

N60201.AR.002838
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EMAIL REGARDING REJECTION OF REMEDIAL ACTION ALTERNATIVE FOR SOLID
WASTE MANAGEMENT UNITS 47 AND 53 (SWMU 47 AND 53) NS MAYPORT FL
3/11/2014
NAVFAC SOUTHERN

Claggett, Libby

From: Fears, Diane
Sent: Thursday, August 07, 2014 9:36 AM
To: Claggett, Libby
Subject: FW: REJECTION OF WAIVER REQUEST: RAA Waiver Request for Mayport SWMUs 47 and 53

Documentation of requirement to continue without the official RAA Waiver

From: Hayworth, Dana CIV NAVFAC SE [dana.hayworth@navy.mil]
Sent: Tuesday, March 11, 2014 10:40
To: Fears, Diane; Spriggs, Thomas A CIV NAVFAC LANT, EV
Cc: Brant, Byron C CIV NAVFAC LANT, EV; Darby, Robbie CIV NAVFAC SE; Reisch, Timothy A CIV NAVFAC LANT, EV; Reed, Sarah M CIV NAVFAC SE, JAX; Roof, Gregory; Hayworth, Dana CIV NAVFAC SE
Subject: RE: REJECTION OF WAIVER REQUEST: RAA Waiver Request for Mayport SWMUs 47 and 53

Diane and Tom,

Thanks for all the effort and input into this waiver for these SWMU's. In the finale analysis, these sites have been in the NORM system for decades following each phase to reach Response Complete. At this stage of the process I would rather not second guess eligibility rational and build on the path forward that is congruent with regulatory mandates the Navy is required to meet. I'm going to request the contractor continue to move forward with completing the CMS with the LUC and LTM actions in order to meet the Corrective Action Management Plan deadlines as well as addressing Tom's concerns in the next partnering meeting.

If anyone has any further comments, please feel free to discuss with me.

Thank You,

Dana Hayworth, PG
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-----Original Message-----

From: Fears, Diane [mailto:Diane.Fears@tetrattech.com]
Sent: Monday, March 10, 2014 5:52 PM
To: Spriggs, Thomas A CIV NAVFAC LANT, EV; Hayworth, Dana CIV NAVFAC SE
Cc: Brant, Byron C CIV NAVFAC LANT, EV; Darby, Robbie CIV NAVFAC SE; Reisch, Timothy A CIV NAVFAC LANT, EV; Reed, Sarah M CIV NAVFAC SE, JAX; Roof, Gregory
Subject: RE: REJECTION OF WAIVER REQUEST: RAA Waiver Request for Mayport SWMUs 47 and 53

Here is the 2010 drawing with all of the SWMUs, AOCs, Petroleum sites, etc. I apologize that I hadn't checked the report, but I had remembered 4 releases in my previous email, but there are 5 releases. The releases identified in the Report are: Leaking Riser Valve OW01; Leaking Cleanout OW02; Leaking Manhole OW03; Leaking Cleanout OW04; and Oily Waste Line OW05 on the drawing. If you compare the wells from SWMU 47, 53 and 55 with this drawing, you see that the groundwater does not seem to be impacted from these newer releases. The majority of the wells associated with these SWMUs exceed iron and manganese GCTLs, and the Navy is conducting a background groundwater study for the metals. One well exceeds arsenic, one well exceeds bis(2-ethylhexyl)phthalate, and the well previously associated with AOC C is currently in the LTM program.

I believe that the separation between the RFI data and the current operations is documented and is being maintained. The Public Works Department at NAS Mayport has taken responsibility for remediating existing and future releases, and this CMS is just completing the initial investigation required by RCRA regulations.

Please let me know if you have any further questions.

thank you
Diane

From: Spriggs, Thomas A CIV NAVFAC LANT, EV [thomas.spriggs@navy.mil]
Sent: Monday, March 10, 2014 14:42
To: Fears, Diane; Hayworth, Dana CIV NAVFAC SE
Cc: Brant, Byron C CIV NAVFAC LANT, EV; Darby, Robbie CIV NAVFAC SE; Reisch, Timothy A CIV NAVFAC LANT, EV; Reed, Sarah M CIV NAVFAC SE, JAX; Roof, Gregory
Subject: RE: REJECTION OF WAIVER REQUEST: RAA Waiver Request for Mayport SWMUs 47 and 53

Thank you, Diane; enlightening. A follow-up question: can you provide a figure illustrating where the 4 impacted areas are located?

