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NAB LITTLE CREEK
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EMAIL REGARDING VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY APPROVAL
OF APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS FOR RECORD OF
DECISION SITE 11A JEB LITTLE CREEK VA
08/11/2011
VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

Monica Marrow

From: Herman, Paul (DEQ) [Paul.Herman@deq.virginia.gov]
Sent: Thursday, August 11, 2011 9:54 AM
To: Landin, Cecilia/VBO; bryan.peed@navy.mil; Boylan.Jeffrey@epamail.epa.gov
Cc: Livingston, David/VBO; Hollis, Michelle (DEQ)
Subject: RE: JEB Little Creek - Site 11a ROD ARARs

Team,

The revisions to the ARAR proposed in Cecilia's email below are acceptable to VDEQ as they reflect what had been negotiated previously.

Thanks for working through this issue to its resolution.

Paul E. Herman, P.E.
Remediation Project Manager
Federal Facilities Program
Virginia Department of Environmental Quality
629 East Main Street
Richmond, Virginia 23219
Phone: (804) 698-4464
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Why does everybody stand up and sing "Take Me Out To The Ballgame" when they're already there?
Larry Anderson

From: Cecilia.Landin@ch2m.com [mailto:Cecilia.Landin@ch2m.com]
Sent: Thursday, August 11, 2011 9:33 AM
To: Herman, Paul (DEQ); bryan.peed@navy.mil; Boylan.Jeffrey@epamail.epa.gov
Cc: David.Livingston@CH2M.com; Hollis, Michelle (DEQ)
Subject: RE: JEB Little Creek - Site 11a ROD ARARs

Paul,

After further review, it is proposed the ARAR be revised as follows:

Action: Management of solid waste generated on site.

Requirement: Establishes criteria for the proper management of solid waste.

Prerequisite: Generation of solid waste associated with the selected remedy.

Citation: 9VAC20-81-40(B), 45(B) and 90(A)(1)

Comment: The on-site actions will be conducted in accordance with those substantive provisions of the chapter that are applicable or relevant and appropriate to the implementation of the remedy identified in the ROD, including those provisions identified herein. These remedial actions will generate wastes which will be characterized for offsite disposal. Based on site history, all wastes are expected to be characterized as non-hazardous.

If there are additional concerns with the revision please let me know and we can set up a call to discuss.

Thanks,
Cecilia

From: Herman, Paul (DEQ) [mailto:Paul.Herman@deq.virginia.gov]
Sent: Wednesday, August 10, 2011 3:14 PM
To: bryan.peed@navy.mil; Boylan.Jeffrey@epamail.epa.gov
Cc: Landin, Cecilia/VBO; Livingston, David/VBO; Hollis, Michelle (DEQ)
Subject: RE: JEB Little Creek - Site 11a ROD ARARs

Team,

VDEQ has reviewed the redline/strikethrough version of the Draft Final Site 11a ROD and offers the following observation and comment concerning the revisions to Table A-6.

On June 2, 2011, DEQ and the Navy held a conference call for the purpose of discussing and finalizing the Virginia's Solid Waste ARARs for Site 11a. DEQ participated in the negotiations with the Navy in earnest. At that time it was agreed the following were Applicable Solid Waste requirements to be listed in the ARARs table: 9VAC 20-81-40(B), 45 (B) and 90(A)(1). On June 6, 2011, CH2M Hill provided additional language to be added to the existing comment regarding Solid Waste Regulation Section 40(B), this additional language is found in the most recent version of the ARARs table (Cecilia's email dated 8/9/11). During the July 18-19 partnering meeting the team discussed and agreed the aforementioned Solid Waste requirements belonged in the ARARs table. However, it appears our efforts to negotiate the Virginia Action-Specific ARARs were to no avail as the most recent redline version of the Site 11a ROD shows the Navy wishes to remove the agreed upon requirements.

The Navy seems to have changed its focus from the action that is to be covered, which in this case is the generation and management of solid waste on site, to a component of waste management namely managing containerized waste. In this case the action to be taken will generate solid waste (presumed hazardous until characterized). Therefore DEQ proposes to revise the "Action" entry to read "Generation of solid waste associated with the selected remedy (to include investigative derived waste)", the "Requirement" would revert to "Establishes criteria for the proper management of solid waste." And, the "Prerequisite" entry would read "Management of solid waste generated on site". The "Citation" should remain "9VAC20-81-40(B), 45(B) and 90(A)(1) as we previously agreed. The ARAR is determined to be Applicable and the "Comment" would read as it did before "The on-site actions will be conducted in accordance with those substantive provisions of the chapter that are applicable or relevant and appropriate to the implementation of the remedy identified in the ROD, including those provisions identified herein."

This concludes VDEQs comments on this revision of the Site 11a ROD at this time. Please let me know if you have any questions or if a conference call is necessary to resolve this issue.

Paul E. Herman, P.E.
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Federal Facilities Program
Virginia Department of Environmental Quality
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From: Cecilia.Landin@ch2m.com [mailto:Cecilia.Landin@ch2m.com]
Sent: Tuesday, August 09, 2011 1:24 PM
To: Boylan.Jeffrey@epamail.epa.gov; Herman, Paul (DEQ)
Cc: bryan.peed@navy.mil; David.Livingston@CH2M.com
Subject: JEB Little Creek - Site 11a ROD RTCs

Team,

Attached are the draft RTCs to EPA as well as the updated redline version of the Site 11a ROD. In addition to changes made as a result of EPA comments, changes have been made as a result of Navy legal review. During our call today we will outline some of the more significant changes to help expedite any required consultation with technical or legal support. If you have trouble with the files please let me know.

Talk to you soon!
Cecilia