



April 2000

PROPOSED SMALL PARTY SETTLEMENT NETS \$27 MILLION FOR CASMALIA WORK

This fact sheet provides the status of activities at the Casmalia Disposal Site (formerly the Casmalia Resources Hazardous Waste Management Facility), including construction work, the status of U.S. EPA's settlement with 433 *de minimis* parties and the initiation of settlement negotiations with a group of nearly 100 large waste generators that have potential liability at the Site.

CURRENT ACTIVITIES AT THE SITE

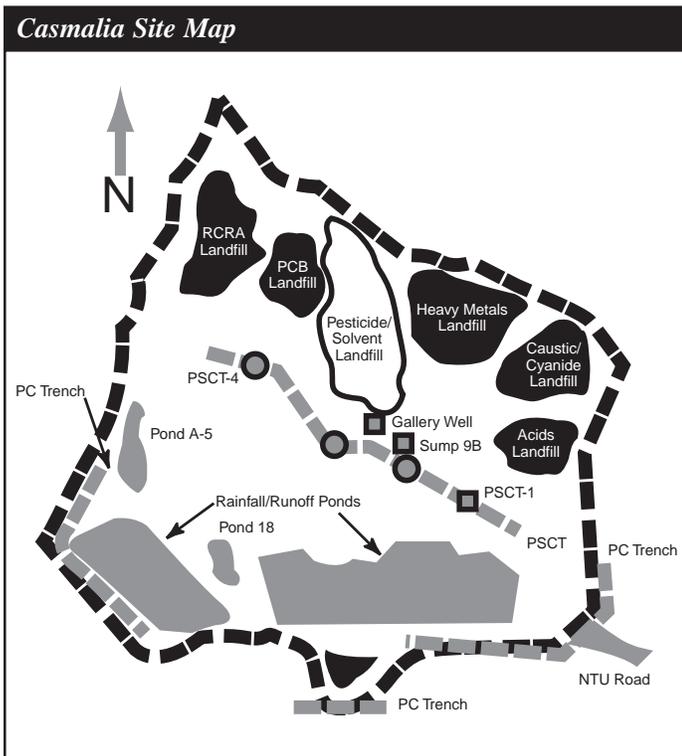
Permanent Landfill Cover System Construction

During the course of last summer, the Casmalia Steering Committee (CSC) constructed the final hazardous waste cover system for the Pesticides/Solvents Landfill (P/S Landfill). The P/S Landfill is considered one of the major groundwater contamination source areas at the Site. The placement of a final cover system over the landfill will prevent rainfall infiltration into the buried wastes and therefore reduce the generation of contaminated groundwater.

The final cover system consists of a two-foot low-permeability foundation layer, an impermeable synthetic high density polyethylene liner, a drainage layer, a two-foot vegetative cover and a biotic barrier placed within the vegetative cover. The purpose of the biotic barrier is to prevent the burrowing animals that are found at the Site from digging down and damaging the impermeable liner.

The construction of the final cover system on the P/S Landfill does not mean that this disposal area is now closed. The cover system is only one part of the final remedy for this landfill. The final remedies for the control and containment of the landfill leachate and the contaminated groundwater plume will be determined in the remedial investigation / feasibility study and the record of decision.

U.S. EPA is currently evaluating the construction work to assure that it meets long-term design specifications. U.S. EPA is already aware of some areas of the final cover system that will require rework. This includes changing surface water drainage channels which did not function properly during the current winter rains and regrading



areas of the final cover to prevent rainfall ponding. All necessary repairs and corrective measures will be implemented after the end of the current winter season.

As part of U.S. EPA's long-term remediation and closure strategy for the Site, additional hazardous waste cover systems will be constructed over the remaining landfills, which will include the areas between the five landfills where former waste evaporation pads were located. The installation of additional hazardous waste cover systems will further reduce the amount of rainwater passing through the contamination within the landfills, thereby reducing the generation and subsequent migration of contaminated groundwater at the Site. The costs of controlling groundwater contamination and the treating, storing and disposing of contaminated liquids are the largest long-term costs at the Site.

Groundwater Monitoring

The CSC is currently evaluating the fourth round of semi-annual groundwater monitoring, which includes water level data from numerous monitoring wells, five on-site ponds and 13 contaminated liquids extraction wells. For the spring 2000 monitoring event, the CSC is installing and sampling an additional six monitoring wells at the Site.

Collection/Treatment/Disposal of Contaminated Liquids

Pursuant to the provisions of the Casmalia Consent Decree, the CSC has been operating existing groundwater extraction facilities at the Site since September 1996. These existing contaminated groundwater extraction facilities are the perimeter plume capture trenches, the central groundwater collection gallery known as the PSCT, the extraction facility south of the P/S Landfill known as Sump 9B and the leachate extraction Gallery Well for the P/S Landfill.

In the past three years over 3.4 million gallons of highly contaminated leachate has been extracted from the P/S Landfill and subsequently treated and disposed. And over 2.6 million gallons have been extracted from Sump 9B. In all over the past three years, over 31 million gallons of contaminated liquids have been extracted from various locations at the Site for treatment and disposal.

