



DEPARTMENT OF THE NAVY

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NSY LONG BEACH  
SSIC #5090.3

Long Beach Naval Shipyard  
Long Beach, CA 90822-5099

Naval Station  
Long Beach, CA 90822-5000

LBNSY  
5090  
Ser 410/157  
7 Apr 92

NAVSTA  
5090  
Ser N4/663  
7 Apr 92

Ms. Laura Yoshii  
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U.S. Environmental Protection Agency  
Region IX  
75 Hawthorne Street  
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Mr. Mohinder Sandhu  
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Region 4  
Facility Permitting Branch  
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Ref: (a) Department of Toxic Substance Control ltr dtd 10 Feb 92  
to Long Beach Naval Shipyard and Long Beach Naval Station  
(b) Department of Toxic Substance Control ltr dtd 24 Mar 92  
to Long Beach Naval Shipyard and Long Beach Naval Station

Dear Ms. Yoshii and Mr. Sandhu:

The purpose of this letter is to initiate a modification to RCRA Permit Compliance Schedule, EPA ID Number CA6170023109, Section V.R, pursuant to 40 CFR 270.41 and Title 22 of the California Code of Regulations for the Federal and State permits, respectively. This letter is in response to references (a) and (b), and includes the background leading to the request for schedule modification, enclosure (1), proposed Operable Units, enclosure (2), and a proposed modified compliance schedule, enclosure (3).

The schedule modification is required to provide the Navy adequate time to develop and implement the RCRA Facility Investigation (RFI) on solid waste management units (SWMUs) 1,2,3,4 and 5. The compliance schedule in the permit requires submittal of RFI work plans one year after the date of issuance (DOI) of the permit. The Navy is requesting a one year extension of this date and a change in the SWMUs for which an RFI is required.

Investigatory work has occurred at the five SWMUs. The Navy has developed and implemented RFI Phase 1 work plans for these SWMUs (and eight other SWMUs for which RFI Phase 1's were required). The draft RFI Phase 1 reports for all 13 SWMUs will be submitted for regulatory review by June 30, 1992.



The Department of Toxic Substance Control, DTSC, has concurred with this submittal date per a letter<sup>1</sup> from State of California Department of Toxic Substance Control, Region 4, dated 13 Aug 91 to Long Beach Naval Shipyard and Long Beach Naval Station.

Due to apparent miscommunication between the Navy and California Department of Health Services, Region 4 (DOHS, now referred to as DTSC), the Navy assumed EPA and DTSC had given consent on the Navy's proposed course of action throughout the RFI process on these five SWMUs. The investigatory process had begun utilizing CERCLA and Navy guidelines. Under this process, Navy normally conducts a Site Inspection (SI) before proceeding to the Remedial Investigation (RI). The Navy assumed that all RFIs (the RI equivalent) would include the performance of RFI Phase 1 investigations (similar to CERCLA SI's). As outlined in enclosure (1), on several occasions, the Navy submitted for approval and received EPA and DTSC comments on SI work plans for these five SWMUs. At no time was the Navy discouraged from performing SIs (Phase 1 RFIs) for the five sites in question.

EPA RCRA program has not directly provided any comments to the Navy on its RCRA corrective action efforts at Long Beach. The only comments received from EPA were from the CERCLA program. Close coordination between the EPA RCRA and CERCLA project managers would greatly assist Navy progress at Long Beach.

Additional adjustments to the schedule are necessary based on review of the preliminary SI and RFI Phase 1 data for the 13 sites, and the potential risks to human health and environment. It is proposed that the SWMUs be grouped into operable units (OUs) as indicated in enclosure (2), and that a new schedule be developed for each OU. Based on this preliminary information, it is proposed the RFI work at OU #1 be addressed first. The proposed schedule for OU #1 and for newly identified SWMUs is contained in enclosure (3).

The circumstances described above and in enclosure (1) to a large degree detail events over which the Navy has had little control and for which no other remedy is reasonably available other than to modify the compliance schedule for SWMUs 1,2,3,4 and 5.

A meeting is requested with EPA Region IX and DTSC Region 4 at the earliest convenience to rectify this matter.

