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ST JULIENS CREEK
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EMAIL AND COMMENTS FROM U S EPA REGION III REGARDING SITE 2 RECORD OF
DECISION AND APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS
TABLES ST JULIENS CREEK ANNEX CHESAPEAKE VA
10/06/2010
CH2M HILL

From: Lukens.Elizabeth@epamail.epa.gov
To: Staszak.Janna/VBO
Cc: Jones.Adrienne/VBO; Landin.Cecilia/VBO; katherine.will@navy.mil; kmdoran@deq.virginia.gov; Michelle.Hollis@deq.virginia.gov; Stroud.Robert@epamail.epa.gov; timothy.reisch@navy.mil; walt.j.bell@navy.mil
Subject: Re: SJCA Site 2 ROD - RTCs & Changes for Discussion/Concurrence
Date: Wednesday, October 06, 2010 2:21:07 PM

Hi Everyone,

The ROD and ARARs Tables (taking into account Michelle's requested reinstatement of certain citations) look great. I have only a couple very small comments, which might be able to be addressed without a conference call -- or they could be addressed in a very short call.

1) RTC Further comments 10/04/10: Comment 43. Section 2.9.2 (*Reduction in Toxicity, Mobility, or Volume Through Treatment*): In the insert, the word "component" is missing in the ROD. "Therefore, when the alternatives employing treatment as a *component* of the remedy are compared against one another, the alternative rankings from highest to lowest are 5, 4, 6, and 8."

2) RTC Further comments 10/04/10: Comment 55. Section 2.11.2 (*Land Use Controls, First and Second bullets under LUCs*): Actually, I think the VI entry should also say "prohibit" rather than "restrict", since what we are saying is that building will not be allowed (prohibited) without the performance of a VI evaluation. "Restrict" implies that there are limited circumstances under which an activity will be allowed. In this case, those limited circumstances are already defined by the "without" clause; under all other circumstances, the activity should be prohibited

3) ARARs RTC 10/04/10: Item 6) Migratory Bird Treaty Act: I'm not sure why you edited out the clause regarding poisoning at a hazardous waste site. It's fine either way, really.

4) ARARs RTC 10/04/10: Item 11) VA dredging & filling: 9 VAC 25-210-80 and 110: I'm wondering whether these two sections should be included to the extent that they provide guidance on what information should be gathered/considered in the process of filling the wetland and determining the extent of the required compensation. Just a question.

5) ARARs RTC 10/04/10: Item 12) VA construction and maintenance: 9 VAC 25-690-60: Same question/thought as for item 11.

6) Revised Table 9: I am interested in how the numerical rankings for the alternatives add up. Clearly, given the huge cost differential, Alternatives 7 & 8, and even 5, fall out of the running, given that there are other alternatives that provide adequate protection. And Alternative 3 is not as good as Alternative 2 on any score. Alternative 6 seems to do a lot better in this ranking than it does in the textual analysis. (??) Alternatives 5 and 4 are clearly the most protective, but 5 is twice as expensive as 4. So I think it gets down to Alternatives 4 and 2 at the end. How did the team knock out Alternative 4? Was it just on cost? (Just wondering about this. I'm not second-guessing your decision.)

Thanks, again, for the opportunity to comment. Great job on this ROD!

Betsy

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Cc: <katherine.will@navy.mil>, <timothy.reisch@navy.mil>
Date: 10/06/2010 10:46 AM
Subject: SJCA Site 2 ROD - RTCs & Changes for Discussion/Concurrence

Hi all,

Please see the attached files for discussion this afternoon. I'll send a separate meeting request for a 2:30 conference call. The files included are:

- EPA Legal Draft Final Site 2 ROD RTFurtherCs.pdf: ROD text comments & responses, round 2 comments only.
- SJCA Final Site 2 ROD for signature RL 10052010.pdf: Redlines resulting from the ROD text comments. Note, the red changes were the result of the first round of comments and have been reviewed. The purple changes are the new ones from the current round of comments.
- NEW TABLE 9.pdf: The response to Comment 40 indicates Table 9 is being revised. It has not yet been inserted into the ROD file, so it is attached separately for review.
- EPA Legal RTC SJCA Site 2 ROD ARARs TABLES 10062010.pdf: ARARs comments & responses.
- EPA Legal Redlined ARARs Tables 100610.pdf: The redlined changes to the ARARs tables.

We look forward to talking through any outstanding items at 2:30. Feel free to send along any comments or concerns in advance of the call.

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

From: Bell, Walter J CIV NAVFAC MidLant [<mailto:walt.j.bell@navy.mil>]
Sent: Wednesday, October 06, 2010 9:18 AM
To: Jones, Adrienne/VBO; Staszak, Janna/VBO; Doran, Karen; Stroud.Robert@epa.gov; Landin, Cecilia/VBO; Lukens.Elizabeth@epamail.epa.gov; Michelle.Hollis@deq.virginia.gov
Cc: Will, Katherine CIV NAVFAC; Reisch, Timothy A CIV NAVFAC MID ATLANTIC
Subject: Coordination for conference call to discuss responses to comments

Good Morning!

I should have the responses to comments back from NAVFAC legal this morning and CH2MHill will forward them to the team and all concerned.

Karen is traveling and will be back in the office about 2:30. She indicated that Michelle is available this afternoon.

Betsy's voicemail indicates that she is in the office until 3:00.

I have not been able to speak with Bob this morning.

I am available anytime this afternoon.

Betsy and Bob, please call to indicate that 2:30 would be fine. Otherwise I will coordinate an alternate time with VDEQ. I will ask CH2MHill to provide the conference call number when we have agreed on a time.

Walt
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[attachment "EPA Legal_Draft Final Site 2 ROD_RTFurtherCs.pdf" deleted by Elizabeth Lukens/R3/USEPA/US] [attachment "SJCA Final Site 2 ROD_for signature_RL_10052010.pdf" deleted by Elizabeth Lukens/R3/USEPA/US] [attachment "EPA Legal_RTC_SJCA SITE 2 ROD ARARS TABLES 100610.pdf" deleted by Elizabeth Lukens/R3/USEPA/US] [attachment "EPA Legal_Redlined ARARs Tables 100610.pdf" deleted by Elizabeth Lukens/R3/USEPA/US] [attachment "NEW TABLE 9.pdf" deleted by Elizabeth Lukens/R3/USEPA/US] [attachment "NEW TABLE 9.pdf" deleted by Elizabeth Lukens/R3/USEPA/US] [attachment "NEW TABLE 9.pdf" deleted by Elizabeth Lukens/R3/USEPA/US]