-----Original Message-----

From: Fears, Diane [mailto:Diane.Fears@tetrattech.com]
Sent: Monday, March 10, 2014 11:11 AM
To: Spriggs, Thomas A CIV NAVFAC LANT, EV; Hayworth, Dana CIV NAVFAC SE
Cc: Brant, Byron C CIV NAVFAC LANT, EV; Darby, Robbie CIV NAVFAC SE; Reisch, Timothy A CIV NAVFAC LANT, EV; Reed, Sarah M CIV NAVFAC SE, JAX; Roof, Gregory
Subject: RE: REJECTION OF WAIVER REQUEST: RAA Waiver Request for Mayport SWMUs 47 and 53

Tom,
I'm not sure that you were aware that a System Integrity and Hydrostatic Testing Report, dated March 2010, identified 4 areas where releases from the Oily Waste Pipeline had occurred. Those areas have been reported to FDEP and to the IR Partnering Team, and are to be investigated and remediated by the NAVFAC SE Public Works Utility Division, using Navy Working Capital funding.

Hope this helps clarify some of your concerns.

thank you
Diane

From: Spriggs, Thomas A CIV NAVFAC LANT, EV [thomas.spriggs@navy.mil]

Sent: Monday, March 10, 2014 10:57

To: Hayworth, Dana CIV NAVFAC SE

Cc: Brant, Byron C CIV NAVFAC LANT, EV; Darby, Robbie CIV NAVFAC SE; Reisch, Timothy A CIV NAVFAC LANT, EV; Reed, Sarah M CIV NAVFAC SE, JAX; Fears, Diane; Roof, Gregory

Subject: REJECTION OF WAIVER REQUEST: RAA Waiver Request for Mayport SWMUs 47 and 53

Dana,

BLUF: After further consideration, I am rejecting the request for an RAA waiver for these sites.

On the surface, LUCs appear acceptable, assuming that the areas where releases have been documented will have monitoring activities associated with the type of contaminants detected. However, we should be concerned with the active piping: Do these lines currently meet compliance requirements from both a regulatory and Navy perspective? How these systems are monitored and documented as being compliant with the applicable regulatory programs should be captured, memorialized, and become an integral part of the future LTM monitoring program in all reports and NORM. Each new report should include a section that specifically includes documentation describing the current compliance audit findings for each pipeline.

It appears that these sites have been in NORM for some time which is directly opposite to language found in the NERP Manual, Sec. 4.2.5 p.4-11, Bullets 5 & 6 where it specifically states that any "...cleanup costs of spills associated with current operations..." are not considered eligible for ER,N funding. In that regard, who will be held responsible for cleanup of new releases in the future? ER,N program funding only looks at a release where the system or source has been removed and the cleanup progress is not hindered by another on-going source area.

Therefore, the following items document my finding to reject this waiver:

- Nowhere in this document specifies a contaminant release, clearly identified area impacted, or provided a date of release. How can these active pipelines and their associated areas be considered SWMUs?
- From the text, the Oily Waste/Waste Oil (OWWO) System (SWMU 47) is an ongoing, fully operational system serving the active piers/wharves at NAS Mayport. True? If so, we should follow the NERP Manual Sec. 4.2.5 and consider these sites ineligible for ER,N funding and release them from NORM.
- Likewise, the Sanitary Sewer System (SWMU 53) sounds like an ongoing, fully operational system serving the Southeast Regional Maintenance Center (SERMC), helicopter maintenance hangers, commercial shipyards, and the active piers/wharves at NAS Mayport.
- Both SWMU 47 & 53 have gravity pipelines some made of ductile iron (SWMU 47, ca. 1979) and others presumably reinforced concrete in SWMU 53 (not identified but a common construction component). Without further construction details, there could be - and likely are - undiscovered leaking pipes. Again, these are active systems and are presumably not eligible for ER,N funding per the NERP. Please clarify.
- What's to prevent additional contamination occurring during LTM? How can ER,N be held liable with potential ongoing operations using these pipes? Shouldn't the installation be responsible for the O&M on these pipes and any leaks or discovered contamination?
- Since we are in Phase 7 LTM, won't further releases be suspect since the goal of ER, N is to cleanup, not fund future releases from operational systems?
- Pipe integrity of the sewer system was investigated by remote cameras in 1988 by Smith & Gillespie Engineers. They identified numerous issue areas that were later repaired. How long were these areas allowed to leak materials remains unknown. Later soil gas & DPT investigations were conducted to determine extent of contamination. Bottom-line, we are still dealing with active pipelines that should not be part of ER,N.
- According to a Nov. 1995 RCRA Facility Assessment Sampling Visit Work-plan, Sec. 2.1, p. 2-2, paragraph 3, NAS Mayport civil engineering staff noted during interviews that while investigating a known diesel pipeline break in Jan 1990 "...old oily waste product (was found) in the excavation area, indicating a previous product release." This unknown release, the pipeline break, and the multiple pipe integrity issues identified two years earlier (and over 20 years ago) serve as warning signals that Mayport may have more unidentified issues along these aging pipelines. It is the opinion of this reviewer that they do not fall under ER,N funding eligibility.

