



The State
of Wyoming



Department of Environmental Quality

Dave Freudenthal, Governor

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ABANDONED MINES
(307) 332-5085

AIR QUALITY
(307) 332-6755

LAND QUALITY
(307) 332-3047

SOLID & HAZARDOUS WASTE
(307) 332-6924

WATER QUALITY
(307) 332-3144

January 29, 2004

Joe Deschamp
Environmental Business Manager
Remediation Management
P.O. Box 160
Casper, Wyoming 82602

RE: Notification of Modification to Remedy Decision #1 for the Former BP Casper Refinery,
South Properties Area (Modification #2)

Dear Mr. Deschamp:

The Wyoming Department of Environmental Quality (WDEQ) Solid and Hazardous Waste Division (SHWD) is requesting that BP provide notice to the public of the WDEQ's decision to modify the Remedy Agreement (January 10, 2002). This modification suspends a performance criterion in Section 10.2.1 of Remedy Decision #1 (notice wording enclosed). Please give written notice of the modification (enclosed) as well as the *Draft Off-Site Area A Remediation System Work Plan (October 27, 2003)* to all surface owners of record of land adjacent to the site and publish notice once per week for four (4) consecutive weeks in a newspaper of general circulation in the county in which the site is located. The WDEQ will accept written comments on the modification for thirty (30) days following the last date of publication.

Upon completion of the public notice period, if WDEQ finds sufficient interest, WDEQ will request BP to provide additional notice that an oral hearing will be held on the modification.

Please call me if you have questions or wish to discuss this letter.

Sincerely,

Vickie Meredith
HW Permitting and Corrective Action Program

ENCL: Public notice text
DRAFT Modification #2

COPY: File BP File - South Properties
Carl Anderson - WDEQ/Cheyenne
Bob Breuer -> Lynda Fivas -> WDEQ File/Casper

Pat Billig - Waterstone Inc./Boulder, CO
Felix Flechas - USEPA Region 8/Denver CO
Dave Folkes - EnviroGroup/Englewood, CO
Dave Applegate - Retec/Casper

NOTICE

In accordance with Section XXVI of *A Remedy Agreement for the BP Casper Refinery, South Properties Area, North Properties Area and North Platte River, and Soda Lake Area, January 10, 2002*, BP hereby provides notice that BP and the Wyoming Department of Environmental Quality (WDEQ) are modifying a specific performance criterion in Section 10.2.1 of Remedy Decision #1 (RD#1), South Properties Area. The WDEQ has determined that the criterion to maintain an inward gradient along the Poplar Street portion of the barrier wall would not allow efficient remediation of groundwater contamination in adjacent Off-Site Area A and therefore, the criterion should be suspended from the RD#1. Implementation of this modification would increase flow across Off-Site Area A, substantially benefiting the rate of cleanup in Off-Site Area A. This remedial approach is described in a *Draft Off-Site Area A Remediation System Work Plan, October 27, 2003*. A consequence of this modification may be that impacted groundwater will flow from the former Refinery Property into Off-Site Area A. The WDEQ has determined that the increase in groundwater flow and benefits of the cleanup in Off-Site Area A outweigh the consequences of this modification.

WDEQ is proposing to suspend the 0.1-foot inward gradient along Poplar Street barrier wall as a performance criterion in Section 10.2.1 of RD#1 as long as BP continues to operate the Off-Site A Remediation System. With exception of the items explicitly delineated in the modification, all other terms and conditions of the Remedy Agreement, remain unchanged and in full force and effect.

Comments on this modification (Modification #2) and the *Draft Off-Site Area A Remediation System Work Plan, October 27, 2003*, must be submitted to Carl Anderson, 122 W. 25th Street, Cheyenne, Wyoming, 82002, by 5:00 p.m. on Friday April 30, 2004. If WDEQ finds sufficient interest, an oral hearing on Modification #2 shall be held. BP will provide additional notice if WDEQ determines an oral hearing is needed.

Modification #2, and *Draft Off-Site Area A Remediation System Work Plan, October 27, 2003* are available for review at the WDEQ Casper Office, 3030 Energy Lane. In accordance with the Americans With Disabilities Act, special assistance or alternative formats will be made available upon request for individuals with disabilities.

For further information about any of the modification or work plan, contact WDEQ Project Manager, Vickie Meredith (307) 332-6924, or BP Government and Public Affairs Director Bill Stephens (307) 261-4212.