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STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION

January 5, 1995

Mr. Mark Evans
Department of the Navy
Northern Division, Naval Facilities Engineering Command, Code 1823
10 Industrial Way, Mail Stop 82
Lester, PA 19113-2090

Re: State Comments Regarding Revised Draft
Focused feasibility Study- Area A Landfill
Installation Restoration Program
Naval Submarine Base- New London
Groton, Connecticut, November 8, 1994

Dear Mr. Evans:

Staff of the Permitting, Enforcement, and Remediation Division of the Bureau of Water Management have reviewed the report entitled "Revised Draft Focused Feasibility Study- Area A Landfill, Installation Restoration Program, Naval Submarine Base- New London, Groton, Connecticut", (FFS) dated November 8, 1994. The report was prepared by Atlantic Environmental Services, Inc. on behalf of the US Navy's Northern Division Naval Facilities Engineering Command.

The Department concurs that the proposed interim remedy of hot spot removal and capping will accomplish the goal of moving on a fast track basis to protect human health from the risks posed by direct contact with contaminated soils and landfill contents. This approach will allow these threats to be addressed quickly, before the entire Phase II Work Plan can be carried out. Ground water is not addressed by this focused feasibility study. The Department's concurrence with the approach proposed in the FFS is conditioned upon our understanding that ground water remediation will be addressed as part of the overall Phase II Work Plan.

Our comments regarding this document are listed in detail below. All references to CGS in this letter mean the Connecticut General Statutes, while RCSA means the Regulations of Connecticut State Agencies.

GENERAL COMMENTS

The Navy proposes in the FFS to establish a target cleanup level of 10 mg/kg for PCBs in surface soil. All soils "hot spots" with PCBs above this concentration would be excavated and disposed of off site, while soils remaining under the cap would have an average PCB concentration of 2 mg/kg. All remaining soils with PCB concentrations exceeding 2 mg/kg would be consolidated beneath the cap. This is the same approach agreed to by the Department for the DRMO site. This approach is also acceptable for the Area A Landfill, provided that long term operation and maintenance of the cap and ground water monitoring will be carried out.

The FFS notes that several constituents, most notably lead, in the Area A Landfill soils, exceed TBC values for soil. The TBC value for lead in soil is derived from the Department's Proposal for the Connecticut Cleanup Standard Regulations, which was released in its final form in December 1994. The purpose of the standard is to protect ground water from the potential threat posed by contaminants which migrate from soils. Since this FFS focuses directly on reducing risks posed by direct contact with contaminated soils, rather than on risks to ground water quality, these exceedances are not addressed. This is acceptable to the Department with the understanding that when the final Phase II remedy is carried out, soils will be remediated to the standards specified in the proposed Cleanup Standard Regulations. All other contaminants, in addition to lead, which exceed the Department's Cleanup Standard Regulations, must also be addressed at that time. It is expected that these regulations will have been adopted and thus constitute ARARs by the time the final Phase II remedy is carried out. A copy of the final proposalhas been previously provided to you.

The ARARs tables state repeatedly that the cap will be constructed so that its limits will remain outside the wetlands. For this reason, State and Federal wetland related ARARs would not apply. This contradicts information elsewhere in the report which indicates that some excavation and/or filling may be required at the margins of the wetlands. It is the Department's position that the proposed landfill cap must adequately cover all contaminated soils and landfill materials, including those which may be located at the immediate edge of, or within the landfill. The cap design must consider all available sources of information regarding the extent of landfill waste, including the recently completed wetland/ landfill interface sampling. Any necessary excavation or filling of the wetlands must be performed in compliance with all wetland related ARARs, including the Inland Wetlands and Watercourses Act (CGS §§ 22a-36 to 45 and RCSA §§ 22a-39-1 to 15), Section 404 of the Federal Clean Water Act, and Federal Executive Order 11990, regarding Protection of Wetlands. All of these requirements are properly cited in the ARARs tables, but are listed as non-applicable.

