

10/19/05 - 04923

Capito, Bonnie P CIV NAVFAC Lant

From: Jackson, Rodger W CIV NAVFAC Lant
Sent: Monday, November 07, 2005 11:05 AM
To: Capito, Bonnie P CIV NAVFAC Lant
Subject: FW: Navy Comments to the OU5 PRAP

CH PT. AR

Rodger W. Jackson, P.E.
NAVFAC Atlantic
NC/Caribbean IPT, Code OPCEV
6506 Hampton Blvd.
Norfolk, Va. 23508-1278
Tel: (757) 322-4589 Fax: (757) 322-4530
Email: rodger.jackson@navy.mil

-----Original Message-----

From: George Lane [mailto:George.Lane@ncmail.net]
Sent: Wednesday, ~~October 19,~~ 2005 7:24
To: Taylor.Dawn@epamail.epa.gov
Cc: William.Friedmann@CH2M.com; Shepherd, David S CIV NAVFAC Lant;
Doug.Bitterman@CH2M.com; Townsend.Gena@epamail.epa.gov;
GeorgeL100@aol.com; jeffrey.christopher@usmc.mil; Jackson, Rodger W CIV
NAVFAC Lant; neville.lawrence@epamail.epa.gov
Subject: Re: Navy Comments to the OU5 PRAP

Bill,
While I agree with the EPA's comments, as long as the language in the
OU5 PRAP is the same as OU4 and OU13 PRAPs, I have no problem. I do
agree with the Navy that comment 3 can and must be addressed in the RD
if not in the PRAP/ROD.

George Lane
Environmental Engineer II
SF, Federal Remediation Branch
NCDENR
(919) 508-8462
(336) 202-8665

Taylor.Dawn@epamail.epa.gov wrote:

>Bill-
>I asked our EPA counsel (Lawrence Neville) to review the Navy's
>comments. EPA agrees with the Navy's comments 1, 2, & 4. EPA is
>willing to accept the Navy's comment 3 for purposes of expediting this
>PRAP, but please note that EPA does not agree with the comment.
>
>As I mentioned earlier, I am out on travel, but if you have questions
>and need to reach me, I can be reached by email or on my cell at
>404-909-0829.
>Thanks,
>Dawn
>
>Dawn C. Taylor, Chief (Acting)
>U.S. EPA, Region 4
>Waste Management Division
>Federal Facilities Branch
>NC/SC/GA Federal Oversight Section
>61 Forsyth Street, SW
>Atlanta, GA 30303
>(404) 562-8575

>
>1.b. Also, in the first sentence of the second paragraph, add the words
>"through the Naval" immediately after the words "U.S. Department of the
>Navy (Navy)," and before the words "Facilities Engineering Command,
>Atlantic."

>
>
>2. Regarding EPA's comments for Section 5.0. I believe that during the
>2005 FFS, it was concluded that no unacceptable risks were present in
>the soils and groundwater at Site 1 and is recommended for NFA.
>Accordingly, the only OU5 medium containing contamination posing
>potentially unacceptable risks is surficial groundwater at Site 2.

>
>
>3. We do not concur with EPA's propose change to Section 7.2
>specifically the first and third sub points. On the first, the MCAS
>planning process is not something that needs to be specifically
>addressed (it is a vehicle by which a IC is enforced, not an IC itself).
>It should be enough for the PRAP and ROD to state that intrusive
>activities will be prohibited; the mechanics should be left to the RD.
>On the third, transfer of any portion of OU 5 out of Federal ownership
>is not currently contemplated; thus, it is inaccurate to state that we
>will impose such a restriction when we don't know if one would be
>necessary at the time of transfer. Also, the FFA, section 26, speaks to
>transfer requirements. The Parties can deal with the issue, should it
>arise, then. Now is not the appropriate time. We believe that the
>language stated in the agreed upon OU4 and OU13 PRAPs be reflected in
>this OU5 PRAP.

>
>
>4. Regarding EPA's comments for Section 9.0. We agree with the basic
>concept. This suggested language is also included in the OU4 and 13
>PRAPs. We can mirror this language, however, I think it is more
>appropriate to modify it to state:

>
>
>"For any institutional controls (ICs) selected in the Record of Decision
>(ROD) for this action, the Navy will specify IC implementation details
>as part of the Remedial Design post-ROD document the Navy submits to
>USEPA and NCDENR for review. Upon final approval by USEPA and
>concurrence by NCDENR, the IC implementation and maintenance
>requirements are enforceable under CERCLA."

>
>
>Rodger W. Jackson, P.E.
>NAVFAC Atlantic
>NC/Caribbean IPT, Code OPCEV
>6506 Hampton Blvd.
>Norfolk, Va. 23508-1278
>Tel: (757) 322-4589 Fax: (757) 322-4530
>Email: rodger.jackson@navy.mil