCTORS, INC.**

JANUARY 6, 2000

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- (b) 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 sampling results shall be reported to the Administrative Authorities as specified in Section B.5.

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CLASS I PERMIT MODIFICATION MAILING LIST FOR

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