The Department has several specific concerns regarding the wetlands. The wetlands area to be affected by the remedy must be clearly identified, and an environmental analysis of the effects upon the wetlands and water resources must be conducted. In addition, it is the Department's policy that a minimum of one-to-one compensation must be provided for any wetlands which are impacted. The most preferable option for mitigation is to restore or enhance degraded wetlands. Other options, in order of decreasing preferability are: 1) acquisition or preservation by deed restriction or easement of existing wetlands or monetary contributions toward acquisition or preservation; 2) creation of wetlands within the watershed where the impacts will occur; or 3) creation of wetlands outside the watershed.

The various tables of Applicable or Relevant and Appropriate Requirements (ARARs), state that Connecticut's Water Diversion Policy Act (CGS §§22a-365 to 378) is not an ARAR. The tables state that rerouting of upgradient surface water and overburden ground water are not subject to the requirements of the Act. The Department disagrees with this interpretation. All non-exempt diversions of greater than 50,000 gallons per day require a permit. The amount of water to be diverted or withdrawn has not yet been identified.

Various portions of the text discuss the use of deed restrictions to limit access to the landfill and prevent damage to the cap by unauthorized excavation. The text notes that deed restrictions would not be put into place unless the site is transferred to private ownership. Since this is unlikely to occur in the near future, steps must be taken to ensure that the cap remains undisturbed as long as the base remains under the control of the Navy. The text should be revised to reflect this practical consideration.

SPECIFIC COMMENTS

Section 1.6.4, Limits of Landfill, Page 42, ¶ 3

The first sentence should state that boring 2WMW3S is located at the eastern, rather than the western end of the landfill.

Section 2.2.1.2 Target Levels for PCBs in Soils, p. 77

The explanation of the selected target level for PCBs is confusing and requires clarification. The text should more carefully explain how using a 10 mg/ kg target level for PCBs in surface soils and a 50 mg/kg target level for subsurface levels will result in a site wide average of less than 2 mg/kg. The terms "site" and "site wide average" should be defined more clearly. The text should clarify whether the term "site" applies to the entire base or only to the Area A Landfill.

It should be noted that under the Department's Draft Proposal for the Connecticut Cleanup Standard Regulations (December 1994), the Pollutant Mobility Criteria for PCBs in soil is 2 mg/kg. This constitutes a TBC value for this site.

Section 2.2.2. ARAR/TBC Remediation Goals

p. 79, Chemical Specific ARARs- Table of Constituents Exceeding ARAR or TBC Values in Soils

In the final version of the Proposal for the Connecticut Clean-up Standard Regulations, the Pollutant Mobility Criteria for selenium in soils has been raised from 10 ug/l to 36 ug/l in areas with a ground water quality goal of GA, measured by TCLP. The table of Constituents Exceeding the TBC Values in Soils should be updated to reflect this fact.

This table also correctly lists 2,000 ppb as our To-Be-Considered (TBC) value for PCBs in soil based on the Department's Guidance dated April 22, 1994. It should be noted that this concentration has been included as the pollutant mobility criteria for PCBs in the final Proposal for the Connecticut Cleanup Standard Regulations. This standard would require the use of mass analysis for determining PCB concentrations.

p. 82, Table 2-2- State Chemical Specific ARARs and TBCs- Air Pollution Control

In the discussion regarding Actions to be Taken under the State's Air Pollution Control Regulations (RCSA §§ 22a 174-1 to 20), the table states that pollution controls would be required if there are emissions from the selected alternative. Under §22a-174-3(a)(1)(K), a permit would be required for any landfill which emits greater than 5 tons per year of any particular air pollutant, including methane. Best Available Control Technology requirements mandate that the landfill be provided with an active gas collection system with appropriate treatment. Significant concentrations of methane have been detected at the Area A landfill. This issue was also raised in our November 23, 1994 Comment letter regarding the Action Memorandum for the DRMO. This position is more fully explained in a June 20, 1994 memo from our Air Management Bureau, regarding air quality requirements in landfill closures. This document was provided to you previously. However, for your convenience, a copy is attached to this letter.

p. 85, Table 2-4- State Location Specific ARARs and TBCs- Hazardous Waste Management