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Public Works Department  
By direction of the  
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Naval Station, Long Beach  
By direction of the  
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Encl:

- (1) CERCLA/RCRA Background
- (2) Solid Waste Management Units/Proposed Operable Units
- (3) Proposed Compliance Schedule

Copy to:

Naval Facilities Engineering Command, Southwest Division,  
San Diego (Code 00, Code 18, Code 1823)

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## ENCLOSURE 1

### CERCLA/RCRA BACKGROUND

- Ref: (a) EPA ltr dtd 15 Apr 88 to Long Beach Naval Shipyard and Naval Station, Long Beach  
(b) EPA ltr dtd 23 May 90 to Naval Facilities Engineering Command  
(c) EPA ltr dtd 08 Dec 90 to Naval Facilities Engineering Command  
(d) State of California Department of Health Services, Region 4 ltr dtd 21 Dec 90 to Long Beach Naval Shipyard  
(e) State of California Department of Health Services, Region 4 ltr dtd 27 Mar 91 to Long Beach Naval Shipyard  
(f) Mtg 22 Apr 91 at State of California Department of Health Services, Region 4, Long Beach Office, with Navy  
(g) Mtg 21 Jun 91 at State of California Department of Health Services, Region 4, Long Beach Office, with Navy  
(h) State of California Department of Toxic Substance Control, Region 4 ltr dtd 13 Aug 91 to Long Beach Naval Shipyard and Long Beach Naval Station  
(i) State of California Department of Toxic Substance Control, Region 4 ltr dtd 06 Nov 91 to Long Beach Naval Shipyard and Long Beach Naval Station  
(j) Mtg 13 Dec 91 at Department of Toxic Substance Control, Region 4, with Navy  
(k) Mtg 28 Jan 92 at Department of Toxic Substance Control, Region 4, with Navy  
(l) Department of Toxic Substance Control ltr dtd 10 Feb 92 to Long Beach Naval Shipyard and Long Beach Naval Station

The Initial Assessment Study (IAS) for The Naval Complex, Long Beach was completed in August, 1983. The Naval Complex, Long Beach was defined as: Long Beach Naval Shipyard (LBNSY), Naval Station, Long Beach (NAVSTA, LB), and the Naval Supply Center Detachment. The IAS was prepared and submitted pursuant to CERCLA and Navy regulations. The report identified 12 waste disposal sites. EPA (CERCLA program) reviewed the IAS, and provided review comments per reference (a).

While CERCLA actions were underway, the RCRA permitting process was initiated. In September 1988, Long Beach Naval Shipyard submitted a RCRA part B application to EPA. A RCRA Facility Assessment (RFA) was conducted by the California State Department of Health Services, Region 4 (DoHS), and the RFA report was submitted to EPA on November 30, 1989. The report recommended further action



for 13 solid waste management units (SWMUs). This included the 12 sites identified in the IAS and one additional site.

From early 1988 to late 1990, CERCLA and RCRA actions were occurring independently of each other. First draft Site Inspection (SI) work plans (dated April 26, 1990) were prepared and submitted by the Navy pursuant to CERCLA for the 12 sites identified in the IAS. Review comments were provided by EPA (CERCLA program) per reference (b).

In the RCRA process in June 1990, a final permit decision was made by EPA, and a RCRA hazardous waste facility permit was issued to the Long Beach Naval Shipyard (EPA ID Number CA6170023109) effective June 22, 1990. The RCRA permit included corrective actions for the 13 sites per recommendations in the RFA. These included: a RCRA Facility Investigation (RFI) for 5 sites, and an RFI Phase I for 8 sites. The permit allowed for use of the CERCLA process to satisfy RCRA requirements.

The NAVY CERCLA process continued, and SI work plans for the 12 sites were modified to incorporate EPA (CERCLA) review comments per reference (b). The second draft SI work plans (dated October 31, 1990) were submitted to EPA (CERCLA). EPA (CERCLA) provided review comments per reference (c).

Navy correspondence with DoHS in late 1990 indicated that the DoHS Site Mitigation Branch (CERCLA program) transferred the SI work plans (dated October 31, 1990) to the DoHS Facilities Permitting Branch (FPB) in December, 1990. Following this, DoHS RCRA FPB notified LBNSY (per reference (d)) that the SI work plans did not encompass all the RFI Phase I sites identified in the corrective action section of the RCRA permit. Specifically, the SI work plans did not include Site 13 (Bldg 303 Tank Farm), and the former Quonset hut site (Bldg 129).

DoHS FPB provided additional comments, reference (e), on the second draft of the SI work plans, dated October 31, 1990. These comments were extensive and major modifications to the work plans were required. The letter indicated these review comments pertained to the Phase I RFI sites, and that the RFI sites in the work plans would be reviewed at a later date.

Meanwhile, the third draft of the SI work plans (dated April 8, 1991) were prepared and submitted to EPA (CERCLA program) and DoHS FPB to incorporate previous comments from: EPA CERCLA program (reference (c)), DoHS (reference (d)), and the California Regional Water Quality Control Board, Los Angeles Region.

