



JENNIFER M. GRANHOLM
GOVERNOR

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STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING

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STEVEN E. CHESTER
DIRECTOR

March 1, 2004

Ms. Cheryl Hiatt, Project Manager
Remediation and Liability Management Company, Inc.
MC-483-520-190
2000 Centerpoint Parkway
Pontiac, Michigan 48341-3147

Dear Ms. Hiatt:

SUBJECT: Notice of Violation, Monitoring Well Location and Abandonment, Former Peregrine (US), Inc. Coldwater Road Facility, Genesee Township, Genesee County, MIR 000 020 743

Thank you for your letter of February 13, 2004, concerning the location and proper maintenance or abandonment of fourteen monitoring wells on the subject property, specifically wells PFW-3, PFW-4, PFW-5, PFW-8, PFW-12, MW-2, MW-4, MW-5, MW-6, MW-7, MW-8, MW-9, MW-10, and MW-13. Your letter was in response to a December 16, 2003, letter from Mr. George Bruchmann, Chief of the Michigan Department of Environmental Quality (MDEQ), Waste and Hazardous Materials Division (WHMD), which included technical comments requiring the location and necessary repair or abandonment of these wells within 60 days of receipt of the letter.

Your February 13, 2004 response states, in pertinent part, that, "if the remaining wells can be located, they will either be repaired or abandoned" This response is inadequate in that no schedule is provided for locating, repairing or abandoning these wells.

R 299.9629(6) of the Administrative Rules promulgated pursuant to Part 111, Hazardous Waste Management, of Michigan's Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, states, "All wells installed to monitor, evaluate or remediate groundwater shall be constructed and abandoned in accordance with the well installation and well decommissioning procedures in ASTM standards D5092-90 and D5299-92, or a plan approved by the Director." Remediation and Liability Management Company, Inc. (REALM) is in violation of this rule by having lost (effectively abandoned) the subject wells.

In addition, R 299.9604 of the Part 111 Administrative rules states, in pertinent part, "The owner or operator of a treatment, storage, or disposal facility shall design, construct, operate, and maintain . . . systems to prevent hazardous waste or hazardous waste constituents from escaping into the soil, directly or indirectly into surface water or groundwaters, or uncontrolled into drains or sewers." REALM is in violation of this rule by having uncontrolled (lost) monitoring wells on site which, if in poor repair, can serve as conduits of contamination to groundwater.

REALM must correct this violation by providing a schedule for and completing monitoring well location, repair or abandonment activities for the wells listed above. Given the difficulty in locating the missing wells caused by snow cover, these activities may be delayed until the spring thaw, but must be completed by May 3, 2004. A report documenting these activities, including the status of each of the listed wells, must be submitted by June 1, 2004. Well abandonment, if performed, must be documented as complying with the requirements of R 299.9629(6) of the Part 111 Administrative Rules. The schedule must be provided by March 19, 2004.

Failure to provide the schedule and take and document the actions described above may result in escalated enforcement action against REALM for the violations noted above.

On a related note, your February 13, 2004, letter states that, "None of the subject wells are completed in the drift aquifer, and therefore no risk of contamination of the drift aquifer is associated with the subject wells." As explained in Mr. Bruchmann's December 16, 2004, letter, the WHMD does not believe that REALM has demonstrated a lack of interconnection between the sand lenses at the facility and the underlying drift aquifer and we wish to go on record as not accepting this statement.

Please provide the requested schedule for well location, assessment, and repair or abandonment by March 19, 2004 in order to correct the violation noted above. Please contact me if you have any questions regarding this issue.

Sincerely,



Kevin Holdwick
Environmental Engineer
Waste and Hazardous Materials Division
517-241-2108

cc: Ms. Jean Caufield, REALM
Ms. Marilyn Dedyne, REALM
Mr. Robert Metcalf, REALM
Mr. Tony Finch, O'Brien & Gere Engineers
Mr. Steve Song, Environ
Mr. Glenn Turchan, Conestoga Rovers & Associates
Ms. Sylvie Eastman, Conestoga Rovers & Associates
Mr. George W. Bruchmann, MDEQ
Mr. Steven Buda, MDEQ
Ms. De Montgomery, MDEQ
Mr. Lee Carter/Mr. Bill Yocum, MDEQ- Lansing District
Mr. John McCabe, MDEQ
Mr. Joe Rogers, MDEQ