

ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF

Chevron U.S.A. Products Company

Chevron Bulk Terminal # 1289713

Moundville, Alabama

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ADMINISTRATIVE ORDER
NUMBER 97-151-GW

FINDINGS

Pursuant to the provisions of the Alabama Environmental Management Act, §§ 22-22A-1 through 22-22A-16, Code of Alabama 1975, as amended, the Alabama Water Pollution Control Act, Title 22 §§ 22-22-9(h)(i) et. seq., Code of Alabama 1975, as amended, and the ADEM Administrative Code of Regulations ("ADEM Admin. Code R.") promulgated pursuant thereto, Alabama Department of Environmental Management ("the Department") makes the following FINDINGS:

1. Chevron U.S.A. Products Company ("Chevron" from herein) owns and operates a bulk storage facility located on Second Avenue (Facility) in Moundville, Alabama.

2. The Alabama Department of Environmental Management is a duly constituted Department of the State of Alabama pursuant to §§ 22-22A-1 through 22-22A-16, Code of Alabama 1975, as amended.

3. Pursuant to § 22-22A-1-16 and 22-22-1 et. seq., Code of Alabama 1975, as amended, the Department is the state agency responsible for administering the statute governing releases of pollutants to waters of the state.

4. Section 22-22-9(h)(i) , Code of Alabama 1975, as amended, provides that all pollution is declared to be a public nuisance and that the Department may issue an administrative order to abate such public nuisances.

3/24/97 3/27/97

5. Based on the groundwater quality assessment reports submitted to the Department, a release of pollutants to the waters of the State has been documented at its Bulk Terminal # 1289713, Moundville, Alabama.

ORDER

Based upon the foregoing FINDINGS and pursuant to Code of Alabama 1975 §§ 22-22A-5(10), 22-22A-5(12), and 22-22A-5(18) et seq., as amended, it is hereby ORDERED:

A. Within thirty (30) days from issuance of this order, Chevron shall begin implementation of the Corrective Action Plan (CAP) approved by ADEM on July 16, 1996.

B. Bimonthly progress reports in letter format should be submitted to the Department to document progress toward implementation of the remediation and monitoring program. A projected performance schedule and goals which are expected to be achieved by these new technologies should be submitted. An annual effectiveness report should be submitted to the Department to demonstrate the effectiveness and progress of the remediation system. The effectiveness report should include time versus concentration histograms in plotted format and capture zone analysis for the extraction system wells.

C. Within sixty (60) days from issuance of this order the additional groundwater monitoring wells described in the approved Corrective Action Plan should be installed, while pilot tests and system designs are being developed. Quarterly monitoring and reporting on a semi-annual basis should continue and should incorporate these new wells to provide the Department with a more complete interpretation of the contaminant plume definition and migration at the site.

D. Within sixty (60) days from issuance of this order, Chevron shall initiate on-site internal combustion engine (ICE) extraction (enhanced phase separated hydrocarbon recovery and dissolved

hydrocarbon contamination remediation) in accordance with the conceptual corrective action plan which was approved by the Department by letter on July 16, 1996.

E. Within sixty (60) days from issuance of this order, Chevron shall make application for all necessary permits required for implementation of ground water remediation activities.

F. Within ninety (90) days from receiving all necessary permits required for corrective action implementation, Chevron shall implement all remaining corrective actions included in the CAP approved by the Department.

G. Chevron shall continue to operate and monitor the corrective action systems until it petitions the Department for modification to upgrade for greater effectiveness or to cease operation and enter into compliance monitoring, and ADEM approval is granted for such a petition.

H. If it is determined that the groundwater contamination plume has migrated beyond the influence of the approved CAP, Chevron shall perform additional assessment activities to determine the horizontal and vertical extent of groundwater contamination. A report of this assessment shall be completed and submitted to the Department within 180 days of notification by the Department that this action will be required.

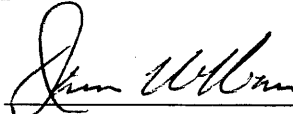
I. Chevron shall initiate additional corrective action activities if it is determined by the Department that the approved CAP is ineffective in containing and/or remediating the plume of contamination on-site and off-site. Implementation of these additional corrective actions shall be completed within 120 days of notification by the Department that these actions will be required.

J. That in the event Chevron cannot not comply with the above mentioned time frames, it shall notify the Department, in a timely manner, of the circumstances or reasons for the delay. The Department may grant an extension of time as it deems necessary under the circumstances.

K. That the issuance of this Order does not preclude the Department from seeking criminal prosecution, or other appropriate sanctions or relief against Chevron for the violations cited herein.

L. That failure to comply with the provisions of this Order shall constitute cause for commencement of legal action by the Department against Chevron for the recovery of civil penalties, criminal fines, or other appropriate sanctions or relief.

ORDERED and ISSUED this 24th day of March, 1997.



James W. Warr, Director
Alabama Department of
Environmental Management
1751 Cong. W. L. Dickinson Drive
Montgomery, AL 36109-2608
(334) 271-7977

CERTIFICATE OF SERVICE

I, James G. Stevens, hereby certify that I have served Administrative Order No. 97-151-GW upon Chevron USA Products Company by sending the same, postage paid, through the United States Mail, as Certified Mail, with instructions to forward and return receipt requested to:

CERTIFIED MAIL NO. P 591 992 092

Mr. David G. Gardner
Site Assessment & Remediation Project Manager
Chevron USA Products Company
P.O. Box 4256
Houston, TX 77210

DONE this 24th day of March, 1997


James G. Stevens