

09.04 - 01/19/95 - 00517

ENCLOSURE 1

RESTORATION ADVISORY BOARD MEETING MINUTES

Commander Naval Base (COMNAVBASE) Norfolk, held a Restoration Advisory Board (RAB) meeting on January 19, 1995, at the Navy Lodge on Hampton Boulevard. The meeting commenced at 7:05 p.m. with the following people in attendance.

RAB ATTENDEES:

Dianne Bailey, Navy Co-Chair	COMNAVBASE Norfolk Environmental Programs Department
Jack Ruffin, Community Co-Chair	Chesapeake Bay Foundation
Raymond Alden	Old Dominion University
Stacie Driscoll	US Environmental Protection Agency
Dave Forsythe	Naval Facilities Engineering Command, Atlantic Division (LANTDIV)
Karen Gates	Suburban Acres Civic League
Robert Gray	Browning Ferris, Inc.
Karen Gulley	Norfolk Health Department
Patricia McMurray	Virginia Department of Environmental Quality
Peggy Menzies	Willoughby Civic League
Dolline Pryer	COMNAVBASE Public Affairs Office
Nathaniel Riggins	Titustown Civic League
Lee Rosenberg	City of Norfolk
Robert Thomson	US Environmental Protection Agency
Robert Vazquez	National Oceanic and Atmospheric Administration

PRESENTERS:

James Harris	Remedial Project Manager/Navy Technical Representative
Jeri Trageser	Naval Base Norfolk Activity Coordinator

GENERAL PUBLIC:

Joe George	Ret. Fire Chief
Michael Kelly	Industrial Marine Services
Chuck Maguire	Commander in Chief US Atlantic Fleet
Michael Rice	W N I S R a d i o

NOT IN ATTENDANCE:

Fred Adams	Sierra Club
Stephen Dembkoski	Glenwood Park Civic Center
Carol Ann Greenwood	Tidewater Community College
Marjorie Mayfield	Elizabeth River Project

RESTORATION ADVISORY BOARD MEETING MINUTES (continued)

Bertram Myers
Robert Pennington

Algonquin Park Civic League
US Fish and Wildlife Service

RAB PRESENTATION SUMMARY:

The meeting was called to order at 7:05 p.m. by Ms. Dolline Pryer who provided an introduction on how the meeting was to be conducted and a statement of the "ground rules". The RAB was invited to ask questions during or at the end of each presentation. A public "Question and Answer" period would be held at the end of the meeting.

Initiating the presentation portion of the meeting, Dave Forsythe provided an update on the Camp Allen Remedial Action and results of the Removal Action completed at Area B in December 1994. Mr. Forsythe indicated that the RAB members would be receiving a copy of the Final Proposed Remedial Action Plan (PRAP) to review before the next RAB meeting.

- Questions:**
- 1) What exactly was disposed at Camp Allen Area B? Any drums? - In 1971 a fire at the Salvage Yard resulted in burned debris, drums, etc. Some items could not be extinguished, so the Navy dug trenches and bulldozed the materials into the ground and covered with soil. Over time, some of the buried materials leaked.
 - 2) What will we review? - The PRAP will be issued to the RAB soon.
 - 3) Is the Brig safe? - Interior air monitoring was conducted as part of the Camp Allen RI and included both the elementary school and brig. Results indicate that air quality within these buildings has not been impacted by landfill Areas A or B.
 - 4) Is soil vapor extraction decided as part of the Camp Allen remediation? Yes, it seems to be the best technology to use to clean up the site.
 - 5) You won't find drums in Area A? No, what was disposed was general waste generated by the base. Area B was an emergency situation.
 - 6) Are you going to pump and treat at Area B? Where is the plume? The plume is towards the school (indicates on the figure). However, the groundwater is not used as a drinking water source. The Area B contamination will be treated at the same facility being built for Area A remediation.

Jim Harris gave a brief overview of field activities at the LP-20 Site. As this project has just begun the RI portion of the IRP process, Mr. Harris noted that RAB members would have the opportunity to review the RI/FS documents this summer, and the PRAP and Decision Document in the Fall of 1995. Construction of the Remedial Action would be expected sometime in the Fall of 1996.

RESTORATION ADVISORY BOARD MEETING MINUTES (continued)

Questions: 1) Which documents will the RAB see? LANTDIV reviews the documents first (draft). The RAB and regulators will be issued the draft final version to review.

