



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
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Seattle, WA 98101-3140

OFFICE OF
AIR, WASTE AND
TOXICS

MAR 9 2015

Ms. RueAnn Thomas
Environmental Programs Director
J.H. Baxter & Co.
P.O. Box 10797
Eugene, OR 97440-2797

Re: Comments on Remedial Action Pilot Study Operations and Monitoring Report, Third
Quarter 2014 (Report)
Former J.H. Baxter & Co. (Baxter), Arlington Facility (Facility)
§ 7003 Administrative Order on Consent (Order)
Docket No.: RCRA-10-2001-0086
EPA ID No.: WAD 05382 3019

Dear Ms. Thomas:

The U.S. Environmental Protection Agency, Region 10 has reviewed the above-referenced Report, dated December 2014. EPA's comments on the Report are enclosed. In accordance with Section 12 of the Order, Baxter is hereby required to submit responses to the enclosed comments and to perform the maintenance activities specified in the Remedial Action Pilot Study Work Plan (Work Plan) necessary to restore and maintain operation of the extraction and re-infiltration system, as designed, within sixty days of receipt of this letter.

Also note that in accordance with Section 71 of the Order, Baxter is required to report to EPA any significant developments and any problems encountered and planned resolutions in the monthly Progress Reports. Baxter did not report the problems with the extraction wells, or the abnormally high concentrations of pentachlorophenol in three wells and the composite sample, in the Progress Reports. Baxter also did not include an explanation for these problems and actions planned to resolve them in the Report. In addition to reporting such problems in the monthly Progress Reports, Baxter must include a summary in the Quarterly Reports of "significant developments this quarter" which highlights significant changes from previous quarters and includes an analysis of the reason for the change and planned actions.



These failures put Baxter at risk of incurring stipulated penalties under Section XVIII of the Order. Please contact me at (206) 553-6702 or at palumbo.jan@epa.gov, or have your legal counsel contact Jennifer MacDonald at (206) 553-8311 or macdonald.jennifer@epa.gov, if you have any questions.

Sincerely,



Jan Palumbo
Project Coordinator

Enclosure

cc: Mr James C. Hanken
Wolfstone, Panchot & Bloch

Mr. Douglas Fox
Stella-Jones Corp.

Ms. Heidi Blischke
GSI Water Solutions, Inc.

Ms. Georgia Baxter
J.H. Baxter, San Mateo

Mr. Dean Yasuda
Washington State Department of Ecology

ENVIRONMENTAL PROTECTION AGENCY REGION 10
COMMENTS ON REMEDIAL ACTION PILOT STUDY OPERATIONS AND
MONITORING REPORT, THIRD QUARTER 2014 (REPORT)
FORMER J.H. BAXTER & COMPANY WOOD TREATING FACILITY
ARLINGTON, WASHINGTON
MARCH 10, 2015

The EPA has the following comments on the Report:

- Section 2.1, page 3. This section states that at the beginning of the third quarter only extraction well EW-4 was operating, and that EW-2 was reset on July 29, 2014. The Remedial Action Pilot Study Work Plan (Work Plan), dated September 2007, requires continuous operation and maintenance of the system, including *all* seven extraction wells and the associated piping and trenching. Baxter must perform the maintenance activities specified in the Work Plan necessary to restore and maintain operation of the extraction and re-infiltration system as designed within sixty days of receipt of this letter and submit and document the work performed in the next Quarterly Operations and Monitoring Report. In addition, the EPA was not notified of these performance failures prior to the Report. In accordance with Section 71 of the Order, Baxter is required to report to the EPA any significant developments and any problems encountered and planned resolutions in the monthly Progress Reports. These failures put Baxter at risk of incurring stipulated penalties under Section XVIII of the Order.
- Figure 7. This figure shows that the following three wells had new and unusually high concentrations of pentachlorophenol: MW-29 (new high of 170 µg/L); MW-41 (new high of 410 µg/L); and EW - Composite (increase to 790 µg/L). In accordance with Section 71 of the Order Baxter is required to report to EPA any significant developments and any problems encountered and planned resolutions in the monthly Progress Reports. These results are considered to be a significant development and, if they occur in the future, must be reported in monthly Progress Reports.
- Composite plot near the end of Appendix A. This plot shows the spike in the composite sample, but it is buried in an unnumbered figure on an unnumbered page near the end of an appendix. An explanation for this spike and planned resolution must be provided in the Report. EPA also requests that the pages and figures in Appendix A be numbered so they can be more easily referenced in comments and in other communications.
- Figure 20, Appendix D. This figure shows a sudden drop in water elevation in the MW-39 plot. Provide an explanation for this sudden drop in water elevation and planned resolution in the Report.