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RFI Progress Report

August 15, 2002

Ms. Kim Ogle, RCRA Project Manager
United States EPA, Region 10
1200 Sixth Avenue
Seattle, WA 98101

Subject: **August 15, 2002 Progress Report
J. H. Baxter Arlington Facility
Docket No. RCRA-10-2001-0086**

Dear Ms. Ogle:

This letter provides the August 15, 2002 progress report for work completed under the Administrative Order on Consent (AOC) for the J. H. Baxter (Baxter) facility during the period July 15 to August 15, 2002.

Significant Developments This Period

This section discusses significant developments for the referenced reporting period, including actions performed and any problems encountered relative to work required by the AOC. Significant developments that occurred on this project during this reporting period are outlined below:

- The stormwater pilot study continued during this period, including treatment of stormwater from the treated pole storage area. Laboratory data from the pilot study will be validated and submitted, when it becomes available.
- Baxter responded to Region 10's July 8, 2002 letter regarding EPA's Approval with Modification, Partial Disapproval and Conditions of Approval on the May 15, 2002, Revision 2, Site Investigation Work Plan. Baxter will make the modifications specified in Enclosure A and comply with the conditions in Enclosure C. Baxter requested a 45-day extension for submission of revisions discussed in Enclosure B of EPA's July 8 2002 letter disapproving part of the May 15, 2002 Revision 2, Site Investigation Work Plan.
- Baxter conducted the sampling of the offsite drinking water wells during the week of July 15, 2002. Preliminary laboratory analytical data has been received and is currently being validated.



- Review of the laboratory Standard Operating Procedures for analytical methods to be performed during the Site Investigation was completed during this reporting period.
- Implementation of the Site Investigation Work Plan was initiated on August 7, 2002.
- EPA personnel Kim Ogle and Rene Fuentes visited the Site August 9, 2002 to oversee implementation of the Site Investigation Work Plan.
- On July 18, 2002, Baxter received a response from Ecology to Baxter's May 22, 2002 request for State Waste Discharge Permit modifications. The Ecology letter denied Baxter's request and requested that Baxter complete several items in order for Ecology to determine whether an NPDES Permit will be issued for treated stormwater discharge. These items included the completion of an NPDES Permit Application, a completed Hydrologic Investigation, and evidence of approval Burlington Northern Santa Fe Railway (BNSF) to discharge treated stormwater into the drainage conveyance channel adjacent to the Arlington facility. Baxter had already initiated some of these activities, including development of the scope of work and contracting for the Hydrologic Investigation with Shapiro & Associates, and investigating access issues with BNSF.
- On July 23, 2002, Baxter received a letter from the City of Arlington (City) offering to make available certain information previously developed by the City on the stormwater conveyance channel. Additionally, the City stated that once Ecology has approved the NPDES Permit Application, and BNSF has granted access for stormwater discharge, they would grant design and construction approval and subsequent operations of the facility.
- On August 12, 2002, an updated Health and Safety Plan for the Site Investigation was transmitted to EPA.

Anticipated Developments Next Period

This section discusses developments anticipated during the next reporting period.

- Baxter will continue the stormwater pilot study, including treatment of stormwater collected from the treated pole storage area. Laboratory data from the pilot study will be validated and submitted as it becomes available.
- Baxter will continue to implement the Site Investigation Work Plan throughout the next reporting period.
- Laboratory data from the sampling of the offsite drinking water wells will be validated and submitted to EPA.
- Baxter will pursue an Access Agreement with the BNSF for long-term stormwater discharge and sediment sampling to be conducted as part of the Site Investigation.
- The Hydrologic Study required by Ecology for the NPDES permit will begin.

- A meeting has been scheduled for August 28, 2002 with EPA to discuss Enclosure B of EPA's Approval with Modification, Partial Disapproval and Conditions of Approval on the May 15, 2002, Revision 2, Site Investigation Work Plan. Enclosure B pertains to the air quality assessment to be performed as part of the site investigation. The purpose of the meeting is to discuss with EPA a mutually acceptable air quality assessment approach prior to formally responding to EPA comments as found in Enclosure B.

Anticipated Problems and Problem Resolution

This section discusses anticipated problems, and planned resolution of past or anticipated problems.

- As identified in previous progress reports, there are problems with the Excess Stormwater Management Plan. Baxter has implemented the pilot study; however there are issues regarding the discharge of the treated water after September 1, 2002 that need to be addressed. Baxter has requested a meeting with EPA on August 29 to discuss this and other issues.
- Stormwater management at the facility will be carefully coordinated with the site investigation and potential corrective actions. For example, characterization of the site in areas of the facility that may be paved for purposes of managing stormwater should be complete prior to paving. In addition, if corrective measures (e.g., removal actions) are necessary in areas at the facility to be paved, these actions should also be completed prior to paving. EPA and Ecology will be advised of any conflicts that may require consultation.

Other Information

Any other information relevant to the Order is discussed in this section, including results of any sampling or testing completed within the reporting period.

- In accordance with the SWDP, Baxter performed quarterly sampling of groundwater monitoring Wells BXS-1, MW-2, HCMW-5, HCMW-6, and HCMW-7 in July 2002. Baxter also sampled the carbon units and all of the landfill monitoring wells in July 2002. Some of the resultant data have been received and are currently being validated. It is expected that validated data will be submitted in the next progress report.
- On August 7, 2002, Baxter submitted a request to Jeanne Tran of Ecology for an extension of the interim effluent limits and documents required under the SWDP, including the Engineering Report.
- On August 12, 2002, Baxter submitted to Ecology (with a copy to EPA) a work plan for closing the drains in the Untreated Pole Storage Area.

Certification

I certify that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to evaluate the information submitted. I certify that the information contained in or accompanying this submittal is true, accurate and complete. As to those identified portions(s) of this submittal for which I cannot personally verify the accuracy, I certify that this submittal and all attachments were prepared in accordance with procedures designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those directly responsible for gathering the information, or the immediate supervisor of such person(s), the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: RueAnn Thomas

Name: RueAnn Thomas
Title: Environmental Programs Director
Date: August 15, 2002

We trust this letter meets the intent of the Progress Report per Paragraph 71 of the AOC. If you have any questions, please contact me at (541) 689-3801.

Sincerely,

RueAnn Thomas

RueAnn Thomas
Environmental Programs Director

cc: Jeanne Tran, Ecology
Dean Yasuda, Ecology
Georgia Baxter, J. H. Baxter & Co.
Mary Larson, J. H. Baxter & Co.
Sara Beth Watson, Steptoe and Johnson
Les Brewer, Premier Environmental Services, Inc.