



UNITED STATES ENVIRONMENTAL PROTECTION
REGION IV
345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

32501.000
03.03.00.0031

N00204.AR.000562
NAS PENSACOLA
5090.3a

MAY 20 1993
4WD-FFB

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Commanding Officer
Attn: Ms. Linda Martin - Code 1851
SOUTHNAVFACENGCOM
P.O. Box 190010
North Charleston, South Carolina 29419-9010

Re: Resolution of Informal Dispute on the FY93 Site Management Plan;
NAS Pensacola, Florida
EPA Site ID No.: FL 9170024567

Dear Ms. Martin:

Pursuant to the informal dispute between the Parties regarding the FY93 Site Management Plan (SMP) for the Naval Air Station (NAS) Pensacola, the Environmental Protection Agency (EPA) has completed its review of the following items:

- (i) March 4, 1993 correspondence from the Navy documenting the resolutions of the disputed issues which were discussed and tentatively agreed to by the Parties at the informal dispute meeting; and
- (ii) The April 15, 1993 version of the FY93 SMP which incorporates these tentative resolutions.

EPA's response to the Navy's position on the disputed issues, as stated in the above documents, is as follows:

- (i) Regarding all sites currently classified as screening sites (including the disputed Sites 12, 13, 14, 24 and 36) EPA agrees that the Parties' decision to either upgrade these sites to RI/FS status or assign them a "no further action" (NFA) status shall be deferred until the receipt of "defensible and validated Level III or IV data". However, this decision must be made prior to the scheduled submittal date for the Draft Remedial Investigation/Baseline Risk Assessment (RI/BRA) Report for the corresponding Category. This will ensure that the enforceable schedules contained in the approved SMP remain in effect for any screening site which is upgraded to RI/FS status.
- (ii) Regarding the investigative status of Site 36 (Industrial Wastewater Sewer Line), EPA agrees with the Navy's proposal to separate Site 36 into 3 portions. Accordingly, two portions of the sewer line shall become part of existing RI/FS sites 30 and 38. The third portion of the sewer line shall remain a screening site and shall effectively become the new Site 36.

(iii) Regarding the document⁶ associated with the risk assessment process, it is EPA's understanding that the Navy is in agreement with EPA's position as stated in our letter of March 12, 1993. Accordingly, the Baseline Risk Assessment Report is a primary document which must be submitted for each Operable Unit. The Preliminary Risk Assessment is a secondary document which shall be submitted for each Operable Unit only "if...required under the Site Management Plan" (FFA, page 22).

Provided that the Navy is in agreement with the preceding statements, EPA recommends that the Parties consider the dispute on the FY93 SMP resolved. In order to confirm the Navy's concurrence in this matter, the Navy should make a copy of this letter, sign it and return the signed copy to this office. Receipt of the signed copy shall serve as official notification to the EPA that the Navy also considers the FY93 SMP dispute resolved. Also, EPA hereby approves the version of the FY93 SMP which was prepared on April 15, 1993. The schedules contained in this document shall serve as the enforceable schedules for NAS Pensacola until the FY94 SMP is approved by all Parties.

The following additional issues were raised during, and subsequent to, the informal dispute resolution meeting held February 3-4, 1993. While these issues do not comprise a portion of the Parties' dispute of the FY93 SMP, they must be dealt with in order to ensure continued effective progress towards our remediation goals at NAS Pensacola. The issues and path forward are as follows:

(i) As discussed and agreed to by the Parties at the time of the meeting, the Navy must conduct actual physical testing of the sewer line (e.g. pressure testing, telespection, etc.). The results of this testing will be invaluable in designing a more focused and effective investigation of contaminated media associated with the IWTP Sewer Line. The Navy must therefore prepare and submit plans for performing this testing, and complete the testing, before initiating further investigation of contaminated media associated with the IWTP Sewer Line. According to the approved FY93 SMP, field work at Sites 30 and 38 is currently scheduled to run from May 17, 1993 through December 12, 1993. This issue must be resolved in conjunction with the informal dispute on the RI/FS Work Plans for former Groups F, G, J, K, M and N.

(ii) In review of the April 15, 1993 version of the FY93 SMP, some errors were noted in the out-year schedules for several Categories (e.g. Draft FS Report to be submitted prior to the corresponding Draft RI Report). These errors must be corrected in the FY94 SMP due September 1, 1993.

(iii) As discussed and agreed to by the RPMs via telephone call, EPA shall propose a definition for the Preliminary Characterization Summary Report, for amendment to the FFA. This definition shall describe the purpose of this document and the instances in which its preparation may facilitate the RI/FS process. Given that the Parties are anticipating renegotiation and revision of several other portions of the FFA (e.g. review times for decision documents) EPA recommends that this new

definition be proposed and negotiated simultaneously with any other outstanding FFA issues which are proposed by the Parties.

(iv) Due to the large number of occurrences of the terms "day" and "calendar day", revision of any inconsistencies associated with these terms shall be deferred until significant renegotiation of the FFA is proposed and initiated by the Parties. In the interim, all Parties should assume that any reference to "days" implies calendar day.

If you have any comments or concerns regarding these issues, please contact me at 404/347-3016.

Sincerely yours,



Allison W. Drew, RPM
Department of Defense Remedial Section
Federal Facilities Branch

cc: Ron Joyner, NAS Pensacola
Lt. Athena Cozakos, PWC-NAS Pensacola
Eric Nuzie, FDER
David Abdulla, OFFE - Region IV Coord.
David Criswell, SOUTHNAVFACENGCOM