



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY - REGION II

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NEW YORK, NEW YORK 10007-1866

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SEP 20 1996

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

K.W. Martello, Captain, U.S. Navy
 Commanding Officer
 U.S. Naval Station Roosevelt Roads
 TSC 1008 Box 3001
 Code NO
 FPO AA 34051-3001

Re: RCRA Facility Investigation (RFI) Quarterly Progress Report for the period August 1, 1995 - October 31, 1995, and Monthly Free-Product Recovery Reports for Tow Way Fuel Farm (SWMU #7), U.S. Naval Station Roosevelt Roads RCRA/HSWA Permit No. PR2170027203

Dear Captain Martello:

The United States Environmental Protection Agency (EPA) Region II has reviewed the RFI Quarterly Progress Report for the period August 1, 1995 - October 31, 1995 transmitted by Baker Environmental on behalf of the Navy, and the July, August, and September 1995 monthly reports for the free-product recovery at Tow Way Fuel Farm, transmitted by letter dated December 28, 1995 from Mr. S. Castillo, Director, Environmental Engineering Division, Public Works Department, NAVSTA Roosevelt Roads. EPA has the following comments:

1. There are major discrepancies between the program reported in the August - October 1995 Quarterly RFI Progress Report and that approved in the September 1995 RFI Workplan as amended. The discrepancies involve the quantity and locations of samples to be taken at the 4 SWMUs/AOCs (SWMUs # 6, 12, & 14, and AOC B) where sample results are included with the Quarterly report. In addition, as noted in the Quarterly report, no QA/QC samples were collected. Accordingly, the data cannot be validated and therefore, cannot be used to satisfy the requirements of the approved RFI Workplan. During previous telephone conversations, Mr. Art Wells of LANTDIV has indicated to Mr. Tim Gordon of my staff that the sample results reported in the August - October 1995 Quarterly Report were collected for internal Naval usage, and not intended as a replacement for that required pursuant to the September 1995 approved RFI Workplan, as amended. EPA wishes to reiterate that the sample results reported with this Quarterly Report will not be accepted as partial fulfillment of the requirements of the approved RFI Workplan, due to the absence of the QA/QC data needed to validate the results and the deviations from the approved workplan.

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2. EPA notes that in the Quarterly RFI report the Navy states that the Tow Way Fuel Farm (SWMU #7) free product recovery system was not operated during the period covered. However, on January 23, 1996, EPA received 3 monthly reports on the Roosevelt Roads Free Product Removal project for July, August, and September 1995, transmitted by Mr. S. Castillo's letter of December 28, 1995, which indicate that in fact operation of the free product recovery system continued at least through September 14, 1995. Therefore, the Tow Way Fuel Farm (SWMU #7) portion of the Quarterly RFI report (page 5) appears to be incorrect. EPA will not require revision of this portion of the report, if the Navy submits within 25 calendar days of your receipt of this letter, the October 1995 monthly Tow Way free-product recovery report, to complete the information needs for SWMU #7 for the 3 months ending October 31, 1995.

3. Though EPA Region II policy generally is to utilize the Action Level concentrations contained in the Proposed RCRA Corrective Action Rule, published in the Federal Register of July 27, 1990 (FR 55 No. 145, 30798-30884), subject to revision based on EPA's Integrated Risk Information System (IRIS) data base, EPA Region II is prepared to consider the "Risk-Based Concentration" levels developed by Region III (reference Roy L. Smith's memo of October 20, 1995, and earlier versions) as the basis for determining whether further evaluation is required. However, this does not mean that the Region III Risk-Based Concentration levels will be exclusively utilized to determine whether or not corrective measures are required, or that those concentrations would be used as the clean-up levels.

4. Regarding the on-going free-product recovery at Tow Way Fuel Farm (SWMU #7), EPA wishes to point out that:

a) Interim Corrective Measures for free-phase hydrocarbon removal are required to be implemented at SWMU #7 pursuant to Condition E.4 of Module III of the 1994 RCRA/HSWA Final Permit (the permit) and Condition IX of Appendix C, the Corrective Action Compliance Schedule of Module III of the permit. Accordingly, cessation in implementation of the free-phase hydrocarbon recovery, results in non-compliance with the terms of the permit. Therefore, in the future, the Navy must notify EPA in writing, within 7 calendar days of any extended cessation (greater than 5 calendar days) in implementation of activities required pursuant to the Corrective Action Compliance Schedule of Module III of the permit, including the required Interim Corrective Measures for SWMU #7 (Tow Way Fuel Farm).

b) Pursuant to Condition B.8.(a) of Module III of the permit, Quarterly Progress Reports are required for all activities implemented pursuant to the Corrective Action

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Compliance Schedule of Module III of the permit. Such reports must be submitted for Interim Corrective Measures at SWMU #7 (Tow Way Fuel Farm). In my letter of April 13, 1995, commenting on the September 1994 Corrective Action Plan (CAP) submitted by the Navy to satisfy the requirements of Condition E.4 of Module III of the permit for submission of an Interim Corrective Measures work plan for free-phase hydrocarbon removal at SWMU #7 (Tow Way Fuel Farm), EPA stated that the monthly reports on free-product recovery, as described in the CAP, were also to be submitted to EPA in partial fulfillment of the reporting requirements of the permit. EPA expects these reports to be submitted in a timely manner (30 days following the end of the month), on a monthly basis, not in groups of 3, as were the recently received July, August, and September 1995 reports, which were submitted between 3 to 5 months after the fact. In addition, EPA has still not received the reports for October, November, and December 1995.

In the future, failure to submit the monthly progress reports for the free-phase hydrocarbon removal at SWMU #7 (Tow Way Fuel Farm) within 30 days following the end of the reporting period will be treated as non-compliance with the permit requirements. Also, failure in the future to notify EPA, in writing, of any extended cessation (greater than 5 calendar days) in implementation of activities required pursuant to the Corrective Action Compliance Schedule of Module III of the permit, including the required Interim Corrective Measures for SWMU #7 (Tow Way Fuel Farm), will be treated as non-compliance with the permit requirements.

EPA requests that within 25 calendar days of your receipt of this letter the Navy submit a written response if it does not concur with the above comments. Please contact Mr. Tim Gordon of my staff, at (212) 637-4167 if there are any questions.

Sincerely yours,

Andrew Bellina, P.E.
Chief, Hazardous Waste Facilities Branch

cc: Commander S.J. Pena, NAVSTA Roosevelt Roads
Mr. Sindulfo Castillo, NAVSTA Roosevelt Roads
Mr. Israel Torres, EQB
Mr. Art Wells, LANTDIV