

R Method  
!!!60 Foothill Ave.  
Gilroy CA 95020

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# Regional water quality control board

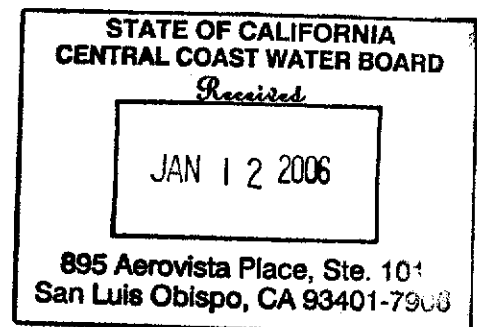
January 6 2006

Roger Briggs

I recently read in the Gilroy Dispatch that the Central Coast Regional Water Board is accepting comments on a proposal to stop water delivery to residents who's wells tested below 6 parts per billion of perchlorate contamination in the San Martin area. We have been a homeowner in this area for thirtythree years. We have raised four children who are now adults. Two have recently been diagnosed whit thyroid problems that requires daily medication my wife and I have no history of this illness in our families. It seems to me that more time is needed to study the long term effects perchlorate has on people. Keep in mind that before olin contaminated our water supply there was no need to buy bottled water. Our family is not convinced that the standards established by the state are safe over and extended time frame. I can't help but think back to the gasoline additive m.t.b. that was also supposed to be safe. The bottom line is that before olin contaminated our water supply we had clean water. I feel strongly that olin should supply free bottled drinking water until they remove all the pechlorate from our water supply.

Robert method

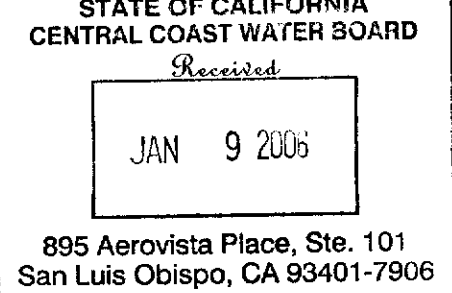
*Robert method*



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Item No. 19 Attachment 2  
Olin Resolution R3-2006-0014  
Feb. 9-10, 2006 Meeting

Mr. & Mrs. Dale Jelsema  
1045 Malo Court  
Gilroy, CA 95023



January 4, 2006

Mr. Roger Briggs, Executive Officer  
Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401

Dear Mr. Briggs,

I am writing to protest Olin Corporation's plan to stop supplying bottled water to those of us whose wells are contaminated by the perchlorate for which they are responsible.

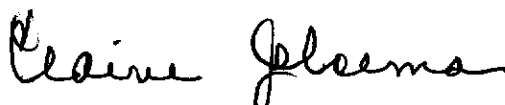
In February, 2003, Olin stated that it accepted responsibility for the contamination and according to California state law, is to pay for the results of the pollution and its clean-up. At first, Olin cooperated, but over time they have clammed up and are back-peddling on their promise.

The EPA set 1 ppb as a limit, and California had set 4 ppb as a limit. Now the State Water Resources Control Board (in it's questionable wisdom) has set 6 ppb as a limit, and has told Olin that it need not provide water to people whose wells test at or below that figure. Where did they come up with that number? The truth is that no one knows what a safe limit is.

The 6 ppb is merely an arbitrary figure and Olin is choosing to hide behind it and renege on their promise to provide clean water to us. They now will not have to provide water and will not have to clean up the water source for those of us whose wells test below 6 ppb. That is a mockery of justice to all of us. The two wells which serve the five families in our area tested at 5.7 and 5.9. Because someone at the State Water Board decided 6 was a good number, we will have to pay for bottled water most likely forever, since we can't afford to install a decontamination system if one is invented.

We didn't poison our water—Olin did. We should not have to pay to drink clean water—Olin should. Our water was not polluted before Olin contaminated it. Olin is the company which knowingly dumped perchlorate into our water source and they have the moral and ethical responsibility to pay the price for their imprudent and irresponsible actions. Please override the State Water Resources Control Board.

