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MCRD PARRIS ISLAND  
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LETTER REGARDING U S EPA REGION IV RESPONSE TO U S NAVY REQUEST FOR  
CHANGE IN MILESTONE DATES FOR REMEDIAL INVESTIGATION DOCUMENTS FOR  
SITE 5, SITE 45, SITE 27, SITE 55, SITE 9 AND SITE 16 MCRD PARRIS ISLAND SC  
12/6/2010  
U S EPA REGION IV



# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4  
SAM NUNN ATLANTA FEDERAL CENTER  
61 FORSYTH STREET, S.W.  
ATLANTA, GEORGIA 30303

December 6, 2010

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

4SF-FFB

Naval Air Station, JAX  
Navy Facilities Engineering SE  
Installation Restoration, SC IPT  
Attn: Charles Cook  
PO Box 30  
North Ajax Street, Bldg 135  
Jacksonville, FL 32212-0030

SUBJ: REQUEST FOR CHANGE IN MILESTONE DATES FOR SITE 5 RI WORKPLAN D2, SITE 45 RI ADDENDUM D2, AND SITE 27/55/9/16 RI REPORT D1 AT MCRD, PARRIS ISLAND, SC (Reed Letter, November 24, 2010)

Dear Mr. Cook:

The U.S. Environmental Protection Agency (EPA) has completed its review of the above referenced letter requesting extensions to deadlines pursuant to the Federal Facilities Agreement (FFA). The Navy's request for extensions has been considered and met with the results discussed below.

First, for clarification purposes, the milestone changes discussed at the November 2010 Tier I meeting were mutually agreed to in concept only for Sites 5 and 45, but not for Sites 27/55/9/16 (Site 27). EPA did not agree to the extension for Site 27 at that meeting. The Navy/MCRD was told that approval was obtained from EPA management for "reasonable extensions"; however, the proposed date for the Site 27 RI Report discussed at the meeting was a year or more out from the current milestone date.

In the Navy's written extension request the Navy/MCRD does not provide a discussion of good cause for each extension requested, other than to state that all parties to the FFA have indicated concurrence to extend the Site 5 and Site 45 milestones, but not the Site 27 milestone. Therefore, EPA's review and consideration of the requested extensions resulted in the following:

- Approved: Site 5 RI Work Plan Draft Final (D2) Deadline Extension to July 30<sup>th</sup>, 2011 – On November 22<sup>nd</sup>, 2010, EPA issued a conditional approval letter for the deadline milestone to be moved to July 30<sup>th</sup>, 2011. However, EPA noted in that letter that the Navy/MCRD failed to comply with Section XI, Paragraph 11.1, subparts b and d of the FFA, which resulted in the condition for approval. The condition required the Navy/MCRD submit a revised FY11 SMP which properly reflects this new deadline date, as well as revised subsequent Site 5 document dates in the schedule. Submittal and approval of such a revised SMP may be taken as an indication that the condition for approval has been met.
- Approved Without Good Cause: Site 45 RI Addendum Report Draft Final (D2) Deadline Extension to June 30<sup>th</sup>, 2011 – While EPA has agreed to this extension, the Navy/MCRD

should take note that EPA does not consider that any good cause has been shown for this delay. However, for the sake of managing workloads within the Parris Island Partnering Team, EPA has agreed to this last extension request for this document submittal. The Navy/MCRD has had years to obtain whatever data is necessary to make a case for or against action pertaining to vapor intrusion. The Navy/MCRD did not provide for timely review and approval of the Vapor Intrusion Sampling and Analysis Plan (SAP) by the regulatory agencies, as called for by the National Contingency Plan and the FFA. The SAP was implemented without approval. Subsequently, after obtaining the data they have chosen to use, the Navy/MCRD has not yet provided sufficient information which might allow EPA to make a determination as to whether or not the data should be considered representative and sufficient to support a no action determination, as the Navy/MCRD reportedly would like to propose. However, the data could be used now (as well as quite some time ago) to take a conservative approach which selects an action for mitigating the risk related to vapor intrusion. Any further delay in addressing the vapor intrusion pathway sufficiently at Site 45 will be unacceptable to EPA, and may put the Navy/MCRD at risk for enforcement actions.

- Disapproved for Failure to Show Good Cause: Site 27 RI Report Draft (D1) Deadline Extension Request – EPA did not agree to this extension request at the Tier I meeting as clarified above. At the meeting, EPA also discussed with the Navy/MCRD expectations for the pending removal action, including whether or not this is intended to be a final action as previously expressed by the Navy/MCRD, and/or how the Navy/MCRD sees this removal action being coordinated with potential anticipated remedial actions in the future as described in EPA guidance (see discussions below) if the objective is not to be a final action. This discussion was rather lengthy, and failed to clarify for the team the Navy/MCRD's objectives for the removal action, nor the Navy/MCRD's consideration of future remedial actions and goals. Since the Navy/MCRD has not yet clarified the objectives for the removal action, outside of expediting approval for construction to begin at the motor-T facility, the possibility still remains that a remedial action approach may be more appropriate. Therefore EPA considered the following factors in this decision to disapprove a request for a deadline extension:
  - The current deadline of 30 November, 2011 is not in the current FY and therefore an extension request could be addressed at some time in the future.
  - RI data has been collected and is available for incorporation into an RI Report.
  - The Navy/MCRD has not made a final case for Removal versus Remedial actions as being the most appropriate at this time.
  - The Partnering Team is still in consideration of Navy/MCRD removal objectives and goals, which may or may not be consistent with future potential remedial actions at the Site, and which may indicate a remedial process is now appropriate.
  - If the Navy/MCRD changes to a remedial approach, the current deadline is certainly doable and would not necessarily need extending.
  - The Navy/MCRD has reportedly already drafted the EE/CA in house. Once the Navy/MCRD issues the document for review (scheduled for January 2011), addresses regulatory comments, and issues a revised EE/CA (scheduled for April 2011), EPA will be in a better position to determine whether or not the team has mutually agreed upon removal versus remedial, as well as what extensions may or may not be necessary as a result.
  - At that point in time (prior to the June 15<sup>th</sup>, 2011 submittal of a draft SMP), if necessary, the Navy/MCRD could request this extension again and make a better argument for good cause based on mutual agreement.

