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MCRD PARRIS ISLAND
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EMAIL REGARDING U S EPA REGION IV COMMENTS ON DRAFT MILESTONE EXTENSION
REQUEST WITH ATTACHMENT MCRD PARRIS ISLAND SC
9/12/2007
U S EPA REGION IV

From: Koroma-Llamas.Lila@epamail.epa.gov
To: [Sladic, Mark](#)
Subject: RE: EPA feedback on draft Milestone Extension Request
Date: Wednesday, September 12, 2007 3:46:59 PM

Gotcha. I think. But for clarification: When you say "picks this note up" are you talking about my original message to which you replied, or do we still have a problem with my response to your reply? I do not want to give bad impressions to the new guy for any of us, it could make his regulator (me) look like an _ _ _.
Let me know if you need me to further clear the air for you. It would sure be nice to start with a clean plate. I still consider myself to be new, Meredith is new, Joe's replacement will be new, Heber is new, and the rest should not really have a dog in this fight (that's an Atlanta saying these days - not to infer we are actually fighting.)

Lila

"Sladic, Mark"
<Mark.Sladic@tet
ratech.com>
To
Lila
09/12/2007 01:22 PM
Koroma-Llamas/R4/USEPA/US@EPA
cc
Subject
RE: EPA feedback on draft
Milestone Extension Request

Thanks. I know Art understands the nuance, but maybe his replacement picks this note up down the road and to him it might look like his contractor (me) was blatantly ignoring regulatory input.....

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

From: Koroma-Llamas.Lila@epamail.epa.gov
[<mailto:Koroma-Llamas.Lila@epamail.epa.gov>]
Sent: Wednesday, September 12, 2007 1:18 PM
To: Sladic, Mark
Cc: AmickMS@dhec.sc.gov; art.sanford@navy.mil; bowersjb@dhec.sc.gov; darrel.pittman@usmc.mil; mmcrae@TechLawInc.com; timothy.j.harrington@usmc.mil
Subject: RE: EPA feedback on draft Milestone Extension Request

So noted. Some times I think we just have communication problems. I thought I had been clear in what was needed in the SMP and was just getting part of it, and you thought applying the alternative time frames

and moving the dates apart had met my request. Due to the need to get the SMP finalized, I went with the revision as you submitted it, with the hope of getting it clarified in the next one, and with the assumption that it would not be an issue.

However, Mac and I struggled this year to meet the 30 calendar day review times. Given the State's circumstances, I think we can assume the same. And the Navy apparently did not understand that their time clock starts from the end of the review period, regardless. We live and learn. So for the record as well, same as discussed on yesterday's call, we do need to specifically describe the alternative review/response/revision/extension time frames in the text of the FY08 SMP, or as an Appendix thereto, if we want official alternative review times. I owe you a first cut at that draft language. Thanks.

Lila

"Sladic, Mark"
<Mark.Sladic@tetratech.com>
To
Lila
09/12/2007 12:06 PM Koroma-Llamas/R4/USEPA/US@EPA,
<art.sanford@navy.mil>, Lila
Koroma-Llamas/R4/USEPA/US@EPA,
<timothy.j.harrington@usmc.mil>,
<mmcrae@TechLawInc.com>,
<AmickMS@dhec.sc.gov>,
<darrel.pittman@usmc.mil>,
<bowersjb@dhec.sc.gov>
cc
Subject
RE: EPA feedback on draft
Milestone Extension Request

Hi Lila - felt a need to clarify one item in your note for the record, same as we discussed on yesterday's call. This regards the statement that alternative time frames were requested by EPA and through multiple iterations, they did not appear in the SMP. Therefore, SMP was approved without these.

In fact, we addressed EPA's request for alternative timeframes by incorporating changes to Tables 1-3 of the SMP. We didn't, however, discuss these extended timeframes in the SMP text as we didn't see EPA's comments to be specifically requesting a discussion. Thanks.

Mark Sladic, P.E.
Project Manager
TETRA TECH NUS, Inc.
Telephone: (412) 921-8216
mark.sladic@ttnus.com

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

From: Koroma-Llamas.Lila@epamail.epa.gov

[<mailto:Koroma-Llamas.Lila@epamail.epa.gov>]

Sent: Wednesday, September 12, 2007 11:41 AM

To: art.sanford@navy.mil; koroma-llamas.lila@epa.gov; Sladic, Mark;

timothy.j.harrington@usmc.mil; mmcrae@TechLawInc.com;

AmickMS@dhec.sc.gov; darrel.pittman@usmc.mil; bowersjb@dhec.sc.gov

Subject: EPA feedback on draft Milestone Extension Request

Hi folks,

I have had several meetings with my management, and with DHEC, trying to negotiate some relief based on agreements to accelerate review and response times for these delinquent FY07 milestones, even though we are moving them into early FY08. I got some relief, but not a lot, and have not heard back from DHEC regarding their ability to accelerate (since Joe was out sick yesterday.)