After a short break, Jeri Trageser presented an update of the CD Landfill RI/FS project and offered an overview of documents which the RAB members will review. The Draft RI is currently being reviewed by the Navy and should be available sometime in February to the RAB members and regulators. The Draft FS will be forwarded to the Navy for a preliminary review on January 23, 1995 and should be available for RAB review in late February/early March. More than likely the next RAB meeting will discuss the CD Landfill project results in more detail after the members have had a chance to digest the information included in the RI and FS documents.

Questions: 1) The site was tested and found to be non-hazardous? Based on the results of the risk assessment, there is no risk under a current use scenario. There is a risk associated with the site under a future residential use scenario. But, keep in mind that guidance stipulates that we look at a "worst case". There are no plans to convert this site to a residential community.

Dave Forsythe provided an update on the Q-Area Drum Storage Yard. Originally, the contractor (ESE, Inc.) evaluated site risks based on a qualitative risk assessment. At this time, ESE is preparing a quantitative risk assessment for the site to determine overall human health impacts. The risk assessment should be available for review by June and the FS by July 1995. The schedule for the remainder of the project includes the Remedial Design by March 1995, PRAP/Decision Document by fall with construction starting by October 1995. RAB members should keep in mind that various documents may refer to the site as "QADSY".

The meeting was then opened to questions from the general public, including:

Questions: 1) Will the RAB meetings always be conducted at night? We have tried to schedule the meetings at convenient times. Let us know if there is a time more convenient to the members. (Consensus was that from 7 to 9 p.m. was convenient.)

2) What does the acronym "NAVFACENCOM" on the agenda mean? Naval Facilities Engineering Command. It is the Navy's equivalent of the Army Corps of Engineers.

3) What is the status of the P-71 Transformer Area? This site was cleaned up in 1992.

4) What is the status of the pesticide site? This site was sampled by the Navy. Results indicated that the area could be placed as a lower priority. But the site is still on the list to be studied and cleaned up if necessary.

RESTORATION ADVISORY BOARD MEETING MINUTES (continued)

Dave Forsythe mentioned the Site Management Plan which will be developed by Baker this year. Most likely, members will have a chance to review the Plan outline and the March meeting will include information concerning this project.

Dianne Bailey presented the RAB mission statement including membership policies, and meeting operating procedures. A Draft version of the mission statement was provided to the RAB for comment.

Dolline Pryer closed the meeting at 8:50 p.m.

program complements EPA's TAG program by serving as a mechanism for providing technical assistance to communities near non-NPL hazardous waste sites. The TOSC program provides services to communities through five geographically-based Hazardous Substance Research Centers (HSRCs) created in 1986. Each HSRC is a consortium of universities which supports two EPA Regions (i.e. Regions 1&2, 3&4, 5&6, 7&8, 9&10). Each HSRC provides independent technical resources and services that are flexible and tailored to the identified needs of a community. HSRC researchers and professionals are available to conduct technical and educational programs in a community, assist in the review of technical documents, provide comments on proposed actions, and answer questions. Under this option, the Department of Defense and EPA would sign an MOU that makes the TOSC program available to community members of TRCs, RABs, and other community groups through EPA Superfund Regional Community Relations Staff. EPA Regional Community Relations Staff would provide outreach near a Department of Defense facility to community members desiring TOSC support, would review proposals for assistance from community members, and would work with them throughout the approval and post-approval process. The Department of Defense would reimburse EPA for TOSC service rendered. Under this option, community members of TRCs and RABs at non-NPL installations would obtain technical advisors and related services from designated HSRCs.

Option B: Procure One or More Technical Assistance Providers

This option would involve the competitive procurement of one or more independent technical assistance providers to provide technical and public participation assistance to community members of TRCs and RABs at Department of Defense facilities. This assistance would be above the administrative support to TRCs and RABs already provided by the installations. One or more technical assistance providers would provide this assistance and would carry out many of the administrative and financial management requirements associated with a technical and public participation assistance program. An announcement, a procurement for technical assistance providers, would be made via the Federal Register in conjunction with the publication of the Interim Final Rule mentioned in Section I. Actual awards to one or more

qualified technical assistance providers would be made via grants or cooperative agreements based on the results of an independent selection process. Recent experience with a similar grants process in the Department of Defense suggests that this option will involve a five or six month procurement process beginning with a formal announcement of a competition in the Federal Register and ending with awards to technical assistance providers.

