



DEPARTMENT OF THE NAVY
ATLANTIC DIVISION
NAVAL FACILITIES ENGINEERING COMMAND
1510 GILBERT ST
NORFOLK VA 23511-2699

08.01-08/06/93-0074

TELEPHONE NO:

(804) 322-4795

IN REPLY REFER TO:

5090

1823:JJS

AUG 06 1993

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

U.S. Environmental Protection Agency
Region II
Attn: Mr. Andrew Bellina, P.E.
Chief, Hazardous Waste Facilities Branch
Jacob K. Javits Building
New York, New York 10278

Re: Draft RCRA Corrective Action Permit, Naval Station
Roosevelt Roads - Tow Way Fuel Farm (SWMU #7 and SWMU #8)

Dear Mr. Bellina:

We appreciated the opportunity to meet with Mr. Tornick and Mr. Gordon of your staff on July 21, 1993 to discuss the draft RCRA Corrective Action Permit for Naval Station Roosevelt Roads. This letter is provided to clarify our position on the listing of the Tow Way Fuel Farm as a Solid Waste Management Unit in the Draft RCRA Corrective Action Permit.

The Tow Way Fuel Farm, as discussed during our meeting, is presently being addressed under the Commonwealth of Puerto Rico Environmental Quality Board's Underground Storage Tank Regulations. Scheduled completion of the site characterization is January 10, 1994, with design of the Corrective Action Plan to be completed by October 10, 1994. In the interim, we plan to implement a free product removal system at the site until a final corrective action can be implemented for the soil and groundwater.

Our concern with bringing the Tow Way Fuel Farm into the RCRA Corrective Action Program is that this will cause delays in our current schedule and increase the cost to attain remediation. More specifically, the time frame to achieve our goal of site cleanup under the RCRA program would be substantially longer than that under the EQB UST Program. In your letter of 12 July 1993, a tentative date of January 18, 1994 is cited for issuance of the Final RCRA Permit. Any additional requirements placed upon the Navy's UST program at this point, such as more extensive sampling and analysis requirements and the increased complexity of the corrective action procedural requirements under RCRA, would contribute significant delays and increase cost to implement the remediation at the Tow Way Fuel Farm.

The Naval Station is the subject of a lawsuit filed by an environmental group for repeated exceedances of the effluent limits contained in the National Pollutant Discharge Elimination

Quality Performance . . . Quality Results

Re: Draft RCRA Corrective Action Permit, Naval Station
Roosevelt Roads - Tow Way Fuel Farm (SWMU #7 and SWMU #8)

System (NPDES) permit for the Station's three wastewater treatment plants. The final judgment in that case, issued by the United States District Court for the District of Puerto Rico on July 23, 1993, requires the Station to "expeditiously take actions" to prevent the contamination associated with the Tow Way Fuel Farm from contacting the wastewater that passes through the sewer line which is in contact with the contamination. Requiring the Naval Station to follow the much lengthier RCRA corrective action process would effectively eliminate source removal as an option for addressing this legal mandate.

Despite any differences that exist in specific corrective action procedures or approaches between both programs, the UST program under EQB is protective of human health and the environment, and allows us to achieve our mutual goal of remediation in a more timely, cost efficient manner.

In addition, by keeping the site under Subtitle I of RCRA, managing the UST petroleum-contaminated media would allow for the use of a much broader spectrum of management options for the material as cited in EPA's recent proposed rule on the Exemption of Petroleum-Contaminated Media and Debris From Underground Storage Tanks From RCRA Hazardous Waste Requirements, February 12, 1993. In this proposed rule, EPA also reflected a strong bias toward remediation under the UST program rather than under RCRA corrective action, citing concerns with delay, cost, and health risk.

For the above reasons any investigatory efforts and corrective action at the Tow Way Fuel Farm should remain under the EQB UST program rather than being placed in RCRA corrective action.

If you have any questions or comments, please contact Mr. James Szykman, Remedial Project Manager, at (804) 322-4795.

Sincerely,



P. A. RAKOWSKI, P.E.
Head
Environmental Programs Branch
Environmental Quality Division
By direction of the Commander

Copy to:
U.S. EPA Region II (Messrs. B. Tornick, T. Gordon)
NAVSTA Roosevelt Roads (NO2C, NO2C-B1, NO2C-B13)
CNO (N-44, Mr. D. Olsen)
NAVFAC (Code 18E)
EQB (Ms. L. Ghiliotty)