

Responses to Comments
Draft Proposed Plan
Site 2: Waste Disposal Area B
St. Juliens Creek Annex
Chesapeake, Virginia

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Comments from EPA Legal, provided 17 May 2010

The following responses are provided as a follow-up to the comment resolution conference call held on May 17, 2010, attended by Elizabeth Lukens – USEPA, Bruce Beach – USEPA, Walt Bell – NAVFAC Mid-Atlantic, Janna Staszak – CH2M HILL, and Adrienne Jones – CH2M HILL.

1. **Comment:** *Section 5.1, HHRA Summary* – I still think that it is somewhat misleading and possibly irrelevant to list individual constituents and comment on the fact that they show no unacceptable CTE risks. I understand that the point of the analysis is to look at the impacts on target organs of any number of constituents which may impact those organs. I don't really see the point of breaking down the analysis into individual constituents, when those constituents may need to be summed (depending on how many constituents affect any given target organ). However, I am not a toxicologist, so I defer to the toxicologist's review.

Response: Comment noted.

2. **Comment:** *Section 7, Tables 6 & 7* – I still think it would be better to list the time to achieve RAOs and the costs of each alternative in one of these tables. I understand that the costs are provided and compared in Table 10, but that is so far removed from the description of the components of each alternative that the reader can't see, easily, what the cost is related to. Also, I don't see the time to achieve RAOs provided anywhere in the document. The only reference is in the third paragraph under Section 8.2, which only talks about the time to achieve RAOs for any given alternative relative to the other alternatives -- no time-frames are provided. The Relative Ranking Table presumably takes this factor into account in coming up with the ranking for short term effectiveness, but it's not specified.

Response: As per the conference call discussion and based on space constraints, the total present value of each alternative has been added to Table 9 instead of Table 6 or Table 7. Due to the presence of DNAPL at the site, there is a high level of uncertainty associated with calculation of absolute timeframes to achieve RAOs. As a result, specific timeframes are not provided for each alternative but instead were qualitatively considered in comparison to

one another. The following sentences have been added to the 3rd paragraph of Section 8.2, "Note that due to the high level of uncertainty associated with the timeframe for achieving RAOs at this site, specific timeframes are not provided for each alternative but instead were qualitatively considered in comparison to one another. The timeframes for achieving RAOs are ranked from shortest to longest as Alternative 8, 7, 5, 4, 2, 6, 4, and 1, respectively." Additionally, the first two sentences of the paragraph have been combined for readability. Timeframe has also been incorporated into former sentence 7, which now reads, "Although Alternatives 7 and 8 have the shortest timeframe to achieve the RAOs, they have the lowest level of short-term effectiveness because of the significant intrusiveness involved with their implementation in order to excavate the waste, sediment, and saturated soil within the high-concentration target area and associated potential risk of exposure to site contaminants."

3. **Comment:** Table 9 – I found that the analysis as applied produced some odd results in this table. It still doesn't seem that No Action should get a half circle for short-term effectiveness and only a quarter circle for implementability. Clearly, it's not effective at all, yet it's simple to "implement" since you don't have to do anything. Also, although all alternatives that survive the threshold analysis go forward, it is still possible and desirable to rank them according to their overall protectiveness. (If ARARs are all complied with, there is nothing to be gained by attempting to rank the alternatives under that criterion.)

Response: Comment noted. However, because the process used to rank the alternatives was previously agreed to by the partnering team and used to complete the FS (see Table 5-3 of the FS), no changes have been made to this document. The ranking involved assigning a "meets" or "does not meet" ranking to the threshold criteria and applying an equal weight to each of the balancing sub-criteria. It is acknowledged that assigning relative rankings to the *Protection of human health and the environment* threshold criteria and different weights to the balancing sub-criteria would be preferable in the future and will be taken into consideration during future FS reports.

4. **Comment:** Just a note going forward: When you do the ROD, please rank each alternative against each criterion as discussed in RTC comment 40 (re Section 8.2, 1st paragraph, last sentence).

Response: Comment noted and will be taken into consideration during completion of the ROD.

5. **Comment:** Section 8.2, 4th paragraph, 3rd sentence: I think you may be confusing "reliability of the technology" with "effectiveness of the remedial alternative" in the discussion of Alternative 4. Just because the treatment area is smaller, that doesn't make the technology any less implementable. The fact that the treatment area is smaller may render the alternative less effective in cleaning up the site, but that is addressed by a different criterion.

Response: The 2nd and 3rd sentences of the 4th paragraph in Section 8.2 have been deleted.

6. **Comment:** Section 9, 3rd paragraph, 2nd sentence – The LUC should be written as a specific prohibition (if that's what it is). The statement currently reads like an RAO, saying what will be prevented. The question remains, how will it be prevented. Prohibiting digging should not be a parenthetical; that's the LUC. Perhaps something like this: "LUCs will be implemented to prohibit digging or any other activity which would result in human contact with the waste and COCs in the soil and sediment."

Response: The 2nd sentence of the 3rd paragraph of Section 9 has been revised as follows, "LUCs, including institutional controls and cover inspections, will be implemented and maintained to prevent digging or any other activity which would result in human contact with waste and COCs in soil and sediment."

7. **Comment:** *Glossary of terms, "Administrative Record"* – Please change "and is available for public review" to "which is available for public review."

Response: The requested change has been made.