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NAS CECIL FIELD, FL
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LETTER OF TRANSMITTAL AND U S EPA RESPONSES TO U S NAVY RESPONSES TO COMMENTS ON PROPOSED PLAN FOR OPERABLE UNIT 5 (OU 5) SITE 15 BLUE 10 ORDNANCE DISPOSAL AREA NAS CECIL FIELD FL
5/17/2007
U S EPA REGION IV

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

CTO 39
Site 15 PP

May 17, 2007

EMAIL & US MAIL

4SD-FFB

BRAC PMO SE
Attn: Mark Davidson
4130 Faber Place Drive
Suite 202
North Charleston, SC 29405

SUBJ: EPA Comments on the Navy's Response to Comments on the OU 5, Site 15 Proposed Plan; Naval Air Station, Cecil Field, Florida

Dear Mr. Davidson:

The Environmental Protection Agency (EPA) has reviewed the subject document. Critical comments that EPA believes must be addressed are enclosed. The format, organization, and in some cases the wording, are not to EPA's choosing but are legally sufficient. Please make the appropriate revisions before finalizing the Proposed Plan. If you have any questions, please call me at (404) 562-8549.

Sincerely,

Doyle T. Brittain

Doyle T. Brittain
Senior Remedial Project Manager

cc: David Grabka, FDEP
Mark Speranza, TTNUS
Mike Halil, CH2MHill

Enc.

EPA COMMENTS ON THE PROPOSED PLAN RESPONSE TO COMMENTS FOR OU5, SITE 15

Response to General Comment #3 and Specific Comment #5 – Partially Acceptable. The Navy has agreed to include language on the post-remedial action sampling of groundwater but the text states that "a confirmation groundwater sample will be collected...." The EPA contends that it may require more than ***one*** (emphasis added) sample to verify that no adverse impacts to the aquifer due to arsenic contamination. The exact number of sampling events or number of samples taken will be based upon technical considerations and approved in the Remedial Design or Remedial Action Work Plan. Accordingly, the language in *The Proposed Cleanup Plan* text box and in the last paragraph of Alternative 3A (on Page 8) should be revised as follows: "Confirmation sampling will be conducted after the soil excavation is completed...."

Response to Specific Comment #16 – Partially Acceptable. The EPA suggested language accurately reflects both the CERCLA and NCP requirements. Although, the Navy's justification to keep the language simple for the reader is a desirable goal, the EPA firmly believes that because "compliance with ARARs" is a threshold requirement for any remedy, the description of this requirement in the Proposed Plan should be accurate, especially if the Navy highlights ARARs with its own Section title in the Proposed Plan. Accordingly, use the EPA suggested paragraph although the citations to the NCP can be omitted.

Response to Specific Comment #19 – Unacceptable. The phrase "Based on the information currently available" is too vague and not what the parties must rely on to draw conclusion that one alternative is preferred over the others. It is the analysis performed by the parties and documented in the Feasibility Study (FS) that supports that conclusion. Accordingly, use the EPA suggested language for this paragraph. Also, revise the first sentence of the second (non-numbered) paragraph under the *A Closer Look at the Navy's Proposed Cleanup Plan* as follows: "Based upon the information and analysis in the FS, the Navy.....".

Response to Specific Comment #20 – Partially Acceptable. Existing language misrepresents the process for the State acceptance criteria in the NCP. Any State concerns including acceptance of the preferred alternative would typically be received in the form of Comments on the Remedial Investigation and Feasibility Study (RI/FS) [reference 40 CFR 300.430(e)(9)(iii)(H). State acceptance is not "secured" but rather obtained as part of the approval of that document. The EPA also believes that reference to the FS that was approved by the State is beneficial in the sense that the public could verify in the Administrative Record file that indeed this was the case. Accordingly, use the EPA suggested first sentence in this paragraph. The existing language on public comments can remain, although EPA prefers our suggested text on the Community Acceptance.

New Comment – The *A Closer Look at the Navy's Proposed Cleanup Plan* Section should include a description of the post-remedial action sampling of groundwater since this is part of the remedy. Accordingly, at a minimum, add the following sentence as either a numbered paragraph #3 or directly after paragraph #2: "Confirmation sampling will be conducted after the soil excavation is completed to verify that no adverse impacts to the aquifer have occurred during cleanup activities."

Response to Specific Comment #24 – Partially Acceptable. The Navy's suggested paragraph is for the most part an acceptable compromise from the EPA language. However, there should be a reference to CERCLA Section 121(c) and the wording in the last sentence does not capture what could be required of the Navy if the remedy is deemed un-protective. Accordingly, insert the phrase "per CERCLA 121(c)" after the word 'use,' in the first sentence. Also, revise the portion of the last sentence as follows: "would be evaluated and, if required, implemented by the Navy."