Sincerely,



(Mrs.) Elaine Jelsema

**From:** "Cheng, Carony W." <CWCheng@duanemorris.com>  
**To:** <DAthey@waterboards.ca.gov>  
**Date:** 1/13/2006 10:40:38 AM  
**Subject:** Perchlorate - Comments re Draft Resolution No. R3-2006-0014, Cessation of Alternative Water Supply to 78 Well Water Users, 425 Tennant Ave. Facility, Santa Clara Co.

Dear Mr. Athey:

Attached hereto is a letter from Colin Pearce concerning the above-referenced matter. Should you have any questions or concerns, please do not hesitate to contact Mr. Pearce at 415/371-2215 or Richard Franco at 415/371-2271.

<<ltr to Athey.pdf>>

Thank you,

Carony Cheng  
Legal Assistant to Colin L. Pearce  
For DUANE MORRIS, LLP  
One Market, Spear Tower, Suite 2000  
San Francisco, CA 94105-1104  
Direct: 415.371.2252  
Main: 415.371.2200  
Fax: 415.371.2201

Email: cwcheng@duanemorris.com

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**CC:** <tmohr@valleywater.org>, <amy.wachs@Husch.com>, <SHoch@HatchParent.com>, <Eric.Nichols@lfr.com>

COLIN L. PEARCE  
DIRECT DIAL: 415.371.2215  
E-MAIL: CLPearce@DuaneMorris.com

www.duanemorris.com

January 13, 2006

VIA EMAIL AND U.S. MAIL

Mr. David Athey  
California Regional Water Quality Control Board  
Suite 101  
895 Aerovista Place  
San Luis Obispo, CA 93401

Re: Comments re Draft Resolution No. R3-2006-0014, Cessation of Alternative Water Supply to 78 Well Water Users, 425 Tennant Avenue Facility, Santa Clara County

Dear Mr. Athey:

We represent more than one hundred San Martin homeowners whose wells are contaminated with perchlorate. Seventeen of our clients own properties served by wells identified in Draft Resolution No. R3-2006-0014-Approval of the Cessation of Alternative Water Supply (the "Draft Resolution"). Our affected clients are identified by State well number and street address on Exhibit A to this letter. On behalf of our clients, we oppose the discontinuation of alternative water service (i.e. bottled water) to the seventeen properties served by the well numbers listed on Exhibit A. We request that the Regional Board consider the following in connection with the Draft Resolution.

1. It is premature and inappropriate to discontinue bottled water delivery to well users when Olin has not yet characterized the perchlorate plume, as ordered by the Regional Board. All of the properties listed on Exhibit A have tested positive for perchlorate at varying concentrations over the past 3 years. Moreover, no background level of perchlorate, if any, has been established and no regulatory cleanup level has been established. Until these steps have been accomplished, it is premature to discontinue the alternative water supply to well users.

In addition, the Draft Resolution includes as one of its findings that "a majority of wells are located outside the main plume area..." However, since Olin is still in the process of characterizing the plume, it is unclear what is meant by "the main plume area," and that term is not defined in the Draft Resolution. It is unclear what, if any, weight was given to the determination that "a majority of wells are located outside the main plume area," and we request clarification on this point.

DUANE MORRIS LLP

ONE MARKET, SPEAR TOWER, SUITE 2000 SAN FRANCISCO, CA 94105-1104

PHONE: 415.371.2200 FAX: 415.371.2201

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LONDON  
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Mr. David Athey  
January 13, 2006  
Page 2

2. There is a great deal of variability in the perchlorate concentrations among the test results for our clients' wells. For example:

(a) The perchlorate sampling for 475 Middle Avenue includes results of 2.3 ppb (7/03), 1.8 ppb (8/04), ND (using MDL of 1.4 ppb) (11/04), 3.5 ppb (6/05) and most recently 4.4 ppb (11/05). The trend for this well is increasing concentrations of perchlorate, yet this property would be cut off from bottled water under the Draft Resolution.

(b) The perchlorate sampling for 12365 Foothill Avenue includes results of 4.4 ppb (7/03), 3.6 ppb (8/04), ND (using MDL of 1.4 ppb) (2/05), 3.2 ppb (6/05) and 4.1 ppb (8/05).

