



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

J.F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203-2211

December 16, 1994

Fred Evans
Northern Division Naval Facilities Engineering Command
Code 1821/JS
10 Industrial Highway, Mailstop 82
Lester, PA 19113-2090

Re: Response to Navy Proposal to Consolidate Site 11 Soils at Sites 1 and 3

Dear Fred:

After contemplating the Navy's proposal to consolidate soils from Site 11 as part of the necessary subgrade for the landfill cap at Sites 1 and 3, I have the following thoughts on the path the Navy would need to follow.

Although a removal action closeout report for Site 11 has not been prepared, it is currently the EPA's understanding that, by completion, the time-critical removal action at Site 11 will have addressed the threat posed by the metallic containers and any hazardous liquids that remain inside them. From the preliminary data collected, there does not seem to be as large a quantity of saturated and possibly hazardous soil as we had expected when we first designed the removal action.

With regard to the consolidation option for the remaining soils at Site 11, I agree that there is a time-critical nature because the latest schedule for the construction of the landfill cap shows that a decision and the supporting information to consolidate soils would need to be made and in place by June 1995. Working within the time constraint, there are two broad issues that are of regulatory importance. They are: the authority for taking this action, and compliance with RCRA Land Disposal Restrictions (LDRs).

With regard to the authority for taking this action, the EPA believes that this is dependent on the regulatory status of the remaining soils (e.g., are they hazardous?) because if it is determined that the soils are not hazardous, then the soils would technically would not be regulated although the soil is located within an area of contamination. So, I believe that the Navy would not have to prepare an Action Memorandum for the remaining soils since the soils would not be regulated, and feel that we should concentrate our efforts on the second issue which is compliance with LDRs.

As you are aware, the soils consolidation option hinges on compliance with RCRA LDRs which apply to listed and characteristic wastes. For the Site 11 soils to be hazardous via a listed waste, the Navy would need to have information about the source of waste (e.g., waste from a specific process or affirmative evidence (e.g., manifests). If no records on the exact types of flammable



liquids used at the fire training area are available, then the Navy should determine if the soils to be considered for consolidation are hazardous via characteristics. Since it is highly unlikely that soils can exhibit the characteristics of ignitibility, corrosivity, or reactivity, the only way the soils could be hazardous would be via toxicity characteristics. For your quick reference, I have attached the toxicity characteristics section from the Code of Federal Regulations (40 CFR §261.24).

At this point, I believe that the following three broad tasks would need to be completed prior to consolidating the soils from Site 11 at Sites 1 and 3. They are:

1. *Land Disposal Restrictions Compliance Workplan*: This workplan would outline the scope of the proposed action and also serve as a sampling and analysis plan. The following details would need to be defined: acceptance criteria, contaminants (e.g., all chemicals detected in soil samples that are a contaminant on the toxicity characteristic list), data quality objectives, soil volume, a statistically valid sampling methodology based on the volume, analytical parameters, and QA/QC protocols.
2. *Land Disposal Restrictions Technical Evaluation Memorandum*: The Navy would officially present this report for regulatory review and solicit approval.
3. *Explanation of Significant Differences for Sites 1 and 3*: Should the sampling results favor consolidation, an ESD must be prepared and finalized documenting the consolidation of soils from Site 11 to Sites 1 and 3.

On a separate note with regard to the remedial process for Sites 4, 11, and 13, it is the EPA's understanding that the Navy is still planning on revising the RI/FS for these sites to reflect what will be the new post-removal site situation. Should the Navy wish to further consider the consolidation option at Site 11, I would be happy to work with the Navy on the details. As always, feel free to contact me at (617) 223-5521.

Sincerely yours,



Robert Lim, Remedial Project Manager
Federal Facilities Superfund Section

cc. Jim Caruthers/NASB Public Works
Jeffrey Brandow/ABB-ES, Inc.
Nancy Beardsley/MEDEP
Carolyn LePage/Gerber, Inc.

§261.24 Toxicity characteristic.

(a) A solid waste exhibits the characteristic of toxicity if, using the test methods described in appendix II or equivalent methods approved by the Administrator under the procedures set forth in §§260.20 and 260.21, the extract from a representative sample of the waste contains any of the contaminants listed in table 1 at the concentration equal to or greater than the respective value given in that table. Where the waste contains less than 0.5 percent filterable solids, the waste itself, after filtering using the methodology outlined in appendix II, is considered to be the extract for the purpose of this section.

(b) A solid waste that exhibits the characteristic of toxicity has the EPA Hazardous Waste Number specified in Table I which corresponds to the toxic contaminant causing it to be hazardous.

TABLE 1—MAXIMUM CONCENTRATION OF CONTAMINANTS FOR THE TOXICITY CHARACTERISTIC

EPA HW No. ¹	Contaminant	CAS No. ²	Regulatory Level (mg/L)
D004	Arsenic _____	7440-38-2	5.0
D005	Barium _____	7440-39-3	100.0
D018	Benzene _____	71-43-2	0.5
D006	Cadmium _____	7440-43-9	1.0
D019	Carbon tetrachloride _____	56-23-6	0.5
D020	Chlordane _____	57-74-9	0.03
D021	Chlorobenzene _____	108-90-7	100.0
D022	Chloroform _____	67-66-3	6.0
D007	Chromium _____	7440-47-3	5.0
D023	o-Cresol _____	95-49-7	*200.0
D024	m-Cresol _____	108-39-4	*200.0
D025	p-Cresol _____	106-44-6	*200.0
D026	Cresol _____		*200.0
D016	2,4-D _____	94-75-7	10.0
D027	1,4-Dichlorobenzene _____	106-46-7	7.5
D028	1,2-Dichloroethane _____	107-06-2	0.5
D029	1,1-Dichloroethylene _____	75-35-4	0.7
D030	2,4-Dinitrotoluene _____	121-14-2	*0.13
D012	Endrin _____	72-20-8	0.02
D031	Heptachlor (and its epoxide).	76-44-8	0.008
D032	Hexachlorobenzene _____	118-74-1	*0.13
D033	Hexachlorobutadiene _____	87-68-3	0.5
D034	Hexachloroethane _____	67-72-1	3.0
D008	Lead _____	7439-92-1	5.0
D013	Lindane _____	55-59-9	0.4
D009	Mercury _____	7439-97-6	0.2
D014	Methoxychlor _____	72-43-6	10.0
D035	Methyl ethyl ketone _____	78-93-3	200.0
D036	Nitrobenzene _____	98-95-3	2.0
D037	Pentachlorophenol _____	87-86-6	100.0
D038	Pyridine _____	110-86-1	*5.0
D010	Selenium _____	7782-49-2	1.0
D011	Silver _____	7440-22-4	5.0
D039	Tetrachloroethylene _____	127-18-4	0.7
D015	Toxaphene _____	8001-35-2	0.5
D040	Trichloroethylene _____	79-01-6	0.5
D041	2,4,5-Trichlorophenol _____	95-95-4	400.0
D042	2,4,6-Trichlorophenol _____	68-06-2	2.0
D017	2,4,5-TP (Silver) _____	93-72-1	1.0
D043	Vinyl chloride _____	75-01-4	0.2

¹ Hazardous waste number.

² Chemical abstracts service number.

*Quantitation limit is greater than the calculated regulatory level. The quantitation limit therefore becomes the regulatory level.

*If o-, m-, and p-Cresol concentrations cannot be differentiated, the total cresol (D026) concentration is used. The regulatory level of total cresol is 200 mg/L.