

9/14/04 - 00662

Reisch, Timothy A. CIV LANTNAVFACENGCOM EV

From: Walker, Valerie (NAVFAC MIDLANT) [WalkerV@PWCNORVA.NAVY.MIL]
Sent: Tuesday, September 14, 2004 8:12 AM
To: Reisch, Timothy A. CIV LANTNAVFACENGCOM EV; Franklin, Greyson (E-mail); Steve Mihalko (E-mail)
Cc: Laura, Cook (E-mail); Howland.Charles@epamail.epa.gov
Subject: RE: NASO SWMU 1&24 CONFERENCE CALL (9/8) MINUTES

I concur.

Valerie

-----Original Message-----

From: Reisch, Tim A. (EFDLANT) (NMCI)
Sent: Friday, September 10, 2004 1:31 PM
To: Franklin, Greyson (E-mail); Steve Mihalko (E-mail); Walker, Valerie (NAVFAC MIDLANT); Reisch, Tim A. (EFDLANT) (NMCI)
Cc: Laura, Cook (E-mail); Howland.Charles@epamail.epa.gov
Subject: NASO SWMU 1&24 CONFERENCE CALL (9/8) MINUTES

TEAM,

I've put together a summary of the conference call we had September 8, 2004. Please respond with any corrections/clarification/edits as necessary.

Steve, please forward to Amy as I do not have her email address.

Conference Call Participants:

Greyson Franklin (EPA)
Charlie Howland (EPA)
Steve Mihalko (VDEQ)
Amy Webster (VDEQ)
Valerie Walker (Navy)
Tim Reisch (Navy)

Background:

The Navy submitted a draft no further response action planned (NFRAP) Proposed Plan (PP) and Decision Document (DD) for SWMUs 1 and 24, and received initial EPA legal review comments on these documents. The Navy proposed that the remaining site contaminants (limited free product in one monitoring well at SWMU 1 and arsenic in groundwater at SWMU 24) were the result of petroleum products known to have been released at these sites as "waste oil"; and, thereby should be exempt from further action under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) program. The Navy further had proposed that any additional actions at these SWMUs would be addressed under the State's underground storage tank (UST) program, which addresses primarily petroleum-oil-lubricants (POL) compounds.

Conference Call Summary:

The call initiated with introductions. Charlie Howland attempted to have Kathy Davies (EPA) participate; although she could not participate, he felt he could convey her understanding of the situation. Tim Reisch was asked to outline the Navy's rationale for the proposal presented in the PP and DD. Previous locations of CERCLA releases, one at NASO and one at NNSY, that were co-located at POL sites with known releases, a former fuel tank farm and a former gas station, respectively. In these situations, the petroleum exclusion from CERCLA was clearly applicable after the compounds

associated with the CERCLA release had been determined to no longer pose an unacceptable risk.

Tim explained that he extrapolated that logic to the "waste oil" releases at SWMUs 1 and 24. SWMU 1 was a pit where petroleum products (aircraft (A/C) fuel and waste oil) were disposed as well as other compounds associated with A/C maintenance (cleaning compounds, paints, degreasers, etc...). Investigations have determined the site currently poses no unacceptable risk to human health or the environment; however, one of the wells at the site has free product in excess of VDEQ's notification limit. With the petroleum exclusion considered applicable, the site would be turned over to VDEQ's UST/POL program to address the product. Without the petroleum exclusion applicable, there would be no additional action as the site poses no risk under CERCLA. The release at SWMU 24 is similar in that waste oil was intermixed with other wastes (cleaners, degreasers, etc... from vehicle maintenance operations). At SWMU 24, the wastes were placed in a bowser (storage tank on wheels); therefore, this release was the result of spillage not direct dumping/disposal as at SWMU 1. The Navy removed the POL contaminated soils from the site in 1995 and in 1997 performed a pilot study to remediate the chlorinated solvents in the groundwater. At the NNSY gas station site discussed earlier, the Navy demonstrated that arsenic in groundwater can become elevated due to the reducing conditions caused by the degradation of the POL compounds. With the petroleum exclusion considered applicable at SWMU 24, the site would be turned over to VDEQ's UST/POL program to make future site determination regarding the arsenic. Without the petroleum exclusion applicable, the Navy would have to somehow address the arsenic. Steve Milalko explained that arsenic is a very common problem in the coastal plain area, and asked about the level of site background for arsenic. Tim responded the background levels are below the concentrations detected at the site and also below the MCL, a level which also poses unacceptable risk to the same receptors.