- Recently, HQ released recent funding obligation data for NAVFAC LTM sites totaling in excess of \$60 million annually. If a fraction of our LTM sites include SWMUs like this, that number will surely rise WHEN another release occurs. It is in our best interest to reduce this burden by taking steps to remove LTM sites under active tanks and pipelines and return the responsibility back to the compliance branch or the installation.

Not to close without offering a path forward, I provide the following ideas for your consideration:

- Conduct a full-scale pipeline investigation to clearly identify the lateral extent of contamination,
- Require the installation to fund and conduct a pipeline integrity survey to establish the current pipeline condition,
- Suggest the installation future fund slip-lining all major pipe systems to prevent future releases in lieu of a major, disruptive pipeline replacement,
- Collect and analyze forensically the groundwater/free product samples to establish the current condition of the material (presumably that it's weathered) in case future spills occur when a mandate could be required to conduct forensics at the time of a new release, and
- Consider installing an additional network of sentinel wells to finalize a boundary of the plume's limits.

As always, please contact me should you have any questions or comments describing this course of action.

Regards,
Tom

Thomas A. Spriggs, Ph.D., P.E.

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-----Original Message-----

From: Hayworth, Dana CIV NAVFAC SE
Sent: Monday, March 03, 2014 9:56 AM
To: Spriggs, Thomas A CIV NAVFAC LANT, EV
Cc: Reed, Sarah M CIV NAVFAC SE, JAX
Subject: RE: RAA Waiver Request for SWMUs 47 and 53

Tom,

Pursuant to our conversation this morning, these sites have been in the ER, N program and NORM for over two decades and we are currently faced with regulatory requirements that could have implications if we don't act. I'm inclined to push forward with the path forward as outlined, unless you have another possible avenue to address this situation. I believe that if LUC with GW LTM satisfies the FDEP then we meet regulatory compliance. The ER, N program should also work with the installation to be aware that they are responsible for addressing any releases from ongoing operations related to these areas. This can be established with some type of baseline analytical data point.

Thanks for your comments,

Dana Hayworth, P.G.
Remedial Project Manager
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NAS Jacksonville, Bldg 135

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-----Original Message-----

From: Spriggs, Thomas A CIV NAVFAC LANT, EV
Sent: Tuesday, February 25, 2014 8:03 AM
To: Hayworth, Dana CIV NAVFAC SE
Cc: Fears, Diane (Diane.Fears@tetrattech.com); 'Roof, Gregory'; Reed, Sarah M CIV NAVFAC SE, JAX
Subject: RE: RAA Waiver Request for SWMUs 47 and 53

Thank you, Dana. I did speak with Byron and have follow-up information to share when you are available. Tom

-----Original Message-----

From: Hayworth, Dana CIV NAVFAC SE
Sent: Monday, February 24, 2014 12:22 PM
To: Spriggs, Thomas A CIV NAVFAC LANT, EV
Cc: Fears, Diane (Diane.Fears@tetrattech.com); 'Roof, Gregory'; Reed, Sarah M CIV NAVFAC SE, JAX
Subject: RE: RAA Waiver Request for SWMUs 47 and 53

Tom,

To answer some of your questions below regarding the ER, N funding aspect of these sites, you generally asked: How can these active pipelines and associated areas be considered a SWMU specifically the OWWO (SWMU47; sanitary sewer system (SMWU 53) be eligible for ER, N program funding:

I can't answer the exact date these sites were placed into the ER, N program; however, I can state that these would have had to go through NAVFAC HQ for approval, so someone at HQ approved them on the basis of the paperwork submitted.

I have attached a comment letter from FDEP dating back to 2006 regarding these sites, please take a look at this.

I can state that these lines will continue to be operational, which by definition do not fit the bill for funding eligibility; however, whatever circumstance(s) that came about to include these is now somewhat of a moot point and have FDEP scrutiny for meeting statutory requirements. And we need to address this requirement in some form whether that is LUC and GW LTM using ER, N funds.

As far as future release, this is where my concern lies simply from the standpoint of how NORM establishes the cleanup phase. Since we are in Phase 7 LTM any further releases will be suspect since the goal of ER, N is cleanup not funding future releases from operational systems.