(c) The perchlorate sampling for 1645 Jaffe Lane includes results of 2.1 ppb (7/03), 2.6 ppb (8/04), ND (using MDL of 1.4 ppb), and 3.6 ppb (11/05).

All of our clients' wells listed on Exhibit A have had more than one detection of perchlorate. Given the wide fluctuation in perchlorate results as reflected in Exhibit A, the provision of bottled water to the affected property owners should continue. Olin, rather than the well owners, should bear the risk that perchlorate levels will fluctuate to 4 ppb or higher.

3. Despite having four consecutive quarters of <4 ppb, perchlorate has been detected in significant quantities in all of the wells in question. Five of the properties already have had perchlorate results in excess of 4 ppb (the highest being 5.3 ppb), with six additional properties testing at 3.5 ppb or higher. The following properties have at least one result in excess of 4 ppb:

- (a) 12365 Foothill Avenue
- (b) 475 E. Middle Avenue
- (c) 12315 Harding Avenue
- (d) 14375 Sycamore Avenue
- (e) 12995 Center Avenue

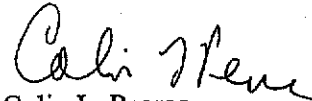
At a minimum, bottled water should continue for each property with at least one perchlorate result in excess of 4 ppb. Laboratory data for each of the sample results in excess of 4 ppb are enclosed, and we will provide any additional data or information upon request.

DuaneMorris

Mr. David Athey  
January 13, 2006  
Page 3

If you have any questions, please contact me or Rick Franco of this office.

Sincerely



Colin L. Pearce  
For DUANE MORRIS, LLP

CLP/cwc  
Enclosure

cc: Thomas Mohr, Santa Clara Valley Water District (via email: tmohr@valleywater.org)  
Amy Wachs, Husch & Eppenberger (via email: amy.wachs@Husch.com)  
Steven Hoch, Hatch & Parent (via email: SHoch@HatchParent.com)  
Eric Nichols, LFR Levine Fricke (via email: Eric.Nichols@lfr.com)

SF87364.1

SAMPLED WELLS WITH PERCHLORATE RESULTS (PPB)

PROPERTY AFFECTED	CITY	State Well #s	DPPA/CAL 7/2003	DPPA/CAL 10/11/2003	DPPA/CAL 4/3/2004	DPPA/CAL 8/2004	SEO/MAC/TEC 8/2004	DPPA/CAL 9/2004	SEO/MAC/TEC 9/2004	DPPA/CAL 11/2004	SEO/MAC/TEC 11/2004	DPPA/CAL 12/29/2004	SEO/MAC/TEC 1/6/2005	DPPA/CAL 2/22/2005	SEO/MAC/TEC 2/22/2005	DPPA/CAL 6/2005	SEO/MAC/TEC 6/2005	DPPA/CAL 8/2005	DPPA/CAL 9/2005	DPPA/CAL 11/2005
1635 Jaffe Lane	San Martin	10S04E06N014	3.3			3.6	2.6			2.3	2.4			1.8	2.4	1.8	ND	2.2		1.6
1675 Jaffe Lane	San Martin	10S04E06P013	2.5			3.3	2.3			1.4	ND			1	ND	1.5	ND	2.8		1.5
12365 Foothill Avenue	San Martin	10S04E07K001	4.4			3.2	3.6			3.8	3.3			2.6	ND	2.8	2.2	4.1		3
13667 Santa Teresa	San Martin	PL-UNKNOWN-42						1.5		3.7				ND	ND	2.4	2.5	2.7		2.2
14995 Columbet Avenue	San Martin	PL-UNKNOWN-47	ND	2				1.8	3.6	2.5				1.4	2.4	1.7	ND	1.7		1.7
12580 Sycamore Avenue	San Martin	10S03E12G002	3.9			1.7	3.2			2.6	2.5			1.9	2.5	1.1	2.6	2.6		
1135 Manning Court	San Martin	PL-UNKNOWN-57	2.1					1.6	3.2	2.6				1.8	2.6	1.6	ND	1.7		1.8
1960 Church Avenue	Gilroy	10S04E33J001	1.4			1.8				ND				ND	ND	ND	ND			ND
15075 Murphy Avenue	San Martin	09S03E35F007	2.1					1.8		2	2.4			1.8	2.6	2.1	2.6	2.1		1.9
475 East Middle Avenue	San Martin	09S03E35P014	2.3			1.8				1	ND			1.2	3.3	3	3.5	3.1		4.4
12315 Harding Avenue	San Martin	10S03E14B005			3.1	4.5	3.2			3	3.5			2.1	2.6	2.3	2.6	3.5		2.6
1645 Jaffe Lane	San Martin	10S04E06N007	2.1			2.3	2.6			1.9	2.3			1.5	2.3	1.5	ND	1.9		3.6
14375 Sycamore Avenue	San Martin	09S03E35R020			3.8	4.5	3.9			2.3	3			2.4	3.2	3.3	3.9	3.1		3.1
12425 Foothill Avenue	San Martin	10S04E07F017	2.5			1.5	2.3			ND				1	ND	1.1	ND	1.3		1.3
15255 Murphy Avenue	San Martin	09S03E35D004	3.4			1.9	3.1			1.8	3			2.5	3.3	3.5	3.6	3.2		2.7
12995 Center Avenue	San Martin	PL-UNKNOWN-89	3.4					2.7	3.9	5.3				2.2	2.8	2.3	2.9	3.1		2.8
690/700 Fisher Avenue	San Martin	PL-UNKNOWN-32	ND	0.59				1.1	2.4	ND				0.76	ND	0.8	ND			

