



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
REGION 1  
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BOSTON, MASSACHUSETTS 02114-2023

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NSB NEW LONDON  
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October 16, 2000

Mark Evans, Remedial Project Manager  
U.S. Department of the Navy  
Naval Facilities Engineering Command  
Northern Division  
10 Industrial Highway  
Code 1823, Mail Stop 82  
Lester, PA 19113-2090

Re: Compliance with ARARs at the Goss Cove Landfill, Naval Submarine Base, New  
London, Groton, CT

Dear Mr. Evans:

I am writing to bring to your attention several compliance issues with the Navy's implementation of its CERCLA remedy at the Goss Cove Landfill, NSB-NLON. On October 11, 2000, I visited the construction site and noted exposed piles of excavated landfill soil/debris. Dust from these piles was blowing across the Site, potentially exposing both Site workers and visitors and staff of the adjacent Nautilus Museum to Site contamination.

Under the requirements of the Record of Decision for the Goss Cove Landfill, dated September 30, 1999, Applicable and Relevant and Appropriate (ARARs) statutes and regulations were identified that must be complied with during the Navy's remedial activities at the Site. Several, but not necessarily all, of the ARARs that apply to the handling and stockpiling of landfill debris include:

- CT Hazardous Waste Management: Generator and Handler Requirements; RCSA § 22a-449(c) 100-101; Relevant and Appropriate - "For all soils excavated during the remedial action, sewer relocation, and monitoring well installation, hazardous waste determinations will be performed, and the wastes will be managed in accordance with requirements of these regulations."
- CT Air Pollution Control; RCSA § 22a-174-1; Applicable - "Emission standards for fugitive dust will be met with dust control measures during excavation, transportation and consolidation to comply with substantive requirements."
- CT Guidelines for Soil Erosion and Sediment Control; To be Considered - "Erosion and sediment control measures would be implemented during excavation, recapping, and well installation activities."

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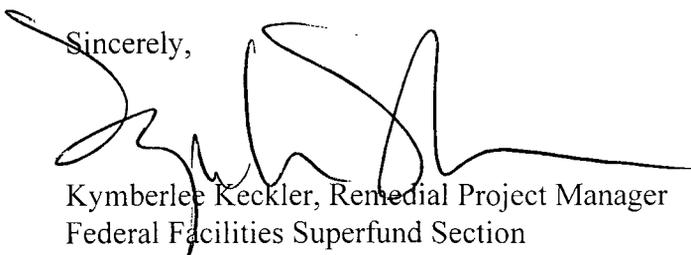
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Under these requirements of the ROD (*see* page 2-20 of the ROD and Appendix C), the Navy must test all excavated materials to determine if they are hazardous, and manage them accordingly. If hazardous, exposed stockpiles are in violation of the standard. If the material does not test hazardous, it still must be managed to avoid violation of dust and erosion control standards.

EPA regards compliance with the terms of the Record of Decision as a serious matter and looks forward to a rapid resolution of this issue. EPA therefore demands that you address these ROD compliance matters *immediately*, and that you contact me at (617) 918-1385 to inform me of your resolution of this issue.

Sincerely,



Kymberlee Keckler, Remedial Project Manager  
Federal Facilities Superfund Section

cc: Mark Lewis, CTDEP, Hartford, CT  
James Briggs, USN, Lester, PA  
Darlene Ward, NSBNL, Groton, CT  
Mary Sanderson, USEPA, Boston, MA  
David Peterson, USEPA, Boston, MA  
Jennifer Stump, Gannett Fleming, Harrisburg, PA