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U S NAVY RESPONSE TO AGENCIES COMMENTS REGARDING DRAFT SITE INSPECTION
WORK PLAN FOR FORMER CAT ISLAND BOMB TARGET AND SURFACE DANGER ZONE
MCAS CHERRY POINT NC
11/01/2008
CH2M HILL

Response to Comments
Draft Site Inspection Work Plan for Former Cat Island Bomb Target (BT-2) and Surface
Danger Zone
MCAS Cherry Point, North Carolina
November 2008

Introduction

The purpose of this document is to address comments associated with the Draft Site Inspection Work Plan for the Former Cat Island Bomb Target (BT-2) and Surface Danger Zone at Marine Corps Air Station (MCAS) Cherry Point, North Carolina. Gena Townsend (USEPA), George Lane (NCDENR - Superfund Section), Patrick McClain (NCDENR - Division of Land Resources, Land Quality Section), Joanne Steenhuis (NCDENR - Division of Water Quality), Andrew Haines (NCDENR - Division of Environmental Health, Shellfish Sanitation and Recreational Water Quality Section), Stephen Rynas (NCDENR - Division of Coastal Management), Patricia Murphey (North Carolina Department of Environment and Natural Resources - Division of Marine Fisheries) and Michel Gielazyn (National Oceanic and Atmospheric Administration - Assessment and Restoration Division) provided comments. Responses to comments are provided in bold type.

Gena Townsend
United States Environmental Protection Agency
Comments dated July 21, 2008

1. The Environmental Protection Agency has completed its review of the above subject document. This document identifies the use of the USEPA Region 9 preliminary remediation goals (PRGs) for risk evaluations. Region 4 no longer uses the Region 9 PRGs instead the new Regional Screening Tables (July 7, 2008) should be used for risk evaluations.

The text has been modified to reflect that the *Regional Screening Levels for Chemical Contaminants at Superfund Sites* will be used for data screening instead of the Region 9 PRGs.

2. Also, the text and figure states that there will be six composite surface soil samples collected (three sample increments per composite sample), however, it is not clear if this is an area or sample point (various depths) composite. The sampling scheme should be in a grid format or similar and samples should be a composite of each location. This would allow for a more comprehensive evaluation of Cat Island.

Figure 3-1 and Section 3.5.2 have been modified to clarify that each surface soil composite sample will be composed of three sample increments to be collected over each of six areas of the island. Additionally, each surface soil sample increment will be collected from zero to one foot below ground surface.

George Lane
Superfund Section
North Carolina Department of Environment and Natural Resources
Comments dated July 22, 2008

1. I agree with Gena's comments. I have no additional comments.

This comment has been noted.

Patrick McClain
Land Quality Section
Division of Land Resources
North Carolina Department of Environment and Natural Resources
Comments dated July 18, 2008

1. In response to your request for review and comment for the Draft Site Inspection Work Plan at the referenced location. It appears that less than one acre will be affected by the proposed activities. Therefore, an erosion and sedimentation control plan does not need to be approved by the Division of Land Resources. Should this investigation provide sufficient data indicating that a project to rid the island of the debris is necessary, please direct your inquiries to Mr. Dan Sams, PE, Regional Engineer, 127 Cardinal Drive, Ext., Wilmington, NC 28505.

This comment has been noted. Future inquiries regarding debris removal will be directed to Mr. Sams.

Joanne Steenhuis
Division of Water Quality
North Carolina Department of Environment and Natural Resources
Comments dated July 17, 2008

1. The project as proposed does not indicate any wetland impacts and therefore would not require a 401 Water Quality Certification from the Division of Water Quality. If the scope of the project changes or alters in any way where there would be wetland impacts, it will require a 401 certificate.

This comment has been noted. An application for a 401 Water Quality Certification will be submitted to the Division of Water Quality if the scope of the project changes, resulting in the potential for wetland impacts.

Andrew Haines
Shellfish Sanitation and Recreational Water Quality Section
Division of Environmental Health
North Carolina Department of Environment and Natural Resources
Comments dated July 21, 2008

1. We appreciate the opportunity to review and comment on the draft work plan for the site inspection on and around the Cat Island Bomb Target (BT-2). At this point we do not have any comments on the plan.

This comment has been noted.