**ANALYTICAL REPORT**

DPRA, Inc.  
 100 East San Marcos Blvd.  
 Suite 308  
 San Marcos, CA 92025

Date Received: 07/15/03  
 Work Order No: 03-07-0664  
 Preparation: N/A  
 Method: EPA 314.0

Project: 1332

Page 1 of 4

Client Sample Number	Lab Sample Number	Date Collected	Matrix	Date Prepared	Date Analyzed	QC Batch ID
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12365 FOO	03-07-0664-8	07/12/03	Aqueous	N/A	07/16/03	030715L01
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Parameter	Result	RL	DF	Qual	Units
Perchlorate	4.4	2.0	1		ug/L

RL - Reporting Limit    DF - Dilution Factor    Qual - Qualifiers





DPRA, Inc.  
 100 East San Marcos Blvd.  
 Suite 308  
 San Marcos, CA 92069

Date Received: 08/30/04  
 Work Order No: 04-08-1656  
 Preparation: N/A  
 Method: EPA 314.0

Project: 1332

Page 1 of 2

Client Sample Number	Lab Sample Number	Date Collected	Matrix	Date Prepared	Date Analyzed	QC Batch ID
12315HARD	04-08-1656-2	08/25/04	Aqueous	N/A	09/03/04	040803100

Parameter	Result	RL	DF	Qual	Units
Perchlorate	4.5	2.0	1		ug/L

RL - Reporting Limit , DF - Dilution Factor , Qual - Qualifiers



**Analytical Report**



DPPA, Inc.  
 100 East San Marcos Blvd.  
 Suite 308  
 San Marcos, CA 92069

Date Received: 08/06/04  
 Work Order No: 04-08-0333  
 Preparation: N/A  
 Method: EPA 314.0

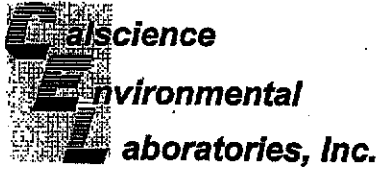
Project: 1332

Page 2 of 3

Client Sample Number	Lab Sample Number	Date Collected	Matrix	Date Prepared	Date Analyzed	QC Batch ID
14375SYCA	04-08-0333-10	08/04/04	Aqueous	N/A	08/17/04	040810L02

Parameter	Result	RL	DF	Qual	Units
Perchlorate	4.5	2.0	1		ug/L

RL - Reporting Limit , DF - Dilution Factor , Qual - Qualifiers



**Analytical Report**



DPRA, Inc.  
 100 East San Marcos Blvd.  
 Suite 308  
 San Marcos, CA 92069

Date Received: 11/12/04  
 Work Order No: 04-11-0800  
 Preparation: N/A  
 Method: EPA 314.0

