

N69118.AR.001171
ST JULIENS CREEK
5090.3a

LETTER AND VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY NO ADDITIONAL
COMMENTS TO DRAFT RECORD OF DECISION SITE 21 ST JULIENS CREEK ANNEX
CHESAPEAKE VA
8/23/2011
VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

From: [Doran, Karen \(DEQ\)](#)
To: [Staszak, Janna/VBO](#)
Cc: [Jones, Adrienne/VBO](#); walt.j.bell@navy.mil
Subject: RE: Site 21 Draft Final ROD - VDEQ comments
Date: Tuesday, August 23, 2011 7:48:03 AM

Janna –
VDEQ has no additional comments on the ROD.
Karen

From: Janna.Staszak@CH2M.com [mailto:Janna.Staszak@CH2M.com]
Sent: Monday, August 22, 2011 5:27 PM
To: Doran, Karen (DEQ)
Cc: Adrienne.Jones@CH2M.com; walt.j.bell@navy.mil
Subject: RE: Site 21 Draft Final ROD - VDEQ comments

Hi Karen,

We'll get these responses over to you soon. Just wanted to check if these are all the comments you'll be providing for this review period or if you'll be sending anything else from the Tier 2 review?

Thanks,
Janna

From: Doran, Karen (DEQ) [mailto:Karen.Doran@deq.virginia.gov]
Sent: Monday, August 15, 2011 3:38 PM
To: Jones, Adrienne/VBO; Bob Stroud; Staszak, Janna/VBO; Walter Bell
Cc: Hollis, Michelle (DEQ)
Subject: Site 21 Draft Final ROD - VDEQ comments

Team –

The Draft Final ROD was reviewed by VDEQ ARARs coordinator, Michelle Hollis. Please see below for VDEQ comments:

Table A-2 Virginia Chemical Specific ARARs

VDEQ does not have an objection to listing the State Water Control Law statutory citation within the ARARs table nor does VDEQ object to removing the statutory citations. However, to maintain consistency throughout the ARARs tables all appropriate statutory citations should be listed for both Federal and State regulations. The statutory authority for 9 VAC 25-280-30 should be cited as State Water Control VA Code Ann. 62.1-44.15.

Table A-3 Federal Location Specific ARARs

Please add the Federal Coastal Zone Management Act to the Federal Location Specific ARARs.

Effective January 8, 2001, the National Oceanic and Atmospheric Administration (NOAA) revised the regulations implementing the federal consistency provisions of the Coastal Zone Management Act (CZMA) of 1972.

The revisions were necessary based on new provisions in the 1990 Coastal Zone Act Reauthorization Amendments (CZARA) and the 1996 Coastal Zone Protection Act. Among the amendments were revisions to the federal consistency requirement contained in Section 307 of the CZMA. Specifically, 16 U.S.C. § 1456, clarified that all federal agency activities meeting the "effects" standard are subject to CZMA consistency and that there are no exceptions, exclusions or

categorical exemptions from the requirement. Therefore, VDEQ requests that the Coastal Zone Management Act be included as a Federal Location Specific ARAR.

Table A-6 Virginia Action Specific ARARs

VDEQ requests that the Applicable Solid Waste requirements be listed as: 9VAC 20-81-40(B), 45(B) and 90(A)(1). The actions specific requirement for the Virginia Solid Waste regulation in this case is the generation and management of solid waste on site. Currently the table lists only 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 VDEQ 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 then be “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 be “9VAC20-81-40(B), 45(B) and 90(A)(1)”. The ARAR is determined to be Applicable and the “Comment” could remain the same.

Please add Monitoring Well Installation and Abandonment as a Virginia Action Specific ARAR: 12 VAC 5-630-420(B)(C) and 450(C)(1),(2),(4),(5), and (7) to (9). This regulation establishes the requirements of the installation and abandonment of observation and monitoring wells, governed jointly by the State Board of Health and the Department of Environmental Quality.

Please add Standards for Fugitive Dust Emissions 9 VAC 5-50-90. This regulation is regarding reasonable precautions to prevent particulate matter from becoming airborne.

Please add Virginia Water Protection Permit Program Regulation 9 VAC 25-210-50(A). This regulation governs discharges of pollutants to state waters which is prohibited. Any staging of chemicals onsite where stormwater conveyances are present would be subject to this regulation.

Thank you for the opportunity to comment.

Karen M. Doran

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