Stephen Rynas
Division of Coastal Management
North Carolina Department of Environment and Natural Resources
Comments dated August 5, 2008

1. Section I.6 (Coastal Zones Within the Project Site) of the Plan is a discussion on whether the proposed project contemplated by the Plan would be subject to a CAMA permit. This section uses an incorrect standard of review. Federal projects within a State's coastal zone are reviewed under on the Coastal Management Act, which requires that a proposed Federal action be consistent, to the maximum extent practicable, with the relevant enforceable policies of the State's coastal management program. North Carolina's coastal zone management program consists of, but is not limited to, the Coastal Area Management Act, the State's Dredge and Fill Law, Chapter 7 of Title 15A of North Carolina's Administrative Code, and the land use plan of the County and/or local municipality in which the proposed project is located.

As such, the US Marine Corps (USMC) will not be applying for a CAMA permit, but will be making a consistency evaluation as outlined in Subpart "C" of 15 CFR 930. Of particular importance is an evaluation of whether the proposed project contemplated by the Plan would have a reasonable foreseeable effect on any coastal resource or any coastal use. Please see the definitions in 15 CFR 930.11.

DCM requests that Section I.6 be re-written to evaluate whether the proposed project would have a reasonable foreseeable coastal effect. Should it be determined by the USMC that the proposed project would have a reasonable foreseeable coastal effect the USMC will be required to submit a consistency determination to the North Carolina Division of Coastal Management (DCM) as outlined by 15 CFR 930.36 and 15 CFR 930.39. In the event that the USMC determines that the Proposed project would not have a reasonable foreseeable coastal effect then the USMC will need to submit a Negative Determination to DCM as outlined in 15 CFR 930.35.

Section I.6 has been modified to clarify that site activities will be evaluated to determine whether the proposed project will have a reasonable foreseeable coastal effect and a consistency determination or negative determination will be submitted to the Division of

Coastal Management before work commences. Appropriate references to 15 CFR 930 were added for clarity.

2. The purpose of the Plan is to provide a work strategy for investigating whether the former Cat Island Bomb Target (BT-2) and Surface Danger Zone have environmental contamination. While the focus of the Plan is on the technical aspects of conducting the surface investigations, we would encourage the USMC to include in Appendix I a review of any (Federal/State) permits and/or approvals that may be necessary for the proposed project and to also identify coordination and/or consultation that may be necessary before implementing the proposed project. Potential North Carolina State agencies that may need to be contacted include, but are not limited to: NC Wildlife Resources Commission, NC Division of Marine Fisheries, NC Division of Water Quality, and NC Division of Environmental Health. Moreover, while CERCLA may exempt site remediation proposals from State permitting requirements, these State agencies may have environmental concerns and regulatory issues that still need to be addressed through the consistency review process. (Footnote 1: This assumes that any proposed remediation will be done under CERCLA. If site remediation is not done under CERCLA the USMC may then be required to obtain certain State permits. DCM suggests that Section 1.6 explicitly evaluate this potential issue.)

Section I.8 has been modified to detail the additional stakeholder entities that will be consulted for project requirements with the addition of the following sentence. "Additional project stakeholders have been identified and will be provided with draft project documents for review. These stakeholders include the National Oceanic and Atmospheric Administration (NOAA), the North Carolina (NC) Wildlife Resources Commission, the Shellfish Sanitation Section of the NC Department of Environmental Health, North Carolina Department of Environment and Natural Resources (NCDENR) Division of Land Resources, NCDENR Division of Water Quality Administration, NC Coastal Resources Advisory Council, NC Natural Heritage Program, NC National Estuarine Research Review, NC Division of Marine Fisheries, Institute of Marine Sciences - University of North Carolina, NC Division of Coastal Management, Water Resources Division of the United States Geological Survey, United States Army Corps of Engineers Wilmington District, United States Forest Service, and the United States Fish and Wildlife Service."

Regarding footnote 1: In the Department of the Navy, environmental restoration, including activity to investigate and remediate releases of hazardous substances within the meaning of CERCLA, is carried under the Defense Environmental Restoration Program (DERP), the statutory authority for which may be found in Title 10, U.S. Code. DERP directives prescribe that environmental restoration activity is to be carried out in conformity with CERCLA. Accordingly, all relevant provisions of CERCLA, including the permit exclusion rule, apply to this site.

3. Section I.9 states "*Should any federally protected plant be identified within the project area, the specimens will be flagged for easy relocation and verification.*" (emphasis added). This is a follow-up to the previous bullet point. Under the consistency program resource protection measures are not limited to Federal resources but also include State resources, which is the reason that State agencies need to be consulted prior to implementing the proposed project.

