



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
IDAHO OPERATIONS OFFICE
1435 North Orchard Street
Boise, Idaho 83706

December 5, 2012

VIA FIRST CLASS MAIL and ELECTRONIC MAIL

Joe Fassio, PG
Geologist
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Portland, Oregon 97224
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Subject: Unilateral Administrative Order, EPA Docket No. RCRA-10-2013-0040
Modification of Statement of Work
Approval with Conditions of Scope of Work Addendum
Hunt Oil Facility, 170 Riverfront Road, Orofino, Idaho

Dear Mr. Fassio:

During our conference call on Monday, December 3, 2012, we discussed the work to be conducted under the Unilateral Administrative Order (UAO) issued by the United States Environmental Protection Agency (EPA) in Docket No. RCRA-10-2013-0040. The conference call was requested by three of the Respondents to UAO, Gary Cantrell, Zella Cantrell and Hunt Oil as their opportunity to confer prior to the December 6, 2012, effective date of the UAO. The fourth Respondent to the UAO, Atkinson Distributing, Inc. did not request an opportunity to confer with EPA and did not participate during our conference call.

The Scope of Work Addendum (Addendum) dated November 27, 2012, is approved by EPA subject to the conditions set forth below. EPA is also hereby modifying the Statement of Work (SOW) which is Appendix A to the UAO. This approval and modification letter is provided in accordance with Paragraphs A and B of Section XI of the UAO.

The following conditions pertain to approval of the Addendum:

1. Any temporary stockpile of excavated soil prior to transportation to an acceptable landfarm or disposal site will be protected using best management practices (BMPs), including the use of an impermeable bottom lining and top cover and the creation of a berm to prevent run-on of precipitation water and run-off of leachate. Any temporary stockpiling of soil to last longer than one week prior to transportation of the soil to an acceptable landfarm or disposal site will require prior approval by EPA, BMPs and a monitoring plan approved in advance by EPA;
2. The reuse of excavated soil will only be allowed if approved in advance by EPA with such approval to be primarily based on whether the concentrations of constituents in the soil are below the applicable residential use screening levels established under Idaho State law in the Idaho Administrative Procedure Act, IDAPA 58.01.24;

3. The transport of contaminated soil to a landfarm site located on property owned by the Cantrells or any other site within Idaho that is not currently permitted will only be allowed if this approach is approved in advance by the Idaho Department of Environmental Quality;
4. EPA still needs to be provided with details pertaining to the qualifications for the proposed contractors and subcontractors in advance of their anticipated work; and
5. The installation of additional monitoring wells is addressed as part of the modifications to the SOW provided below.

The following modifications pertain to the referenced portions of the SOW:

Task 2 – During the opportunity to confer conference call, EPA was informed that in preparation for the upcoming soil removal work there has been abandonment of groundwater monitoring wells MW-2, MW-3 and MW-4. There must continue to be weekly groundwater monitoring of wells MW-5 and MW-6, and weekly removal of LNAPL, if found, from these wells.

Task 3.3 – With the exception of naphthalene, laboratory testing will not need to include analysis for polynuclear aromatic hydrocarbons (PAHs).

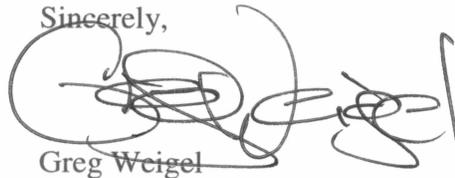
Task 3.4, Task 3.5, Task 3.6 – In-situ chemical oxidation will be conducted as provided in the Addendum and SOW, but it will not be necessary to perform air sparging and associated air monitoring prior to the chemical oxidation work.

Task 4 – The necessity of installing additional monitoring wells and continued monitoring of existing wells will be determined at a later time by EPA. This determination may take into account testing information from the soil and groundwater work.

Schedule – The installation of additional monitoring wells, if determined to be necessary by EPA, will be undertaken in accordance with a schedule approved or provided by EPA.

All other aspects of the SOW remain in effect as stated therein. EPA looks forward to compliance with the UAO. Please call me if you have any questions.

Sincerely,



Greg Weigel
Federal On Scene Coordinator

cc: Richard Mednick, Esq., EPA
Robie G. Russell, Esq., legal counsel for Gary Cantrell, Zella Cantrell and Hunt Oil
Caren R. Adams, registered agent for Atkinson Distributing, Inc.
Kevin Brackney, Nez Perce Tribe