

1 Q. Okay, continue.

2 A. Trying to catch up where I was at. Okay, I
3 believe I've addressed the footnotes.

4 Certain parties on October 22nd such as the
5 industry committee and Yates Petroleum Corporation, they
6 have recommended to increase the TPH concentration -- TPH,
7 which is total petroleum hydrocarbon, concentrations to
8 5000 milligrams per kilogram, and they've also -- have
9 recommended to decrease the chloride concentration to 3500
10 milligrams per liter. And through their recommendations
11 they have also requested that the 3103, the Water Quality
12 Control Commission, constituents be omitted from the
13 testing requirements.

14 No justification was provided for the recommended
15 changes, so I don't know really how to comment on that.

16 Mr. von Gonten's testimony, he identified a
17 multitude of constituents that were tested during the
18 sampling events. The sampling results shown in his
19 presentation illustrate that TPH and chlorides may be
20 absent while other constituents were detected. So to omit
21 the 3103 constituents would limit OCD's assessment of
22 buried waste.

23 Subparagraph (e). The intent of the proposed
24 provision is to serve two purposes.

25 The first is to locate a deep trench within an

1 appropriate distance of a drying pad or temporary pit.
2 This prevents the accumulation of multiple pits or pads
3 being buried together and allows the surface owner or
4 future owners to determine the proximity of the buried
5 waste after closure. This also prevents surface owners
6 from digging into buried waste material and/or possibly
7 building on top of it, which we had seen in the Westgate
8 scenario.

9 The second is to inform applicant and operators
10 of the design and construction requirements for the deep
11 lined -- or lined deep trench.

12 As you'll notice, in this provision there is an
13 opportunity for the district office to grant administrative
14 approval for alternative distance. This was some comments
15 that were provided by industry to us, their concern of an
16 operator that wouldn't want buried waste to be so close to
17 maybe the proximity of a residence or -- somewhat, or maybe
18 they have a barn or something, and they would suggest that
19 they have a dirt road and they thought since this is always
20 going to be a road, maybe we can dig out this area and put
21 it over here.

22 So we are allowing such considerations with this
23 and allowing the operator to propose an alternative and
24 have the district office consider those alternatives, with
25 the possibility of administrative approval.