California Regional Water Quality Control Board

Central Coast Region

Internet Address: http://www.waterboards.ca.gov/centralcoast
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Linda S. Adams
Secretary for Environmental Protection

Arnold Schwarzenegger
Governor

June 28, 2007

Mr. Curt Richards
Olin Corporation
Environmental Remediation Group
P.O. Box 248
Charleston, TN 37310-0248

Dear Mr. Richards:

SITE CLEANUP PROGRAM: 425 TENNANT AVE, MORGAN HILL; REQUEST FOR ELECTRONIC MODFLOW INPUT FILES

Central Coast Regional Water Quality Control Board (Central Coast Water Board) requests that Olin Corporation provide for review and evaluation, MACTEC's nine-layer, three-dimensional groundwater flow and mass transport model of the Llagas Subbasin. The Central Coast Water Board requires submittal of the groundwater model in accordance with Directive E. of Cleanup or Abatement Order No. R3-2005-0014 issued on March 10, 2005. Specifically, directive E. states, "... *The Dischargers may not rely on any groundwater modeling unless they provide the Regional Board with a legal copy of the modeling software, electronic input data files, assumptions used, model calibration information and all other data or information used in the model upon request. Any claims by the Dischargers of trade secret shall be subject to Water Code Section 13267(b)(2)....*" Section 13267(b)(2) provides: "*When requested by the person furnishing a report, the portions of a report that might disclose trade secrets or secret processes may not be made available for inspection by the public but shall be made available to governmental agencies for use in making studies. However, these portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report.*"

As described in Olin's December 6, 2006 *Llagas Subbasin Cleanup Feasibility Study – Revised, Olin/Standard Fusee Site, Morgan Hill, California (Revised Cleanup FS Report)*, Olin is using the flow and transport model primarily as a tool to help determine timeframes for reducing perchlorate concentrations using monitored attenuation. We understand that Olin will base all final decisions concerning the appropriate remediation strategy, effectiveness of the remedial strategy used, groundwater extraction rates, and capture zones on field data once Olin implements the selected remedy.

As explained during a May 25, 2007, telephone conference call between Rick McClure of your staff and Central Coast Water Board staff (Harvey Packard, Hector Hernandez,

and Thea Tryon), as a public agency, the Central Coast Water Board must abide by a public review process. As such, the Central Coast Water Board will make a reasonable effort to ensure that all information it uses to make conclusions and final decisions concerning cleanup cases is available for public review.

As indicated in response to Olin's Revised Cleanup FS Report and during our telephone conference call, the Central Coast Water Board intends to obtain the services of an independent third-party consultant to review and to evaluate MACTEC's groundwater flow and transport model. We will task our consultant to evaluate the groundwater model and ascertain whether the input parameters, assumptions used, and the predicted flow and degradation rates are reasonable and appropriate. Central Coast Water Board requires this evaluation to help us confirm that Olin's selected remediation strategy (i.e., active groundwater remediation in the plume core and monitored attenuation in areas of lower concentrations) is reasonable and appropriate.

The requirement for the groundwater flow and transport model electronic data input files is pursuant to Cleanup Order No. R3-2005-0014. The electronic input files are due **no later than August 3, 2007**. Pursuant to Section 13350 of the Water Code, a violation of a cleanup order issued pursuant to Water Code Section 13304 may subject you to civil liability of up to $5,000 per day for each day in which the violation occurs. Section 13268 of the Water Code subjects you to potential civil liability of up to $1,000 per day for failure or refusal to provide required technical or monitoring reports.

We appreciate your cooperation in providing the information described above. If you have any questions concerning this request, please contact **Hector Hernandez at (805) 542-4641** or via e-mail at Hhernandez@waterboards.ca.gov, or John Robertson at (805) 542-4630.

Sincerely,

Roger W. Briggs
Executive Officer

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cc via e-mail:
Ms. Lori Okun
Office of the Chief Counsel
State Water Resources Control Board

cc via U.S. Mail:

Olin Correspondence IPL