ENFORCEMENT SENSITIVE

AK 701 5f

9/7/88 le ①

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Mapco Conference Call.-

Randy Jones
Chris Volz.

expressed concerns about permitting process.

- agree to pay 80,000 penalty not an issue.
- remove wastes from lagoon B. (
- boneyard clean up.
- cleanup standards.
- BTEX. - already cleaning up groundwater under state program.

- not of the materials handled are characteristic wastes.
- constituents put into sump. have never shown up.

Chris Volz.
order retroactively makes it a TSD.

evaluation of case law. → facility routinely handle go thru closure
→ few cases where must go thru closure.

IMAGED

facility was not engaged in routine management of hazardous waste.

- penalty.
- have facility do an assessment + cleanup.

- discussion with state
- EPA position . regulatory liability is there

- go with RCRA or litigate
- closure plan.
- get into closure position + equivalency demonstrations before permit position.

what parameters or constituents need to be cleaned up.

don't challenge RCRA authority.
don't want to be part of universe.

constituents

TOX, TOC.

effective background — or health + human impact — not possible to show what came from.

3008(h). —

pump + treat hazardous pond. →

3008(h) → covers all reg units. →

↓ corrective action unit

covers entire facility.

EPA program. work state assistance.

will look at ACL's. from other cases for evaluation of equivalency demonstration.

~~[illegible]~~ joint 3008(h) + 3008(a) order.

- MAPCO

- Tank 192 → clean closure
- Boneyard → clean closure

- Sumps → sampling monitoring - overall concept looks adequate as discussed 8/1/88

- Surface Impoundment → (can incorporate state order into an agreement
(want to limit constituents sampled for.

- Review closure plans.
- Have to be able to show if constituents were released from the surface impoundment
- If can't show this then end up with a requirement for post closure.

- Analysis show presence of BTEX for Lagoon B.
- Contend that clean closure has been achieved in Lagoon B.