At a later date, the Department of Defense plans a Federal Register announcement requesting expressions of interest to serve as a technical assistance provider. As indicated in that announcement, the technical assistance provider would provide technical assistance and public participation assistance to community members of TRCs and RABs. The provider would be responsible for receiving, evaluating, and making recommendations on applications from RABs for support and for providing the applications to the appropriate DoD approving official based on DoD established criteria. Once the approving official has selected the applications, the technical assistance provider would assume full responsibility for ensuring that the technical services and public participation support provided are delivered in a timely and effective manner to community members of TRCs and RABs, and that all funds are managed and dispersed in full compliance with appropriate Department of Defense regulations. The technical assistance provider would be responsible for supporting TRC and RAB requests nationwide or within a particular geographic area. Minimum qualifications for a technical assistance provider are:

- (1) Perceived as neutral and credible.
- (2) Either have or be able to obtain an interdisciplinary staff with demonstrated expertise in hazardous substance remediation, investigation, management and/or research.
- (3) Management capability, for both financial and scientific management, and a demonstrated skill in planning and scheduling projects of comparable magnitude to that discussed in this Announcement.
- (4) Ability to provide facilitation and mediation services.
- (5) Knowledge and experience in environmental restoration activities preferably at federal facilities.
- (6) A demonstrated ability to disseminate results of hazardous substance information through an interdisciplinary program to locally affected and concerned citizens.

(7) The ability to perform the required tasks either nationally or within a defined geographic area.

(8) Not-for-profit.

Under this option, community members of TRCs and RABs would be responsible for making requests to the community co-chair or designated members of the TRC or RAB responsible for applying to the designated technical assistance provider for assistance and for preparing facility specific statements describing the type and level of support requested. The technical assistance provider would be responsible for allocating available resources among these competing requests using general guidelines and established criteria provided by Department of Defense.

Option C: Issue Purchase Orders to Assistance Providers

This option would involve the issuance of purchase orders to technical and public participation assistance providers up to the allowable government purchase limit per purchase order (now at \$25,000). If multiple purchase orders were needed to assist community members of a particular TRC or RAB, the combined sum of these purchase orders could not exceed a specified allotment. Qualified assistance providers would be selected by the community members of a TRC or RAB at each Department of Defense facility using guidelines provided by the Department of Defense. Under this option, community members of the TRC or RAB would provide a description of the services it is requesting to a Department of Defense contracting office, along with a cost estimate, and would identify the assistance provider and the provider's statement of qualifications. A minimum set of organizational qualifications for receiving a purchase order would be specified under this option by the Department of Defense. These qualifications would be promulgated as part of an Interim Final Rule.

Under all options described in the preceding sections, the local installations will continue to be responsible for providing administrative support in accordance with joint EPA and Department of Defense Restoration Advisory Board Implementation Guidelines issued September 27, 1994.

III. Requests for Comments

Today the Department of Defense solicits comments on the options for providing technical and public participation assistance to community members of RABs or TRCs. Each of the options described in Section II of this notice have strengths and weaknesses.

Option A is the most timely option with the advantage of using existing EPA mechanisms to provide support, but also has the attached limitations of the TAG and TOSC programs as to the type of support which could be provided. Option B would procure independent technical assistance providers for the program and would relieve community members of TRCs and RABs of much of the administrative burden associated with managing government grants; however, it requires the time needed for a competitive procurement and does not provide the funds directly to community members of TRCs and RABs. Option C allows greater control and flexibility by community members, but imposes greater administrative burdens on community members of TRCs and RABs and on the contracting office issuing the purchase order. The Department of Defense is interested in determining the opinions of affected citizens and groups on these options. This would include preferences for particular options over others. It would also include comments on the individual options and the components of those options as described in Section II. There also exists the possibility of combining one or more of the Section II options. The Department of Defense solicits any comments or suggestions regarding option combinations. The Department of Defense also solicits comments on specific aspects of each option as well as on additional options desired to provide for technical and public participation assistance.

