



Alan C. Lloyd  
Ph.D.  
Agency Secretary

# California Regional Water Quality Control Board

## Central Coast Region



Arnold Schwarzeneg  
Governor

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>  
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401  
Phone (805) 549-3147 • FAX (805) 543-0397

January 4, 2005

Mr. Curt M. Richards  
Vice President  
Environment, Health and Safety  
Olin Corporation, Environmental Remediation Group  
PO Box 248  
Charleston, TN 37310-0248

Dear Mr. Richards:

**SLIC: 425 TENNANT AVENUE, MORGAN HILL; DECEMBER 16, 2004, MEETING,  
REQUEST TO CHANGE DECEMBER 8, 2004 DUE DATES**

We appreciated the opportunity to meet with you on December 16, 2004. We have considered requests you made at the meeting to change your well installation due date, delay sampling of Northeast Flow Study Area private domestic wells, and clarify issues related to our requirement to perform a forensic analysis. These requirements are contained in our December 8, 2004 Northeast Flow Report response letter. Our December 8<sup>th</sup> letter requires Olin to install groundwater monitoring wells by January 25, 2005, submit a work plan by December 30, 2004, that identifies all Northeast Flow Study Area domestic wells and provides a plan for gaining access and sampling of these wells, and submit a forensic analysis work plan by January 14, 2005. Please be aware that this does not constitute all the requirements of the letter. Regional Board staff provided a verbal response to your December 16<sup>th</sup> requests to your attorney, Mr. Kelly McTigue, on December 17, 2004. The following summarizes our response:

**Request 1:** Delay the due date of piezometer installation (Task 2.2 of the Groundwater Flow Assessment Work Plan) to allow Olin to submit a monitoring well installation work plan and time schedule by January 7, 2005.

**Response:** This is acceptable. As we understand, this will allow Olin to identify suitable locations for wells and provide a more accurate timeline for well installation. We agree not to recommend enforcement action if Olin submits the work plan and time schedule by January 7, 2005. Any enforcement action we take if Olin fails to submit the work plan and time schedule by January 7, 2005, will be based on the original due date of October 20, 2004. The January 7, 2005 due date does not modify or change any other requirement of our December 8, 2004 letter (e.g., well installation, well sampling, forensic investigation). If the Executive Officer approves the new work plan and time schedule, we will issue revised Section 13267 requirements to incorporate the new due dates for Task 2.2.

**Request 2:** Delay submission of the work plan (due December 30, 2004) and sampling of private wells that are located in the area bounded by Railroad, Diane and Murphy Avenues until after the monitoring wells are installed and sampled. As we understand, you want

*California Environmental Protection*



Item No. 13 Attachment No. 2  
February 11, 2005 Meeting  
Perchlorate Sites

to sample the private wells only if perchlorate is detected in the Olin installed piezometers.

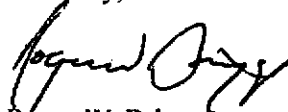
**Response:** Regional Board staff denies this request. These piezometers were proposed by Olin to determine sub-aquifer hydraulic properties and not groundwater quality. We believe that sampling private wells in the Northeast area will provide a better indication of the area distribution of perchlorate. Additionally, the need for information from this monitoring, which is also necessary to help determine where to investigate forensically, is not dependent on piezometer monitoring results.

**Request 3:** Release Olin from performing a forensic investigation in the Northeast Flow Study Area since Olin believes that the Santa Clara Valley Water District (Water District) has committed to performing the investigation. Additionally, would the Regional Board staff accept an investigation from the Water District instead of Olin?

**Response:** Regional Board staff has spoken with the Water District to clarify their intent regarding a forensic investigation. As we understand, the Water District may be performing a forensic investigation to the north of your site. However, the Water District has made it clear to Regional Board staff that their study will not include Olin's Northeast Flow Study Area. We would accept a report from the Water District that investigates Olin's Northeast Flow Study Area, however, we will not release Olin from the requirements to submit the results of the investigation. Any investigation proposed by the Water District on Olin's behalf will need to be reviewed and accepted by the Executive Officer prior to implementation.

Should you wish to discuss this letter or other related matters, please contact David Athey at (805) 542-4644 or Eric Gobler at (805) 549-3467.

Sincerely,



Roger W. Briggs  
Executive Officer

cc via E-mail:

Lori Okun  
Office of the Chief Counsel  
State Water Resources Control Board

Jim Ashcraft  
City of Morgan Hill

John Rohrer  
Komex

Peter Forest  
San Martin County Water

Steven L. Hoch  
Hatch & Parent

Sylvia Hamilton  
PCAG

Tom Mohr  
Santa Clara Valley Water District

PCAG Members

Elected Officials

U.S. Environmental Protection  
Agency

cc via U.S. Mail:

Jay Baksa  
City of Gilroy  
7351 Rosanna Street  
Gilroy, CA 95020-6197

Eric Lacy  
CA Dept. of Health Services  
2151 Berkeley Way  
Berkeley, CA 94704-1011

Helene Leichter  
City of Morgan Hill  
17555 Peak Avenue  
Morgan Hill, CA 95037

Mr. Eugene Leung  
CA Dept. of Health Services  
2151 Berkeley Way  
Berkeley, CA 94704-1011

Mr. Richard Peekema  
4817 Wellington Park Dr.  
San Jose, CA 95136

Ms. Suzanne Muzzio Santa Clara Co.  
Env. Health Services  
1555 Berger Drive, Suite 300  
San Jose, CA 95112-2716

Mr. Keith M. Casto  
Sedgwick, Detert, Moran & Arnold  
One Embarcadero, 16th Floor  
San Francisco, CA 94111-3628

Mr. Joe Root, General Manager  
Corde Valle  
One Corde Valle Club Drive  
San Martin, CA 95046

Mr. Rob Stern  
7510 Kenbrook Place  
Suwanee, GA 30024

S:\SLIC\Regulated Sites\Santa Clara Co\Olin\OLIN-425 TENNANT AVENUE\COMMUNICATIONS - RICK McCLURE\2004  
Letters\NE FLOW DUE DATE CHANGE REQUEST.DOC