

MEMO TO: PETER PACHE

FROM: ANN GARASSE

DATE: 13 APRIL 1984

RE: PLATEAU GROUND-WATER MONITORING WAIVER -  
RESPONSE TO THEIR 4/10/84 RESPONSE



ENTERED

Agreed that the waiver question is moot if Plateau is not a TSD. This issue should be resolved immediately so that groundwater monitoring will not be further delayed. If Plateau is determined to be a TSD, they must <sup>have</sup> ground-water monitoring and they are ~~presently~~ currently in violation of 206. C.1. A waiver is not acceptable no matter what their new information is.

Regarding TSD status: ¶ 4, p. 2 of Ms. Molino's letter states that the API separator sludge was removed under manifest to a HW disposal site. I am under the impression that sludge had been placed in the landfill at the facility. Also to be resolved is whether the oily water ponds, overflow ponds, solar evaporation ponds, spray irrigation area, and numerous other pits have received or are receiving hazardous waste.

Regarding approval/denial of the waiver:  
206. C.1.3. (3) states that ground-water monitoring

may be denied if the do can demonstrate low potential for migration of <sup>haz.</sup> wastes to water supply wells or surface waters via the aquifer. While the regs do not speak of a formal approval/denial procedure, it is the responsibility of the State to determine whether conditions for a waiver have been demonstrated. No formal approval is needed if the demonstration is adequate. But if it is not, the facility is in violation of 206.C.1 and must implement a ground-water monitoring program. EID informs the facility by denying the waiver and requiring submittal of a monitoring plan.

Plateau did not demonstrate low potential for migration of haz. waste to surface water. This was stated in the 3/12/84 letter; reasons are detailed in my 3/8/84 memo to the file. I am convinced that no amount of new information could justify a waiver. There is ground water at a shallow depth beneath the facility; it is ~~hydro~~ hydraulically connected to the Hammond Ditch and to seeps which flow into the San Juan River; very little distance separates the facility and these surface waters. If Plateau is a TSD, they are in violation of 206.C.1; our 3/12/84 letter informed them of their liability in this regard.