Charlie explained that the petroleum exclusion was intended for petroleum releases from a petroleum source, and that disposed/spilled waste oil would not be considered such a release. Tim acknowledged that application, but stated that in regards to the applicability of the petroleum exclusion both SWMUs 1 and 24 should be treated the same due to the similar nature of the release at these sites. Charlie asked VDEQ if the State would accept these sites into the UST program. Amy Webster indicated that they could be accepted, but she would have to check with management to make a final determination. Amy added that she was unsure as how the UST program would require additional action at SWMU 24 as arsenic is not usually a compound assessed in the UST program; they are normally concerned with free product.

Greyson asked why if the reduction of the POL was the source of arsenic at SWMU 24, why isn't present at SWMU 1; Tim said he was unsure, but suspected it was related to differences in natural site conditions of the sites. Charlie asked how far the sites were from one another; Tim and Steve answered that the sites are at least 1/2 to 3/4 a mile apart. Charlie asked about the certainty of information relative to the nature of the releases, how similar were the wastes at each site. Tim said there is uncertainty as these releases occurred in the 1950s and 60s. Charlie asked VDEQ how the State would respond to such release if they occurred today; Steve responded that they would be regulated under the UST program because of the time alone - CERCLA would not be applicable.

Further discussion reiterated the points previously, and that logical argument could be made for and against the applicability of the petroleum exclusion to these sites.

Team Consensus:

The group reached consensus on the following:

1. The petroleum exclusion does not apply to the sites.
2. Due to the uncertainty of the actual materials and quantities of the releases, when the Navy closes SWMU 1 as NFRAP under CERCLA official notification will be provided to VDEQ regarding the free

product in the one monitoring well. (subject to VDEQ review and management acceptance)

3. The Navy will redevelop the monitoring wells at SWMU 24 and sample them for arsenic only (total and dissolved). The new data will be used to reevaluated the risk posed and potential requirement for additional action.

(Note: I suggest we perform an outlier test on the new SWMU 24 data prior to the reevaluation of risk, resample the background wells for arsenic during the same sampling event. We will statistically evaluate the two data populations (site vs. background) and provide this to the Team as tool to assist in determining the future action required at SWMU 24. I also suggest we re-calculate risk due to arsenic (RME and CT) for the site data set and the background data set, and compare these calculated risks to that which is posed by the exposure to the MCL for arsenic (10 ug/l). This information will assist the team in managing risk; we can't cleanup below background, and does it make sense to remediate to a level, if that level still presents unacceptable risk?)

4. The current PP and DD will not be revised until the following action items, which will determine the necessary revisions, are completed.

Action Items:

1. Steve/Amy - check to see if SWMU 1 can be accepted into the UST program.
(If so, provide the potential actions that will be required (i.e. site check, etc...).

2. Tim - contract to have the SWMU 24 monitoring wells redeveloped and sampled for arsenic.
(Resample background wells for arsenic).

[COMPLETE - this work will be performed in approximately two months during the same field mobilization as the 1st round of monitoring to evaluate the effectiveness of the groundwater remediation work currently being implemented at SWMU 2B, 2C, and 2E].

3. Tim - provide the re-evaluation of risk to the Team to make an action determination at SWMU 24.
(I will coordinate with Team on the lines of evidence that will be proposed to assist in this determination and potential risk management decision.)

[This will occur upon the receipt of the new arsenic, I expect this reevaluation can be completed prior to the end of the calendar year.]

Timothy A. Reisch, P.E.
Senior Remedial Project Engineer
Naval Facilities Engineering Command
Atlantic Division
6506 Hampton Blvd.
Norfolk, VA 23508-1278
(757) 322-4758
timothy.reisch@navy.mil