Project: 1332

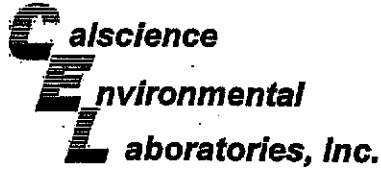
Page 3 of 3

Client Sample Number	Lab Sample Number	Date Collected	Matrix	Date Prepared	Date Analyzed	QC Batch ID
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2995 GEN	04-11-0800-10	11/12/04	Adipic acid	N/A	11/12/04	04-11-0800
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Parameter	Result	RL	DF	Qual	Units
Perchlorate	5.3	2.0	1		ug/L

RL - Reporting Limit    DF - Dilution Factor    Qual - Qualifiers



Analytical Report



DPRA, Inc.  
 100 East San Marcos Blvd.  
 Suite 308  
 San Marcos, CA 92069-2989

Date Received: 08/31/05  
 Work Order No: 05-08-1942  
 Preparation: N/A  
 Method: EPA 314.0

Project: 1332

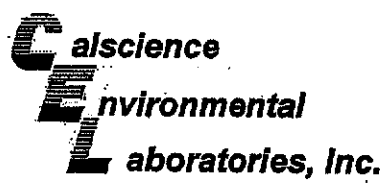
Page 1 of 3

Client Sample Number	Lab Sample Number	Date Collected	Matrix	Date Prepared	Date Analyzed	QC Batch ID
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12365F001	05-08-1942	08/30/05	Aqueous	N/A	08/01/05	0609011803
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Parameter	Result	RL	MDL	DF	Qual	Units
Perchlorate	4.1	2.0	0.59	1		ug/L

RL - Reporting Limit , DF - Dilution Factor , Qual - Qualifiers



Analytical Report



DPRA, Inc.  
100 East San Marcos Blvd.  
Suite 308  
San Marcos, CA 92069-2989

Date Received: 11/09/05  
Work Order No: 05-11-0569  
Preparation: N/A  
Method: EPA 314.0

Project: 1332

Page 1 of 3

Client Sample Number	Lab Sample Number	Date Collected	Matrix	Date Prepared	Date Analyzed	QC Batch ID
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475-EM-B	05-11-0569-6	11/09/05	Water	N/A	11/09/05	06113400
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Parameter	Result	RL	MDL	DF	Qual	Units
Perchlorate	4.4	2.0	0.59	1		ug/L

RL - Reporting Limit , DF - Dilution Factor , Qual - Qualifiers

COMMITTEES  
 CHAIR, BUDGET  
 JUDICIARY  
 LABOR & EMPLOYMENT  
 NATURAL RESOURCES

Assembly  
 California Legislature

JOHN LAIRD  
 ASSEMBLY MEMBER, TWENTY-SEVENTH DISTRICT



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 SACRAMENTO, CA 94249-0027  
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 FAX (916) 319-2127

DISTRICT OFFICES  
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 SANTA CRUZ, CA 95060  
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 99 PACIFIC STREET, SUITE 555-D  
 MONTEREY, CA 93940  
 (831) 649-2832  
 (408) 782-0647  
 FAX: (831) 649-2935

January 13, 2006

Roger W. Briggs, Executive Officer  
 Regional Water Quality Control Board  
 895 Aerovista Place, Ste. 101  
 San Luis Obispo, CA 93401

**RE: Resolution No. R3-2006-0014**

Dear Mr. Briggs:

I appreciate the opportunity to comment on Resolution No. R3-2006-0014, Cessation of Alternative Water Supply to 78 Well Water Users, 425 Tennant Avenue Facility, Santa Clara County.

Under this resolution, the residents served by 78 wells will no longer receive replacement drinking water. While this change is precipitated by recent monitoring of the perchlorate plume, I am concerned that the proposed resolution does not specifically require continued monitoring of 72 of the 78 affected wells. Only six of the wells are subject to continued monitoring due to their proximity to other wells testing above the 6 parts-per-billion Public Health Goal (PHG)<sup>1</sup>. Despite the lack of a full characterization of the groundwater, the remaining wells are not subject to this order.

