



February 10, 2021

Ms. Amanda Kistler
Sunoco LP/ Evergreen Resources Group, LLC
2 Righter Parkway, Suite 120
Wilmington, DE 19803

RE: NOTICE OF NON-COMPLIANCE NNC-OCP-2021-007
REQUEST FOR ENHANCED MONITORING AND HALF-MILE WELL SURVEY
Case No. 2021-0202-CE
Sunoco No. 0651-9128
355 Telegraph Road, Rising Sun
Cecil County, Maryland
Facility I.D. No. 2823

Dear Ms. Kistler:

The Maryland Department of the Environment's (MDE) Oil Control Program (OCP) completed a review of the registration file for the underground storage tanks (USTs) at the above-referenced high-risk groundwater use area property. In February 1997, the active gasohol UST system was installed on site, which included one 12,000-gallon tank and one 10,000-gallon tank. Currently, there are three groundwater monitoring wells on site that were installed in accordance with Code of Maryland Regulations (COMAR) 26.10.02.03-4 and a transient non-community drinking water supply well.

On November 4, 2020, OCP received the *2020 High Risk Groundwater Use Area Groundwater Monitoring Report* dated October 27, 2020. The monitoring well network and the on-site drinking water supply well were sampled August 26, 2020. Benzene was detected at concentrations of 40.6 and 546 parts per billion (ppb) in monitoring wells MW-1 and MW-3, respectively, which exceed the 5 ppb standard. Methyl tertiary-butyl ether (MTBE) was detected in MW-3 at a concentration of 28.6 ppb, which exceeds the 20 ppb standard. All sampling results for the drinking water supply well were non-detect for petroleum constituents. The sampling event was conducted on August 26, 2020 and the results were provided to MDE in a report dated October 27, 2020. In response to these findings and delayed reporting by Sunoco, MDE required the collection of confirmatory samples from monitoring wells MW-1, MW-2, MW-3, and the on-site drinking water supply well.

The confirmatory samples were collected on November 6, 2020. The analytical results for the confirmatory samples exhibited concentrations of the following petroleum constituents: benzene in MW-1 and MW-3 ranging from 23.9 to 315 ppb, which exceed the 5 ppb standard; and MTBE in MW-3 at 20 ppb, which is equivalent to the 20 ppb standard. The groundwater samples collected from MW-2 were either at or below the notification standards and the on-site drinking water supply well was non-detect for petroleum constituents.

The MDE finds that Sunoco LP/ Evergreen Resources Group, LLC is in violation of the following COMAR citation:

- Failure to report the detection of levels of concern in accordance with COMAR 26.10.02.03-5B(1), which states: “If the concentrations of gasoline constituents in site groundwater sampling and testing required by this chapter are equal to or greater than the levels of concern as defined in Regulation .03B of this chapter (benzene at 5 parts per billion (ppb); toluene at 1,000 ppb; ethylbenzene at 700 ppb; xylenes at 10,000 ppb; and/or MTBE at 20 ppb), the owner shall report the concentrations to the Department within 24 hours.”

On November 23, 2020, OCP’s Compliance Division conducted an initial review of the UST system and did not find evidence of an active or ongoing release. Compliance testing was performed on June 30, 2020, including line tightness testing, leak detector testing, automatic tank gauge (ATG) testing, helium testing, and pressure decay testing. Catchment basin testing was performed on August 11, 2020. The June 30 and August 11, 2020 test records, along with interstitial monitoring for both USTs from August 2018 through August 2020 were reviewed by the Compliance Division and are in a passing status.

Based on the property’s location in a high-risk groundwater use area served by a drinking water supply well and the available information reviewed for this case, MDE requires the following:

- 1) Perform an updated sensitive receptor survey to identify all drinking water supply wells (i.e., domestic, non-community/community water supply, agricultural) within a half-mile radius of the subject property and plot on a U.S. Geological Survey map or scaled street map. Since the site is in a mixed-use area served by drinking water supply wells and public water, MDE suggests directing your inquiries to the Cecil County Health Department and the Cecil County Department of Public Works. Submit the required information to OCP **no later than March 1, 2021**.
 - a) Annotate the 660-ft. (1/8-mile), 1,320-ft. (1/4-mile), and 2,640-ft. (1/2-mile) radii;
 - b) Provide a summary table of well data including, at a minimum: property address, owner name and address, well tag ID, total depth of well, casing depth, screen depth, and current status of well usage;
 - c) Review well completion reports and evaluate whether on-site conditions could potentially impact any off-site drinking water supply wells in the area;
 - d) Submit documentation of which supply wells are historic and have been abandoned;
 - e) For properties served by public water, provide confirmation of this connection in the summary table (this can include confirmation from either Cecil County Water and Sewer authority or the Chester Water Authority of properties that receive a water bill);
 - f) Submit copies of notes documenting field reconnaissance performed to verify presence/absence of wells; and
 - g) Provide written documentation of your findings and the list of persons contacted.
- 2) **No later than March 1, 2021**, begin quarterly (every 3 months) gauging and sampling of the monitoring well network and the tank field monitoring pipes. All samples collected must be analyzed for full-suite volatile organic compounds (VOCs), including fuel oxygenates and naphthalene, using EPA Method 8260 and total petroleum hydrocarbons - diesel and gasoline range organics (TPH-DRO and TPH-GRO) using EPA Method 8015.

- 3) **No later than March 1, 2021**, begin quarterly sampling of the on-site drinking water supply well. All samples collected must be analyzed for full-suite VOCs, including fuel oxygenates and naphthalene, using EPA Method 524.2.
- 4) All groundwater and private drinking water data collected must be submitted in quarterly reports detailing the results of gauging and sampling events no later than 45 days following sample collection.
- 5) Following completion of one full year of enhanced monitoring the OCP will evaluate the status of this case.

This letter is not a waiver or limitation of MDE's right to take enforcement or other action in the future based upon contamination at and around the site. The MDE and State of Maryland retain all authority and rights to see all available relief, including equitable relief and damages of any nature, such as compensatory and natural resource damages, for contamination at and around the site.

If you have any questions for the Compliance Division, please contact Michael Jester at 410-537-3024 (michael.jester@maryland.gov). If you have any questions for the Remediation Division, please contact Lindley Campbell at 410-537-3387 (lindley.campbell1@maryland.gov), or me at 410-537-3499 (susan.bull@maryland.gov).

Sincerely,



Susan R. Bull, Eastern Region Supervisor
Remediation Division
Oil Control Program

cc: Mr. Eric Shertzer, Regional Operations Manager, EnviroTrac Ltd.
Mr. Calvin Bonenberger, Town Administrator, Rising Sun
Mr. Ed Arellano, Director of Environmental Health, Cecil County Health Dept.
Mr. Saeid Kasraei, Program Manager, Water Supply Program
Ms. Lindley Campbell, Case Manager, Remediation Division, Oil Control Program
Mr. Andrew B. Miller, Chief, Remediation Division, Oil Control Program
Mr. Christopher H. Ralston, Program Manager, Oil Control Program