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NAS JACKSONVILLE
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LETTER REGARDING U S EPA REGION IV REVIEW AND COMMENTS ON PROPOSED
PLAN FOR INSTALLATION RESTORATION MANAGEMENT PLAN NAS JACKSONVILLE FL
4/13/1994
U S EPA REGION IV



~~April 12 1994 JHK~~
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

APR 13 1994

~~Col. D. L. E.~~
~~PLANNING~~
~~F. BARRON~~
~~G. BARRON~~
~~M. LAMBERT~~

RECEIVED 4/21/94
~~PAUL D. HARRIS~~

4WD-FFB

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

0118-7559

~~12070504~~

Mr. Joel G. Murphy
Department of the Navy - Southern Division
Naval Facilities Engineering Command
2155 Eagle Dr., P.O. Box 10068
Charleston, South Carolina 29411-0068

SUBJ: Comments on Proposed Plan for Installation Restoration
Management Plan, Naval Air Station Jacksonville, Florida

Dear Mr. Murphy:

The U.S. Environmental Protection Agency (EPA) has received and reviewed the above referenced document. EPA's comments are enclosed.

Per our telephone conversation of April 6, 1994, regarding EPA's faxed comments faxed referencing Naval Air Station (NAS) Jacksonville's Installation Restoration Management Plan, please consider the additional comment in development of the Site Management Plan for fiscal year (FY) 1995:

- (1) Act.ID. A0725. EPA requests that the Navy submit the Feasibility Study (FS) Report at the same time or shortly after the submittal of Remedial Investigation (RI) Report, April 28, 1995. If the FS Report is submitted concurrently or within thirty (30) days of the RI Report, this will give the Parties more time to finalize the Record of Decision (ROD) for Operable Unit (OU) 1 by the end of FY95.

Should you have any questions regarding the above or enclosed comments, please call me at (404) 347-3016.

Sincerely,

James W. Hudson, RPM
Federal Facilities Branch

Enclosure

cc: Jorge Caspary, FDEP
Eric Nuzie, FDEP
Bill Raspet, NAS Jacksonville
James Malone, SOUTHDIVNAVFACENCOM

Comments on the Proposed Plan
for Interim Remedial Action at Operable Unit 2

2.0 PSC BACKGROUNDS (p.2)

Focused Remedial Investigation (p.4): In the last paragraph of this section, the first sentence should state that the full Remedial Investigation will include soil and groundwater at OU 2. This interim action will not necessarily resolve all the soil problems. Such a reference exists in the first full paragraph of the right-hand column on page 4. ("if necessary, remedial actions for remaining contamination in soil and/or groundwater...")

4.0 SUMMARY OF ALTERNATIVES (p. 5)

Common Elements of Alternatives (p. 6): In the second paragraph, second sentence, delete "i.e., does not contain a hazardous waste regulated under RCRA." Delete the third sentence of the second paragraph entirely. ("Nonhazardous petroleum wastes fall under State jurisdiction rather than Federal law.") This language confuses RCRA and CERCLA. RCRA covers "hazardous waste"; CERCLA covers "hazardous substances, pollutants and contaminants." CERCLA covers "used oil," because of the contaminants it contains. The Final Draft of the Focused RI/FS, section 2.2.1, states that "waste oil" was placed onto vehicles in PSC 2 and ignited. Thus, it would appear that even if the soils do not test as RCRA "hazardous wastes," they would be CERCLA "hazardous substances, pollutants and contaminants."

5.0 EVALUATION OF THE ALTERNATIVES (p. 10)

Evaluation of Alternatives for PSC2: Compliance with ARARS (p.10). The second sentence is incorrect, since Section 121(d)(3) of CERCLA requires that offsite transfer of "any hazardous substance or pollutant or contaminant" be restricted to RCRA-regulated facilities. Thus, the issue is not limited to whether the soils are RCRA hazardous wastes. More importantly, the ROD for this interim action will have to state either that the chosen remedy will meet all ARARs associated with it, or that an interim action waiver is appropriate.

Restrictions on offsite disposal (in CERCLA and state law) are not themselves ARARs. These are substantive legal restrictions that cannot be waived as ARARs. The discussion here, and the corresponding sections of the Focused RI/FS, should be revised accordingly. That is, certain remedies may not be possible if the soils contain CERCLA hazardous substance, and the RI/FS and Proposed Plan should reflect this. As a result, the analysis of remedies may need to be revised, and additional remedies may need to be considered.