As is widely known, Water Quality Order 2005-0007 set the "trigger level" for alternative water supply at 6ppb. While the law requires the Office of Environmental Health Hazard Assessment to take into account an "adequate margin of safety" in determining the PHG,<sup>2</sup> it does not necessarily look at the risks involved with a changing and dynamic groundwater basin system. The 72 wells that are of concern may have recently tested below the PHG, but the nature and extent of the contamination are still uncertain.

A number of the subject wells lie within the main area of the projected perchlorate plume. While most of wells are more than 500 feet from the nearest well in which perchlorate has exceeded the PHG, staff from the Santa Clara Valley Water District have publicly stated that groundwater in the Llagas Subbasin moves about 3 feet per day. As this equates to an estimated 1,000 feet of movement per year, the 500 foot criterion set as a boundary for health and safety concerns appears to be unrelated to the dynamic nature of perchlorate movement towards drinking water wells.

Additionally, the required Llagas Subbasin Characterization Report is not due until March 30, 2006.<sup>3</sup> Therefore, even a first step at a comprehensive view of the groundwater basin hydrology and movement is months away from completion. Even the anticipated results of the

<sup>1</sup> Water Quality Order (WQO) 2005-0007

<sup>2</sup> California Health and Safety Code Section 116365(a)(1)

<sup>3</sup> Cleanup or Abatement Order (CAO) R3-2005-0014

Characterization Report, while informative, will not provide guarantees as to whether the perchlorate contamination will move toward the wells currently under petition.

Because of these uncertainties, I ask that your Board consider adding a monitoring requirement to any approval to stop alternative water supply to a well-user. WQO 2005-0007 and CAO R3-2004-0101 require consecutive testing leading up to a petition to end alternative water supply. But this does not protect individuals from future contamination. In the interest of protecting the public, WQO 2005-0007 even states:

Nothing in this Order shall be read to prevent a regional water board from issuing a water replacement order directing future actions preparatory to providing timely replacement water in the event that the appropriate standard is met or exceeded in the future...Where water quality data exhibits trends indicating the likelihood of future exceedances, it is prudent and appropriate for regional water boards to take such action before actual well exceedances occur.

The State Water Resources Control Board has determined that regional boards have the authority and duty to ensure that proper monitoring is in place to quickly provide alternative water supply. However, without any monitoring requirements for the 72 wells of concern (as the resolution is currently drafted), the community will not be informed of water quality threats to the affected well owners, nor when alternative water should be re-started.

A comment I made in my May 2, 2005, letter to the State Water Resources Control Board is worth repeating: the lack of a safety net "shifts the burden from the discharger to the residents, who had no role in creating the contamination they are now facing." Therefore, I request that your Board consider adding a continued monitoring requirement for ongoing sampling that adequately addresses concerns about the uncertainty of both the current and future location of the contamination. Such monitoring should extend for a sufficient period of time to ensure that perchlorate concentrations will not again rise to unsafe levels, as judged by your Board's technical staff.

Again, thank you for this opportunity to comment, and please feel free to contact Craig O'Donnell of my staff at 831-649-2832 should any question arise or if I can be of further assistance.

Sincerely,



JOHN LAIRD, Assemblymember  
27<sup>th</sup> Assembly District

JL:co



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FACIMILE (408) 266-0271  
[www.valleywater.org](http://www.valleywater.org)  
AN EQUAL OPPORTUNITY EMPLOYER

January 13, 2006

Mr. David Athey, P.E.  
Senior Water Resources Control Engineer  
Central Coast Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401-5411

Subject: Resolution No. R3-2006-0014, Cessation of Alternative Water Supply to 78 Well Water Users

Dear Mr. Athey:

The Santa Clara Valley Water District appreciates the opportunity to provide comments on the Central Coast Regional Water Board's Draft Resolution No. R3-2006-0014. The Resolution approves Olin Corporation's request to discontinue bottled water supply to the 168 users of water from 78 wells with a minimum of four continuous quarters of perchlorate test results below 4 ppb. In addition, the Resolution requires Olin to continue to monitor six of the 78 wells, based on the six wells' proximity to other wells with perchlorate concentrations above 6 ppb.