In order to obtain the best results possible from the EE/CA review, the Navy/MCRD should ensure the Draft EE/CA complies with EPA Guidance on Conducting Non-Time Critical Removal

Actions Under CERCLA (Publication: 9360.0-32 EPA/540/F-94/009 PB93-963422 August 1993). This is especially important with respect to clarifying and aligning objectives and goals. The following references from EPA's guidance document may be of particular interest on this subject:

**From the portion of the guidance pertaining to the EE/CA**

(Note: When reading this guidance, keep in mind that MCRD is already an NPL site and therefore appropriate consideration for future actions applies.)

Page 24, Section 2.4 Site Characterization, first paragraph –

“The EE/CA should summarize available data on physical, demographic, and other characteristics of the site and surrounding areas. ... Because of the CERCLA preference for treatment over containment or land disposal, it is important that alternatives that employ treatment and that yield permanent solutions be fully evaluated for non-time critical removal actions and early remedial actions. Furthermore, potential differences between early action and long-term action data quality objectives and risk assessment goals should be reconciled as early as possible. ... ”

Page 29, Section 2.4 Site Characterization –

“Streamlined Risk Evaluation ...

... In planning a non-time-critical removal action, OSCs/RPMs should consult with the Regional risk assessors on potential action and cleanup levels. ... Since removal and remedial action cleanup levels may differ, all early action decisions should consider the possible long-term action and corresponding cleanup levels. The OSCs/RPMs should ensure that all risk assessment activities are consistent with any future remedial action remaining to be taken (or potential for listing, if the site is not on the NPL) to achieve consistent risk goals. ...”

Page 32, Section 2.5 Identification of Removal Action Scope, Goals, and Objectives –

“Determination of Removal Scope

The EE/CA should help define the scope of the removal action. The scope of the action could be, for example, total site cleanup, site stabilization, or surface cleanup of hazardous substances. It is critical that removal actions at non-NPL sites consider the potential for future listing to ensure the goals of the removal are consistent with any potential long-term remediation. ... When a non-time-critical removal action will be the only or last action taken to clean up a potential NPL site, the EE/CA should provide adequate documentation that activities performed at the site are sufficient to meet completion requirements. ...

Specific objectives vary with the type of removal. If cleanup levels are necessary as part of a specific objective, OSCs/RPMs employ several methods to determine these levels. Examples of current practice include applying an appropriate Federal or State ARAR, consulting a Regional risk assessor, or requesting support from ATSDR or ERT.

Specific objectives that clearly define the scope of the removal action are particularly important when the site poses multiple hazards and the response actions will be conducted in phases. OSCs/RPMs should always consider how the removal action would best contribute to the efficient performance of any remedial action to be taken, as required under CERCLA section 104(a)(2). ... The threats that meet the NCP removal criteria should be fully addressed, if possible, given the statutory limits on removal actions.”

“Long-Term- Effectiveness and Permanence

This evaluation assesses the extent and effectiveness of the controls that may be required to manage the risk posed by treatment residuals and/or untreated wastes at the site. The following components should be considered for each alternative:

Magnitude of Risk: This criterion looks at the effectiveness of the alternative and assesses the risk from waste and residuals remaining at the conclusion of site activities. This component also evaluates whether the alternative contributes to future remedial objectives. ... If the non-time-critical action is the last action anticipated for a site or release, then the magnitude of risk should be fully evaluated for the action. ...”

Page 41, Section 2.6 continued ... –

“... If the site will be receiving long-term remedial treatment, the EE/CA must determine if each alternative contributes to the efficient performance of any anticipated remedial activities. CERCLA section 104(a)(2) states that a removal action should, to the extent practicable, contribute to the efficient performance of any long-term remedial action ... [Other guidance referenced states] ...removal actions should be designed to avoid wasteful, repetitive, short-term actions that do not contribute to the efficient, cost-effective performance of a long-term remedial action. ...”

For those extensions which are approved herein, the Navy must reflect them in a revised SMP document. The most recent SMP submittal will be reviewed by EPA to confirm the proper dates have been reflected. EPA will expect the revision to also reflect no change in the Site 27 dates at this time, and may have to conditionally approve the SMP to account for this.

While EPA has considered this extension request although the request is deficient, the Navy/MCRD should ensure that any future extension requests meet all requirements of the FFA. Furthermore, EPA expects the Navy/MCRD to consider priorities in setting milestone dates, and should minimize the request for regulatory agencies to adjust review times/schedules due to shifting Navy/MCRD priorities. Submittal of the Draft and/or Draft Final documents by the adjusted deadline milestone dates is enforceable as specified by the FFA. These deadlines can only be extended again based on a written extension request, not by submittal of a revised SMP document.

EPA looks forward to submittal of this and other documents by the dates specified in the SMP as progress is made towards the Team’s remediation goals. If there is any way EPA can assist in helping the Navy to meet or exceed SMP deadlines, please do not hesitate to call me at (404) 562-9969.

Sincerely,



Lila Llamas  
Senior RPM  
Federal Facilities Branch  
Superfund Division

cc: Sarah Reed, Navy  
Lisa Donohoe, MCRD  
Meredith Amick, SCDHEC  
Mark Sladic, TtNus