



# California Regional Water Quality Control Board

## Central Coast Region



**Terry Tamminen**  
Secretary for  
Environmental  
Protection

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**Arnold Schwarzenegger**  
Governor

August 17, 2004

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

Dear Mr. Richards:

**SLIC: 425 TENNANT AVENUE, MORGAN HILL; JUNE 21<sup>ST</sup> TENNANT WELL  
RESPONSE LETTER FROM CURT RICHARDS DATED JUNE 21, 2004**

Regional Board staff have reviewed your response to our second Tennant well request letter, dated May 19, 2004. We requested additional technical justification to support your position that the Tennant well not be pumped because of the possibility of drawing perchlorate into deeper "clean" aquifer zones and the potential for impacts to your onsite groundwater containment and treatment system.

In our opinion, your technical response does not substantiate your claims of potential impacts to your onsite groundwater containment and treatment system. While a limited groundwater data set has been emailed to our office, you have not demonstrated that the existing groundwater containment system would be incapable of hydraulic containment during Tennant well operation. As you are aware, our November 18, 2003 letter directs Olin to consider and evaluate the influence of Tennant well operation, pumping at 470 gallons per minute, on groundwater containment system performance.

As we have stated in previous letters, we do not believe your assertions have been supported by your technical data analysis. Based on our review, we conclude it is unlikely that pumping the Tennant well will draw perchlorate into the deeper aquifer zones. We have reached this conclusion based on (1) the length of time the Tennant well has operated prior to being shut down and the corresponding lack of perchlorate in deeper aquifer zones, (2) Olin's previous offer to the City of Morgan Hill to install ion exchange treatment which indicates your level of concern, and (3) your technical analysis does not support any contrary conclusion.

As we understand, the City of Morgan Hill (City) regularly tests its drinking supply wells for perchlorate. Recently, the San Pedro well tested at 4 ppb for perchlorate. The San Pedro replaced the Tennant well and was paid for by Olin. The City is very concerned with this recent development, which has the potential to further complicate their water supply needs. Based on the above-mentioned information, we have sent the City a letter conditionally informing them we do not object to Tennant well operation. We have attached this letter for your information.

**California Environmental Protection Agency**



Item No.10 Attachment No. 2  
September 10, 2004 Meeting  
Perchlorate Sites

Should the City decide to operate the Tennant well, we request that you carefully monitor your groundwater containment system for signs of adverse impact. Results of this monitoring shall be submitted as part of your Quarterly On-Site Groundwater Containment & Perchlorate Removal System Performance and Discharge Monitoring Reports. If the appropriate data are collected and a technical analysis demonstrates that the Tennant well does adversely affect either your groundwater containment and treatment system or the deeper aquifer system, we require that you inform us immediately by telephone or email, and submit that information to us in writing no longer than **30 days** after you make your determination. The information you submit shall be in report format and contain, at a minimum:

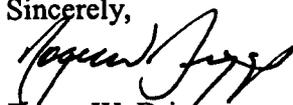
- Data supporting your claims, including groundwater elevation and quality
- A technical analysis and discussion demonstrating why the groundwater system containment system is no longer capable of hydraulic containment
- Your plans to modify your system to re-establish hydraulic containment
- Report certification and signature by a Registered Civil Engineer or Geologist, Certified Engineering Geologist

We believe it is important for you and the City of Morgan Hill to work together closely on this matter to ensure necessary water supply and protect the aquifer. We have asked the City to notify you prior to Tennant well operation. This notification will enable you to closely monitor your system and quickly identify any problems. Additionally, the city has agreed to operate the Tennant Well on a continual basis. We believe this will assist you in determining if impacts are occurring and enable you to quickly formulate a response. Based on the City's critical water supply needs and our analysis of your technical information, we believe this is the only way to resolve this issue. We will consider any additional technical information you may have to support your claims.

You are required to provide the above-requested information no longer than **30 days** after you determine hydraulic containment has been compromised. We request submittal of the status reports pursuant to Section 13267 of the California Water Code. The reason the Regional Board needs the status reports is to ensure appropriate and timely reporting of the investigation and remedial activities at and in the vicinity of the subject site. The evidence that supports requiring Olin Corporation to provide the status reports is that Olin owns the site and previously operated the flare manufacturing facility. More detailed information is available in the Regional Board's public file on this matter.

Any person affected by this requirement may petition the State Water Resources Control Board to review the action in accordance with Section 13320 of the California Water Code and Title 23, California Code of Regulations, Section 2050. The State Board must receive the petition within 30 days of the date of this order. Copies of the law and regulations applicable to filing petitions will be provided upon request. Should you have any questions, please contact David Athey at (805) 542-4644 or Eric Gobler at (805) 549-3467.

Sincerely,



Roger W. Briggs  
Executive Officer

**California Environmental Protection Agency**

Enclosure: Letter to Mr. Ed Tewes, City of Morgan Hill

cc via E-mail:

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

Mr. Jim Ashcraft  
City of Morgan Hill

Mr. Rich Chandler  
Komex

Mr. Peter Forest  
San Martin County Water

U.S. Environmental Protection Agency

Mr. Steven L. Hoch  
Hatch & Parent

Ms. Sylvia Hamilton  
PCAG

Mr. Tom Mohr  
Santa Clara Valley Water District

PCAG Members

Elected Officials

cc via U.S. Mail:

Mr. Jay Baska  
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7351 Rosanna Street  
Gilroy, CA 95020-6197

Mr. Eric Lacy  
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