Within the options are specific items for which the Department of Defense solicits comments. These include the qualifications given for the independent technical assistance providers described in Option B. Comments on either the list of qualifications provided or on additional qualifications which should be added are encouraged. Both Options A and B have provisions for the division of the country into geographic areas with different service providers for each area. Do those commenting have preferences regarding nationwide versus regionalized coverage by service providers for these options? All options will be subject to an allotment cap. Do those commenting have suggestions as to the size of such a cap or the criteria which should be used to establish a cap? The Department of Defense has developed a list of public participation services it believes should be provided under Options B and C in addition to hiring technical advisors, facilitators, mediators and educators. These services are: translation and interpretation; training; transportation to meetings; and

payment of approved travel. Comments on these or other services to be included under Options B and C are encouraged.

Dated: May 18, 1995.

L.M. Bynum,

Alternate OSD Federal Register Liaison
Officer, Department of Defense.

(FR Doc. 95-12628 Filed 5-23-95; 8:45 am)

BILLING CODE 5000-04-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD13-90-028]

RIN 2115-AE06

Regulated Navigation Area: Puget Sound and Strait of Juan de Fuca, WA; Grays Harbor, WA; Columbia River & Willamette River OR; Yaguina Bay, OR; Umpqua River, OR; Coos Bay, OR

AGENCY: Coast Guard, DOT.

ACTION: Notice of termination.

SUMMARY: This rulemaking project was initiated to adopt regulations requiring an emergency tow-wire on tank barges while transiting certain port areas of the Pacific Northwest. The project is no longer necessary because the Coast Guard issued separate regulations on December 22, 1993, which require an emergency tow wire or tow line on all offshore oil barges. The Coast Guard is therefore terminating further rulemaking under docket number CGD13-90-028.

FOR FURTHER INFORMATION CONTACT: LCDR J. Bigley or LTJG M. L. Kammerer, Thirteenth Coast Guard District, Port Safety and Security Branch, (206) 220-7210.

SUPPLEMENTARY INFORMATION: On May 22, 1990, the Coast Guard published a "Request for comments; notice of hearing" at 55 FR 21044 seeking public comment on six navigation safety initiatives for port areas in the Pacific Northwest. These six safety initiatives involved the use of tug escorts, emergency towing plans, speed criteria, additional bridge personnel, emergency tow-wire requirements for tank barges, and requirements for extended pilotage. A public hearing was held on June 22, 1990, in Seattle, Washington, to hear comments on the six initiatives and alternative courses of action. The comments pertaining to emergency tow-wire requirements for tank barges were addressed and incorporated in a notice of proposed rulemaking (NPRM) published on October 24, 1991 at 56 FR 55104.

The rule proposed by the October 24, 1991, NPRM would have required all tank barges to carry an emergency tow-wire while transiting certain port areas of the Pacific Northwest. This rule was proposed in response to the growing concerns of the citizens of Washington and Oregon that regulatory action was necessary to prevent the discharge of oil or other hazardous substances during transportation. The proposed rule was intended to enhance navigation safety, thereby reducing the risk of pollution and environmental damage from collisions and groundings.

Subsequent to publication of the October 24, 1991 NPRM, the Coast Guard issued regulations requiring that all offshore oil barges carry an emergency tow wire or tow line (December 22, 1993, 58 FR 67988). These separate regulations became effective on January 21, 1994, and are codified at 33 CFR 155.230. Because these separate regulations adequately addressed the same issue addressed by the proposed rule, the proposed rule has become unnecessary, and the Coast Guard is terminating further rulemaking under docket number CGD13-90-028.

Dated: May 16, 1995.

John A. Pierson,

Captain, U.S. Coast Guard, Commander,
Thirteenth Coast Guard District, Acting.

(FR Doc. 95-12735 Filed 5-23-95; 8:45 am)

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[KY-83-6927b; FRL-51848-8]

Approval and Promulgation of Implementation Plans State: Kentucky Approval of Revisions to State Implementation Plan (SIP)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a revision to the state implementation plan (SIP) submitted by the Commonwealth of Kentucky through the Natural Resources and Environmental Protection Cabinet (Cabinet). This revision will incorporate into the SIP an operating permit issued to the Calgon Carbon Corporation located in the Kentucky portion of the Ashland/Huntington ozone (O₃) nonattainment area. This permit will reduce the emissions of volatile organic compounds (VOCs) by requiring reasonably available control technology