In the "Synopsis" column, the text refers to Table 3-3. The reference should be to Table 2-3.

p. 89, Table 2-6- State Action Specific ARARs and TBCs

In the discussions regarding Hazardous Waste Management and Safe Storage and Transportation of Chemicals, all references to Table 3-5 should be changed to 2-5.

p. 91, Chemical Specific ARARs- Table of Constituents Exceeding ARAR or TBC Values in Groundwater

The table lists 75 ppb as the ARAR and TBC value for 1,4 dichlorobenzene based on the US EPA Maximum contaminant Level (MCL). Under the final version of the Proposal for the Connecticut Clean-up Standard Regulations, the ground Water Protection Criteria for this compound will be 1.5 ppb. This value should be listed as a TBC.

Section 4.3.3 Alternative 2L-1- Compliance with ARARs

p. 137- Table 4-1- Federal Chemical specific ARARs

In the discussion regarding the Solid Waste Disposal Act, the reference to 40 USC §§6901 *et seq* should be changed to 42 USC. This change should also be made in Table 4-14 on page 166, and Table 4-21 on page 183, and Table 2-1 on page 80.

p. 140- Table 4-3 Federal Location Specific ARARs

The title of this table refers to the Area A Downstream/ OBDA sites, rather than the Area A Landfill. The title should be changed to refer to the Area A Landfill. This will make the table consistent with all other tables in the FFS.

p. 144- Table 4-6 State Action Specific ARARs

Connecticut's Solid Waste Management Regulations should be cited as RCSA §§ 22a-209 1 to 13. This change should also be made in Table 4-12 on page 157, Table 4-15 on page 168, Table 4-19 on page 174, and Table 4-26 on page 190, and Table 2-6 on page 89.

p. 145, Table 4-6 State Action Specific ARARs

Under Connecticut OSHA, the text refers to Table 5-5. The reference should be to Table 4-5. This comment applies also to Table 4-12 on page 158, Table 4-19 on page 175, Table 4-26 on page 191, and Table 2-6 on page 90.

Section 4.4.1 Alternative 2L-3- Compliance with ARARs

p. 148, Figure 4-1, Figure 4-1 Alternative 2L-3 Cap

The plan view of the landfill in Figure 4-1 depicts the limits of the landfill. However, it does not show the proposed limits of the cap, or the location of the wetland boundary. These should be included as part of this figure. The State understands that the exact extent of the landfill material and thus of the cap are subject to revision based on the results of the wetland/ landfill interfacesampling. This comment also applies to Figure 4-2 on page 164.

p. 153- Table 4-9- Federal Location Specific ARARs, and
p. 154- Table 4-10- State Location Specific ARARs

Under Clean Water Act Section 404, Executive Order 11990, and State Inland Wetland and Watercourses Act, these tables state that the cap would be constructed so its limits are outside the wetlands. As discussed above on page 2 under General Comments, the State is concerned that the proposed cap must cover all contaminated soils or landfill materials. The proposed cap must also comply with all wetlands related ARARs. This comment applies also to Table 4 -10 on page 154, Table 4-16 on page 170, Table 4-17 on page 171, Table 4-23 on page 186, and Table 4-24 on page 187.

Page 158, Table 4-12 State Action Specific ARARs

The table states that the Connecticut Water Diversion Policy Act would not apply to the proposed diversions of upgradient surface and ground water. As stated above on page 2 under General Comments, the Department disagrees with this interpretation. It is the Department's position that all non-exempt diversions of the waters of the State are subject to the Act. Since the flow rate and exact nature of the diversions has not been determined, it cannot yet be determined whether the exemption would apply to either the surface water or ground water diversions.

If you have any questions regarding this letter, please contact me at (203) 424-3768.

Sincerely,

Mark R. Lewis

Mark R. Lewis
Environmental Analyst 2
Permitting, Enforcement & Remediation Division
Bureau of Water Management

cc: Ms. Kymberlee Keckler, US EPA Region 1
Mr. Barry Giroux, Atlantic Environmental Services, Inc.

Enclosure