In the coming months, the CSC will be installing a new contaminated liquids treatment system at the Site. The new system will replace the treatment system installed by U.S. EPA during its emergency response activities from 1992 to 1996.



Pesticides/Solvents Landfill Cover Under Construction

Status of Protected Species at Casmalia Disposal Site

U.S. EPA and the CSC are currently working with the U.S. Fish and Wildlife Service and California Department of Fish and Game to determine what preventative measures need to be taken to make sure that the California Red-legged Frogs and the Western Spade-foot Toads will not be affected when the CSC performs Site work. The CSC is conducting weekly surveys of on-site ponds for these species during the rainy season.

CURRENT ENFORCEMENT ACTIVITIES

\$27.6 Million Collected in Cashout Settlement

In 1999, U.S. EPA settled with 433 smaller waste generators (*de minimis* contributors) at the Site. In return for cash payments totaling \$27.6 million, U.S. EPA provided these parties with a full release from liability at the Site. In addition, roughly 200 additional *de minimis* parties have submitted executed signature pages, indicating their willingness to settle with U.S. EPA, pending the Agency's determinations on various issues such as volume correction, Municipal Sewage Sludge/Municipal Solid Waste and Ability-to-Pay claims. These settling parties will be included in a subsequent agreement with U.S. EPA. All proceeds from *de minimis* settlements will fund work at the Site.

On March 15, 2000, U.S. EPA commenced a 30-day comment period on the administrative settlement it entered into with the 433 *de minimis* parties. This comment period will run through April 14, 2000. The pro-



Vegetation Growing on Pesticides/Solvents Landfill Cover

posed settlement and additional background information related to the settlement are available for inspection at the Santa Maria Library (805-925-0994) or U.S. EPA's Superfund Records Center (415-536-2000). Comments should be addressed to:

**The Regional Hearing Clerk
U.S. EPA Region 9, (ORC-1)
75 Hawthorne Street
San Francisco, CA 94105-3901**

and should refer to the Casmalia Disposal Site, Santa Barbara County, CA, U.S. EPA Docket Number 99-02(a).

Now that U.S. EPA is completing its first round of *de minimis* settlements, the Agency is taking a pause to negotiate a settlement with large waste generators before resuming its cashout settlement offers to additional *de minimis* parties.

U.S. EPA Initiates Settlement Negotiations with Large Waste Generators

In February 2000, EPA notified 93 companies and organizations of their potential liability at the Casmalia Disposal Site. As a group, these parties are believed to have contributed approximately 17.5% of the total volume of waste at the Site. U.S. EPA held an informational meeting for these potentially responsible parties on March 7, 2000. U.S. EPA expects to continue discussions with this group of large waste contributors through the summer of 2000. The proceeds from a settlement reached with this group, like settlement proceeds from the *de minimis* settlement, will be used to directly fund the Phase II construction work at the Site, which includes covering the remaining landfills and other highly contaminated areas and constructing the final groundwater remedy.

U.S. EPA's Lawsuit Against Owner(s)/Operator(s) of Casmalia Disposal Site

U.S. EPA continues to prosecute its cost recovery case in federal district court against Casmalia Resources, Casmalia Disposal, and the facility's owners/operators. The government has received several rulings from the bench which bolster its case, including the opinion that U.S. EPA may seek joint and several liability against the owners/operators, and the court has stated that it intends to rule that Casmalia Resources and Hunter Resources are liable.

While continuing the litigation, U.S. EPA and the CSC also are entering into court-approved mediation with the Hunter defendants. The mediator selected by the parties is retired federal district court judge Eugene F. Lynch. If the mediation is successful, any settlement will be recorded in a consent decree that will be open to public comment and subject to court approval.

U.S. EPA's Negotiations with the State of California

U.S. EPA is in active negotiations with the State of California to resolve their potential liability at the Site.

COMMUNITY INVOLVEMENT ACTIVITIES

Community-based Technical Support

As part of the Casmalia Consent Decree, the CSC is funding a Technical Advisor to help the community understand technical aspects of the Site work and to participate in the decision-making process. The Casmalia community group has selected a firm to perform this work.

The independent technical expert reviews site-related documents and explains them to the community. Questions regarding the work of the community group or about the Technical Advisor should be directed to Terri Stricklin at (805) 937-6151.

Community Meeting

Although a date has not been set, the next community meeting is planned for early summer and will be held in the town of Casmalia, if possible. At that time, U.S. EPA representatives will update the community on both Site work and enforcement activities.

Information Repository

An Information Repository (IR) is a place where U.S. EPA provides copies of site-related documents for public review. U.S. EPA's Casmalia Disposal Site IRs are located at:

Santa Maria Library

Second Floor
420 South Broadway
Santa Maria, California 93454
(805) 925-0994
(Limited Document Collection)

U.S. EPA Superfund Records Center

Fourth Floor
95 Hawthorne Street
San Francisco, CA 94105
(415) 536-2000

For Further Information

Please Contact:

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