We recommend that the Plan, as appropriate, be modified to recognize that proposed resource protection measures reflect both Federal and State concerns.

Section I.9 has been modified to include both State and Federally protected plants. Additionally, State protected species will be listed in the consistency determination if a consistency determination is needed.

4. Section 5.1 (Water Resources Within the Project Site) is misnumbered. It should be "*Section I.5*".

This modification has been made.

5. Table I-2 is a listing of the "Applicable or Relevant and Appropriate Requirements for Environmental Protection" laws. One of the laws cited is Subchapter H of Chapter 7 of Title 15A of North Carolina's Administrative Code (15A NCAC 7H). This citation is incomplete as all of Chapter 7 of Title 15A of North Carolina Administrative Code applies; as well as the State's Dredge and Fill Law and the local land use plan in effect for the project area. We would encourage the USMC to revise Table I-2 to include these legislative mandates as well. Also the "Synopsis of Requirements" ought to recognize that the State's coastal program is not limited to providing guidance for Areas of Environmental Concern but to all resources located anywhere within North Carolina's twenty coastal counties.

Table I-2 has been modified to cite all of Title 15A, North Carolina Administrative Code, Chapter 7. The synopsis of requirements for this source has also been modified for clarification. A citation for the North Carolina Dredge and Fill requirements has not been included as the sample collection to be performed during the site investigation activities will not include dredging or filling activities. Additionally, the local land use plan has not been included in Table I-2 as it is not considered a Federal or State ARAR. However, this plan has been referenced in Appendix I to provide information regarding the local land use plan characterization of the investigation area within Bogue Sound.

**Patricia L. Murphey
Division of Marine Fisheries
North Carolina Department of Environment and Natural Resources
Comments dated August 5, 2008**

1. North Carolina Division of Marine Fisheries (DMF) staff has reviewed the work plan for a munitions response program site inspection to be conducted to evaluate the presence and nature of munitions constituents contamination that may exist at the former Cat Island BT-2 and Surface Danger Zone. The inspection includes sampling the surface soil, sediment, and surface water on and around Cat Island (Wood Island). There are numerous submerged aquatic vegetation (SAV) beds located around the island. The DMR requests that sediment samples be located out of these SAV beds if possible.

If possible, sediment sampling locations will be located away from the SAV beds.

2. The DMF is also concerned about the method of removal of unexploded ordnances should they be located within these SAV beds.

Removal of unexploded ordnance will not be performed as part of the initial Site Inspection. Therefore, the method of ordnance removal is not included in this work plan. In the event that removal of unexploded ordnance will be performed, a future work plan will discuss removal methods.

3. An additional concern for the DMF is the possibility of military restricted/prohibited zones that may be required around the island.

There are currently no plans to further permanently restrict activities in the investigation area. While conducting the aerial digital geophysical mapping work (during the flyover period), access to the area will be limited for specific days and hours. Please be advised that NOAA Nautical Chart 11541 identifies areas in the vicinity of Cat Island and Wood Island as danger zones and includes the following note: "Unexploded ordnance has been found in water and on land near this location. Vessels should avoid this area and in no case anchor or ground the vessels on these islands."

**Michel Gielazyn
Assessment and Restoration Division
National Oceanic and Atmospheric Administration
Comments dated October 3, 2008**

1. NOAA recommends completing grain size and total organic carbon (TOC) analysis for all sediment samples.

The Work Plan has been modified to include analysis of TOC and grain size for all sediment samples.

2. EPA Method 8330B is designed to detect 17 compounds; only 14 were listed in the subject document. Why were Nitroglycerin, Pentaerythritol tetranitrate, and 3,5-Dinitroaniline left off the list?

EPA Method 8330B was mistakenly referenced in the text. Instead, EPA Method 8330 will be used for explosives residues at the site. Additionally, EPA Method 8330 will be modified to include analysis of nitroglycerin and pentaerythritol tetranitrate. It is not possible to analyze 3,5-dinitroaniline using EPA Method 8330; therefore, it will not be analyzed. The text has been modified to reflect these changes.

3. What are the ranges of water depths in Bogue Sound within the 6,600 acres that will be surveyed?

The approximate depth of water in the Bogue Sound investigation area ranges from zero to six feet at low tide.

4. Will tides or water depths affect the aerial geophysical surveying?

Due to the types of munitions and accumulation of items that are anticipated to be present, high tide should have little effect on detection of anomalies.