We have reviewed the perchlorate test records that Olin has submitted to the Regional Board and confirmed that the last four tests in each of the subject wells produced results showing that perchlorate concentrations, if detectable, are less than 4 parts per billion. Therefore, we agree with the Regional Water Board's conclusion that discontinuing bottled water supply to the users of the 78 wells is consistent with the State Water Board Order WQ 2005-0007 and Regional Water Board Order No. R3-2004-0101. We have concerns, however, with how the monitoring requirements in Attachment A of WQO 2005-0007 are being applied, the lack of monitoring for wells in and near the plume, and the uncertainty of private well monitoring requirements related to discontinuing replacement water and reinstating or initiating replacement water.

Attachment A of WQO 2005-0007 specifies different monitoring requirements for wells in the 5.0 to less than 6.0 ppb perchlorate range, the 4.0 to less than 5.0 ppb range, and with perchlorate concentrations less than 4.0 ppb within 500 feet of wells that have had a 6 ppb result. Attachment A specifies that the requirements for wells with perchlorate concentrations less than 4.0 do not apply to "wells that were previously in the sampling programs in the above two ranges." Olin compared all of the 78 subject wells to the less than 4.0 category. However, 13 of the 78 wells recommended for termination of bottled water service have had detections at or above 4 ppb in tests performed one and a half to three years ago. These wells should be assigned to the first and second categories (at and above 4 ppb) based on their historical sampling results and monitored accordingly. The subject Resolution only requires that two of the 13 wells with past results at or above 4 ppb be monitored.

Several of the 78 wells appear to be located within the plume, based on the map attached to Olin's September 15, 2005 request to terminate bottled water. We believe that continued



Mr. David Athey  
Page 2  
January 13, 2006

monitoring is warranted in some of the wells, depending on ongoing perchlorate conditions in nearby wells. The apparent migration rate of plume, based on the 10-mile long plume length and the 50 years since Olin began operations at Tennant Avenue, is on the order of 3 feet per day. In a year, perchlorate could migrate more than 1,000 feet. Fortunately, Olin's data as of the 3<sup>rd</sup> Quarter 2005 show an apparent decreasing trend in most of the monitored wells. However, plume characterization is incomplete and the plume response to different hydrologic conditions has yet to be determined. Until this work is complete, additional monitoring of some wells within the plume is warranted.

We acknowledge the level of effort that both Olin and the Regional Water Board are putting into the private well monitoring program. However, aspects of the monitoring requirements are unclear. It is unclear whether monitoring requirements are based on the most recent data, the highest concentration detected, or trends in individual wells. It is also unclear if monitoring requirements vary depending on the purpose of the monitoring. WQO 2005-007 specifies monitoring requirements related to replacement water and the conditions under which monitoring of wells subject to replacement water may be discontinued. However, Regional Water Board Monitoring and Reporting Program No. 2001-161 requires Olin to monitor all offsite domestic, agricultural, and municipal wells with previous detections between 2 and 4 ppb on a quarterly basis. This is in conflict with WQO 2005-007. Lastly, it appears that Olin is not formally required to monitor water supply wells with unknown concentrations (untested wells) or concentrations above 4 that are not being considered for replacement water termination.

The State Water Board, in the findings of WQO 2005-0007, stated that nothing in the Order prevents a regional water board from directing future actions preparatory to providing timely replacement water in the event that the 6 ppb trigger level is met or exceeded in the future. The Regional Water Board reiterates this concept in the subject Resolution. We believe that the community would be well-served by a single, clear statement of monitoring requirements for private wells.

While we're satisfied that the requirements for terminating bottled water deliveries outlined in the State Water Board's Order have been met, we wish to emphasize the need for RWQCB staff to remain vigilant in analyzing changing conditions to ensure that residents who rely on private wells remain protected from exposure to concentrations of perchlorate determined by the State of California to be potentially unhealthy.

Should you have any questions regarding our recommendations, please contact Ms. Tracy Hemmeter at (408) 265-2607, extension 2647, or me at extension 2051.

Sincerely,



Thomas Mohr, P.G., E.G., H.G.  
Perchlorate Project Manager