



State of Utah

GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

Department of  
Environmental Quality

Amanda Smith  
Executive Director

DIVISION OF ENVIRONMENTAL  
RESPONSE AND REMEDIATION

Brent H. Everett  
Director

FILE COPY

SCANNED

DERR - 2011-001462

ERRL-0010-11

January 13, 2011

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Craig Larson, President  
Top Stop Convenience Stores  
2046 East Murray-Holladay Road, Suite 200  
Salt Lake City, Utah 84117

Re: Notice of Approval to Proceed with the Public Notification Process  
Top Stop C-4, located at 15 South Main Street, Gunnison, Utah  
Facility Identification No. 2000220, Release Site MHB

Dear Mr. Larson:

The Division of Environmental Response and Remediation (DERR) has completed its initial review of the Corrective Action Plan Addendum (CAP) prepared by Wasatch Environmental and submitted to us on November 18, 2010 for the above-referenced facility.

You may now proceed with the public notification process as proposed, or as modified by the following instructions:

1. Provide notice to the potentially affected public in both the construction area and the treatment area, if they are at different geographical locations;
2. Provide notice to the local Health Department and submit documentation of their approval for your proposed cleanup activities;
3. Obtain any necessary permits or approvals from other agencies, including regulatory and local governments. Work must be done in accordance with ALL applicable local, State and Federal rules and regulations, including zoning and permit requirements. Please submit the resulting documentation; and,
4. The following issues and comments have been provided by DERR staff and must be addressed prior to final approval of the CAP.
  - a. Additional groundwater monitoring wells are required to define the extent of the groundwater plume between the release site and MW-27. Monitoring well

195 North 1950 West • Salt Lake City, UT  
Mailing Address: P.O. Box 144840 • Salt Lake City, UT 84114-4840  
Telephone (801) 536-4100 • Fax (801) 359-8853 • T.D.D. (801) 536-4414

[www.deq.utah.gov](http://www.deq.utah.gov)

Printed on 100% recycled paper

WS-2 has continued to have elevated levels of contamination and the DERR has repeatedly requested the concentration contours be connected. However, your consultant produces concentration maps that do not illustrate a connection between the release site and MW-27. In order to demonstrate there is not a connection between the two areas, a minimum of two additional monitoring wells are required.

- b. Provide detailed technical specifications and as-built drawings for each individual system, including trench locations, piping runs, fill material details, etc. This requirement is necessary to provide the DERR and all impacted property owners with specific information of what is on each property and exactly where it is located.
- c. Section 7.3 of the CAP, 255 South 100 West Residence states "...the mortgage on the property was paid by Wind River Petroleum from a short time prior to the owners vacating the property until the time the settlement agreement was reached." Please provide detailed documentation as to how the homeowners were compensated for temporary or permanent relocation from the time they were impacted to the present.
- d. The CAP must include a plan to actively address residual soil contamination that is not currently being addressed by the SVE systems due to the rise in water table elevation. Section 2.2 of the CAP, Soil Vapor Extraction (SVE) Systems states "...SVE was the primary remediation technology selected in the Corrective Action Summary Letter of May 9, 2008." The SVE discussion in the May 2008 letter specifically discusses the need to keep groundwater from rising into the unsaturated zone and the difficulty of removing contamination from the capillary fringe. Due to the extremely low water table elevations when the release occurred and the continued higher groundwater levels, it is likely there is residual soil contamination below the water table and an expanded smear zone that needs to be addressed. Additional soil sampling with multiple discreet sampling intervals to define the vertical profile of contamination may aid in determining the amount of residual soil contamination remaining and the need to actively enhance the SVE systems.
- e. The CAP must include a plan to actively address areas with significant residual groundwater contamination. You must include technical specifications, permits required and all other applicable information as detailed in the CAP guide. The additional details also include a discussion of proposed corrective action alternatives and the rationale for selecting a specific technology. Section 14.0 of the CAP, Contingency Plans, only mentions the possibility of an accelerated groundwater remediation process, however the groundwater contamination should not be considered in a contingency plan and needs to be actively addressed as soon as possible.
- f. Section 16.0 of the CAP, Site Restoration, states that "Associated subsurface piping will be terminated below the ground surface, abandoned in place, the

terminations buried.” Due to the nature and the manner in which the systems and SVE piping was installed, these are not typical SVE lines that can just be capped and left in place. Property owners are essentially left with a subsurface concrete wall and each individual property owner should be given an acceptable option as to how the final abandonment of the SVE lines will be handled.

Please provide this office with proof of public notification and the other documentation as described herein within 14 days of your receipt of this letter. Once we have received the additional documentation, we will proceed with the final approval process of your proposed corrective action plan. This approval is solely for starting the public notification/comment process. In the event that significant concerns are raised during this notification process, DERR representatives may need to meet with you, your consultant, and the interested public in order to adequately address any concerns that they have expressed regarding the cleanup at your above-referenced release site. In addition to the comments and concerns the DERR has raised in this and other letters, changes to the proposed CAP may be required depending upon the outcome of the public comment period and subsequent meetings.

If you have any questions concerning this matter, please contact Morgan Atkinson, your DERR Project Manager, at (801) 536-0052.

Sincerely,



Brent H. Everett, Executive Secretary (UST)  
Utah Solid and Hazardous Waste Control Board

BHE/MPA/sbw

cc: Bruce Costa, Ph.D., Director, Central Utah Public Health Department  
John Chartier, District Engineer, Utah Department of Environmental Quality  
Les Penington, Wasatch Environmental  
Lori Nay, Gumison City  
Lance Hess, ESCM Resources  
Frank DeRosso, RMEC Environmental