In that regard, this could be addressed as follows: LUC/LTM documents that state the IR program will only monitor the GW IAW the stipulated requirements and that any suspect further release will be the responsibility of the installation to respond to cleanup.

At the very least, we do need to proceed with some type of action since the FDEP will be expecting a protective measure to be in place and official funding approved. I do believe there should be a discussion held on how all stakeholders perceive how a future release will be addressed and memorialize this in some type of documentation.

I'm open to any further discussions on this matter.

Thanks,

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-----Original Message-----

From: Spriggs, Thomas A CIV NAVFAC LANT, EV
Sent: Thursday, February 13, 2014 1:55 PM
To: Hayworth, Dana CIV NAVFAC SE
Subject: RE: RAA Waiver Request for SWMUs 47 and 53

Dana,

BLUF: I am inclined to reject this waiver request. However, I would like to have my concerns addressed by the contractor before finalizing this decision.

After reviewing this RAA Waiver request, I have more questions (concerns) than answers:

- Where do we have a documented release? Nowhere in this document does TT identify a specific contaminant release, identify the area impacted, nor identify a date of release. How can these active pipelines and their associated areas be considered SWMUs?
- From the text, it sounds as if the Oily Waste/Waste Oil (OWWO) System (SWMU 47) is an ongoing, fully operational system serving the active piers/wharves at NAS Mayport. True? If so, NERP Manual Sec. 4.2.5 p.4-11, Bullets 5 & 6 specifically state that any "...cleanup costs of spills associated with current operations..." are not considered eligible for ER,N funding. Please clarify why we are examining these pipeline systems and their immediate areas, potentially using ER,N funds.
- Likewise, the Sanitary Sewer System (SWMU 53) sounds like an ongoing, fully operational system serving the Southeast Regional Maintenance Center (SERMC), helicopter maintenance hangers, commercial shipyards, and the active piers/wharves at NAS Mayport.
- Both SWMU 47 & 53 have gravity pipelines some made of ductile iron (SWMU 47, ca. 1979) and others presumably reinforced concrete in SWMU 53 (not identified). Without further construction details, there could be - and likely are - undiscovered leaking pipes. Again, these are active systems and are presumably not eligible for ER,N funding per the NERP. Please clarify.
- What's to prevent additional contamination during LTM? How can ER,N be held liable with potential ongoing operations using these pipes? Shouldn't the installation be responsible for the O&M on these pipes and any leaks or discovered contamination?
- Pipe integrity of the sewer system was investigated by remote cameras in 1988 by Smith & Gillespie Engineers. They identified numerous issue areas that were later repaired. How long these areas were allowed to leak materials out remains unknown. Later gas & DPT investigations were conducted to determine extent of contamination. Bottom-line, we are still dealing with active pipelines that are not part of ER,N.
- According to a Nov. 1995 RCRA Facility Assessment Sampling Visit Work-plan, Sec. 2.1, p. 2-2, paragraph 3, NAS Mayport civil engineering staff noted during interviews that while investigating a known diesel pipeline break in Jan 1990 "...old oily waste product (was found) in the excavation area, indicating a previous product release." This unknown

release, the pipeline break, and the multiple pipe integrity issues identified two years earlier (and over 20 years ago) serve as warning signals that the Navy may have more unidentified issues along these aging pipelines. It is the opinion of this reviewer that they do not fall under ER,N funding eligibility.

Please let me know what the contractor says and if we need a call to discuss, I am open for it.

Regards,
Tom

Thomas A. Spriggs, Ph.D., P.E.

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-----Original Message-----

From: Hayworth, Dana CIV NAVFAC SE
Sent: Thursday, February 06, 2014 6:42 AM
To: Spriggs, Thomas A CIV NAVFAC LANT, EV
Cc: Maughon, Mike
Subject: FW: RAA Waiver Request for SWMUs 47 and 53

Tom,

Attached is the RAA waiver request for these SWMU's. Basically, these sites encompass a large area where remedial options for a total cleanup is not feasible. Besides that, both systems are operational 24/7 so the potential for another release is possible.

Let me know if you have any questions,

Thanks,
Dana Hayworth

-----Original Message-----

From: Fears, Diane [mailto:Diane.Fears@tetrattech.com]
Sent: Wednesday, February 05, 2014 4:09 PM
To: Hayworth, Dana CIV NAVFAC SE
Cc: Roof, Gregory
Subject: RAA Waiver Request for SWMUs 47 and 53

Hi Dana,

Per our conversation today, here is the RAA Waiver Request. Please copy Mike Maughon when you send it to Tom Spriggs at LANT. Let me know if you have any questions.

thank you
Diane

Diane Racine Fears
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