In response to references (d) and (e), two meetings were held: references (f) and (g). At the first meeting, reference (f), DoHS FPB indicated a RCRA cross-reference was also required. The matter of the two additional sites was addressed by including the former Quonset hut site into the SI work plan for Site 9, and the Navy would prepare a separate RFI Phase I work plan for site 13 (Bldg 303 tank



farm). At this meeting, DoHS FPB also agreed to extend the deadline for submittal of the RFI Phase I work plan and the cross reference until June 30, 1991.

At the second meeting, reference (g), the Navy communicated to DoHS the intent to begin SI field work as soon as possible to gain initial information about the potentially contaminated sites, and that major changes to the work plans would further delay the start of field work. The topic of SI work plans vs. RFI work plans was discussed. The Navy explained that the work plans were developed under CERCLA guidelines and were not intended to fulfill the requirements of an RFI work plan, because the SI is a precursor to the RFI (the RCRA equivalent of the CERCLA RI/FS). DoHS FPB agreed to postpone certain requirements in reference (e) until the RFI phase, and that the Navy should proceed with plans to implement the work plans for the 13 sites and begin field work in August, 1991, pending DoHS approval of the final work plans. At this time, neither EPA or DOHS distinguished between how the Navy was to proceed differently at the five RFI sites from the eight RFI Phase I sites.

In July, 1991 the Navy submitted to DTSC: an RFI Phase I work plan for Site 13 (dated 19 June, 1991), a RCRA cross-reference (dated July 10, 1991), responses to comments in reference (e), and SI Cost Proposal Management Plans (dated April 15, 1991), and draft 4 of the SI work plans (dated July 10, 1991). DTSC provided a letter of approval of these documents in reference (h). This letter concurred with the objectives of the SI/RFI Phase I for all 13 sites. However, the letter also included approval conditions which required further work plan revisions. The work plans were amended and implemented by the September 30, 1991<sup>2</sup> deadline per reference (h).

Once the work plans were implemented, DTSC indicated an RFI work plan submittal was required with the RFI Phase I report submittal due June 30, 1992, per reference (i). A meeting was held, reference (j), to discuss this requirement. The DTSC concurred with the Navy that the RFI Phase I draft report should be completed prior to development of RFI work plans. DTSC suggested that the Navy and DTSC together develop a Site Management Plan for all sites prior to development of RFI work plans. A subsequent meeting was held in January to implement this strategy, reference (k). The proposed schedules for the Site Management Plan and RFI work plans were discussed. The Navy proposed the submittal dates of October, 1992 and June, 1993, respectively. Plans were made for a follow-up meeting in May.

Following the January meeting, the Navy received a letter from DTSC, reference (l). In this letter, DTSC stated the Navy was required to submit an RFI work plan no later than June 30, 1992.



## ENCLOSURE 2

i

### Solid Waste Management Units/ Proposed Operable Units

<b>PROPOSED OU#</b>	<b>SWMU#</b>	<b>SITE DESCRIPTION</b>
<b>1</b>	<b>3</b>	Industrial Waste Disposal Site
	<b>9</b>	Mole Solid Waste Operations Site
	<b>10</b>	Chemical Material and Waste Storage Area
	<b>11</b>	Mole Extension Sites
	<b>13</b>	Boat Disposal Location
<b>2</b>	<b>1</b>	Building 210 TCE Disposal Site
	<b>4</b>	Parking Lot X
	<b>6</b>	Building 129 and Quonset Hut Site
	<b>7</b>	Parking Lot H Past Operations
	<b>8</b>	Tank Farm at Building 303
<b>3</b>	<b>5</b>	Harbor Sediments
<b>4</b>	<b>2</b>	Hillside East of Dry Dock 1
<b>5</b>	<b>12</b>	Skeet Range Solid Waste Fill Area



### ENCLOSURE 3

## PROPOSED COMPLIANCE SCHEDULE

<u>ITEM</u>	<u>DUE DATE</u>
RFI Work Plan for SWMUs 3,9,10,11,13	June 30, 1993
Cost Estimates for RFI Implementation	Aug 31, 1993
Revised/Final RFI Work Plan	90 days after receipt of comments
Implementation of RFI Work Plan	90 days after written approval
Draft RFI Report	120 days after completion of RFI
Revised/Final RFI Report	60 days after receipt of comments
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Notification of newly-identified SWMUs	30 days after discovery
Notification of newly discovered releases	30 days after discovery
SWMU Assessment Plan for newly-identified SWMUs	90 days after receipt of request
Revised SWMU Assessment Plan	as determined
SWMU Assessment Report	120 days after completion of SWMU Assessment Plan