



DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE, NORTHEAST
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5090
BPMO NE/OJM
Ser 06-057
September 12, 2006

Ms. Christine A.P. Williams
Federal Facilities Superfund Section
US EPA New England Region 1
1 Congress Street, Suite 1100 (HBT)
Boston, MA 02114-2023

Dear Ms. Williams:

SUBJECT: ARARs REVIEW AND COMMENT

The Navy has reviewed the recommended changes related to the EPA's Applicable or Relevant and Appropriate Requirements (ARARs), and has only minor comments. Please see the attached MACTEC document. As a result, the Navy will be tasking Tetra Tech NUS, Inc. to review the existing Records of Decisions (RODs) and any other documents potentially impacted by the changes in the ARARs. Any affected documents will be revised to incorporate the latest ARAR changes. If any ongoing investigations or monitoring is affected, the Navy will identify those impacts to the stakeholders, and will discuss options prior to implementing necessary changes.

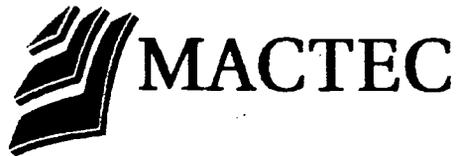
If you have any questions or comments, please contact Lonnie Monaco at (215) 897-4911 or me at (215) 897-4915.

Sincerely,

A handwritten signature in cursive script that reads "Dawn C. Kincaid".

DAWN C. KINCAID, P.E.
BRAC Environmental Coordinator
By direction of BRAC PMO

Copy to:
MEDEP (Claudia Sait)
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Lepage Environmental (Carolyn Lepage)
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BNAS CO (Captain George Womack)
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June 14, 2006

Subject: Second Five-Year Review Report for Naval Air Station Brunswick, Maine
Appendix J.5 - Comments from USEPA on ARARs Tables

Prepared by: Alan P. Piecuch, Principal Engineer (MACTEC)
Jeffrey E. Brandow, P.E., Principal Engineer (MACTEC)

MACTEC Engineering and Consulting, Inc. (MACTEC) has reviewed Appendix J.5 of the Second Five-Year Review Report for Naval Air Station (NAS) Brunswick, Maine, prepared by Environmental Chemical Corporation and EA Science Technology, dated September 2005. Appendix J.5 contains comments from the United States Environmental Protection Agency (USEPA) on the Applicable or Relevant and Appropriate Requirements (ARARs) tables for the following sites at NAS Brunswick:

Site 1 (Orion Street Landfill - North) and Site 3 (Hazardous Waste Burial Area)
Site 2 (Orion Street Landfill - South)
Site 7 (Old Acid Caustic Pit)
Site 9 (Neptune Drive Disposal Area)
Eastern Plume Operable Unit 4

The following paragraphs provide comments on the USEPA-revised ARARs tables for the above listed sites at NAS Brunswick.

1. In general, the vast majority of the USEPA revisions can be categorized as additions/deletions or editorial changes to provide consistency between the ARARs tables for each of the above listed sites.
2. Several location-specific ARARs have been added for Sites 1 and 3 (Table C-1), Site 7 (Table E-3), Site 9 (Table F-3), and the Eastern Plume (Table G-1). These include Executive Orders 11990 (Wetlands Protection) and 11988 (Floodplain Management) that Federal agencies/Federal facilities must comply with. Other significant additions include the Fish and Wildlife Coordination Act and the Coastal Zone Management Act. These Acts would be applicable requirements if future actions are necessary that would disturb fish or wildlife resources or impact coastal zone resources.
3. Several action-specific ARARs have been deleted from Table C-2 for Sites 1 and 3. These include a number of requirements relative to RCRA Solid Waste Management Units and Land Disposal Restrictions. These requirements are no longer necessary based on the current status of Sites 1 and 3.

4. A number of action-specific ARARs have been added to Table C-2 for Sites 1 and 3 and Table G-2 for the Eastern Plume (e.g., RCRA Air Emission Standards and State of Maine Air Pollution Control Emission Requirements) and several other requirements have been revised relative to the groundwater treatment system and discharge of treated groundwater to an infiltration system. Although these ARARs are valid for the Eastern Plume due to the changes to the groundwater treatment and effluent discharge systems, they are not necessary at this time for Sites 1 and 3 because the groundwater treatment and effluent discharge systems are not currently operating. However, it appears that the USEPA has added these requirements for Sites 1 and 3 to be consistent with the ARARs for the Eastern Plume because these ARARs would be applicable requirements in the future if the treatment and discharge systems were re-activated for Sites 1 and 3.
5. The Clean Water Act Ambient Water Quality Criteria and State of Maine Surface Water Toxics Control Program have been added as action-specific ARARs for Sites 1 and 3 Table C-2) and the Eastern Plume (Table G-2). The Clean Water Act Ambient Water Quality Criteria has also been added as a Monitoring Performance Standard for Site 2 (Table D-1). These are relevant and appropriate requirements for evaluating surface water data collected during long-term monitoring at these sites.
6. A number of action-specific ARARs have been added or revised for Site 7 (Table E-1) and Site 9 (Table F-1). These include RCRA Subtitle C and State of Maine Hazardous Waste Management Rules. These ARARs are not necessary for the current on-going long-term monitoring activities. However, if future activities (e.g., excavation or installation of additional monitoring wells) were conducted and waste materials were generated, it would be necessary for the activities to comply with these ARARs. Since the Second Five-Year Review Report recommends installing additional monitoring wells at Sites 7 and 9, the activities would need to comply with these ARARs.
7. The following are suggested editorial changes to the ARARs tables.
 - a. Table C-3, page 1, Requirement column: MCLs should reference 40 CFR 141.11 - 141.13 (not 141.11 - 141.16).
 - b. Table D-1, page 1, Requirement column: MCLs should reference 40 CFR 141.11 - 141.13 (not 141.11 - 141.16).
 - c. Table D-1, page 2, Action to be Taken column: Delete "and sediments".
 - d. Table E-1, page 2, Requirement column: Maine Hazardous Waste Management Rules should reference Chapters 800 and 850.
 - e. Table E-2, page 1, Requirement column: MCLs should reference 40 CFR 141.11 - 141.13 (not 141.11 - 141.16).
 - f. Table F-1, page 1, Action to be Taken column: Clean Water Act AWQC; delete the duplicated words "Ambient Water Quality Criteria".
 - g. Table F-1, page 2, Action to be Taken column: Maine Hazardous Waste Management Rules should reference Chapters 800 and 850.
 - h. Table G-2, page 2, Action to be Taken column: Underground Injection Control Program; at the end of the last sentence, suggest changing "well injection" to "release into the infiltration system".
 - i. Table G-2, page 3, Action to be Taken column: Clean Water Act Pretreatment Standards for POTW Discharge; the first sentence should read "...maintains the option to discharge..." (not "...the option is discharge...").
 - j. Table G-3, page 1, Requirement column: MCLs should reference 40 CFR 141.11 - 141.13 (not 141.11 - 141.16).