So attached you will see a redline of the letter, showing the dates I could approve if you sent this request, and including some reasoning as to why we need them and how we think they can be met. I have also included some revised justification language for the end which would meet our needs without requiring a lengthy response as explanation. The reasoning is as follows:

As I had explained before, the document review spreadsheet is for project management purposes only and can be manipulated for that purpose. Stated review times in that document are for project management purposes only. That is why I emphasized that the Milestone Tables with fixed dates had to be what was in the enforceable FY07 SMP. I stressed that you needed to keep enough space between milestones to allow for the review schedule we discussed, and then suggested you add some fudge room for good measure. This is so we do not have to do extension requests and can allow each other some slippage.

Official alternative review time frames (other than specified in the FFA) must be documented and approved within the SMP in accordance with the FFA. EPA comments had asked for that in the FY07 SMP. Several iterations came from the Navy without it, although milestones were pushed apart. Therefore, the SMP was approved without specifying alternative review times. However, the milestones should have been far enough apart to allow for what we had discussed.

Regardless, if comments are not submitted within the specified review times, the FFA allows for the Navy/MCRD to move forward. So when one agency submits comments and the other does not, the Navy's time clock for RTCs and Draft Finals should be counted from the end of the specified review period, unless otherwise negotiated with a written request for (and approval of if > 20 days) an extended comment period.

Additionally, within their first extension request, the Navy/MCRD made a commitment to complete the FY07 milestones before the end of FY07. I had let the Navy/MCRD know that the first milestone extension dates must be met.

Therefore, I recommend the redline language in the text paragraphs which follow the dates be used in the Navy's letter.

If you have questions, please feel free to call me.

Lila
404-562-9969

(See attached file: FY07 Request change for SMP dates Sept
2007-redline2.DOC)

5090
5 September 2007

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Lila Llamas (4WD-FFB) AND a separate one to Meredith or combine addressees
USEPA, Region 4
Sam Nunn AFC
61 Forsyth Street
Atlanta, GA 30303-3104

Subj: REQUEST FOR CHANGE IN DOCUMENT SUBMITAL FOR NEAR TERM MILESTONES DATES
AT MCRD, PARRIS ISLAND, SC

Dear Ms. Llamas:

On behalf of the Marine Corps Recruit Depot, Parris Island, SC, and pursuant to the Federal Facilities Agreement (FFA) effective March 31, 2006, Naval Facilities Engineering Command, Southeast is submitting this request for a change in the submittal dates with more flexible review times for the following:

SMP 08 Draft Final from 06 September 2007 to 25 October 2007

Site 1 LUCRD Draft Final from 05 September 2007 to 13 September ~~15 November~~ 2007
(Needed for EPA target Requires HQ approval Everything you need is in, per the call.)

Site 1 LUC Completion Letter from 17 September 2007 to 219 September ~~November~~ 2007
(Needed for target)

Proposed Accelerated schedule for resolution of Site 3 PP:

(D1 rev 1 comments to Navy by September 24)

(D1 rev 2 to EPA/DHEC by October 15)

(D1 rev 2 comments to Navy by November 5)

(Draft Final to EPA/DHEC by November 26)

(Approval by Nov. 30; news article by Dec. 4; Public meeting on December 11)

Site 3 Proposed Plan D1 rev. 2 interim milestone by 15 October 2007 ~~raft Final from 12 September 2007 to 12 January 2008~~

(An interim milestone would be unenforceable and not subject to penalty; and could be noted in your letter as such, but included for management purposes. Include a request to EPA/DHEC that we meet the above review times in order for you to meet the requested Draft Final Milestone – See below.)

Site 3 Proposed Plan Draft Final from 12 September 2007 to 26 November 2007

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(THIS IS BASED ON DAVID'S CLARIFICATION THAT WE CAN MOVE FORWARD AND FIX THE ADMIN RECORD FOR THE ROD, BUT DO NOT NEED IT IN PLACE FOR THE PP. HOWEVER, WE ARE AT RISK OF HAVING TO GO BACK TO THE PUBLIC IF SOMETHING CHANGES.)

Site 3 Record of Decision from 23 November 2007 to 27 March 2008. This goes in the FY08 SMP, not here. D1 and D2 dates need to be established at the same time so approval can be made based on duration between draft and draft final milestones meeting agreed upon review times for FY08. Both Draft and Draft final need to be in FY08 SMP.

Site 12 LUCRD Draft from 30 July/August 2007 to September 21, 2007 ~~30 January 2008~~
(Needed for target so maybe could get a conditional approval from HQ)

Site 12 LUCRD Draft Final from 14 September 2007 to 29 October 2007 ~~15 April 2008~~
(If above doesn't get approved, then it gives two weeks between PP D1 rev 2 and this.)

Site 12 LUC Completion Letter from 17 September 2007 to 30 November 2007 ~~30 April 2008~~. Should not take that long. Gives Navy plenty of time to send draft, etc. and then do draft final after Site 3 PP is due, just to spread things out.

Site 27 RI Work Plan Draft Final from 30 June 2007 to 21 September 2007. Fine, but is Navy sure?

For many submittals the delay is caused by ongoing negotiations between the Agencies:

The Site Management Plan for FY08 was submitted to the EPA and SCDHEC on 8 June 2007. Comments were received from the EPA on 28 June 2007 and SCDHEC on 9 August 2007. The Navy ~~will need~~^{has} about 30 days to address the comments and ~~30~~⁴⁵ days to revise the document. Therefore the SMP D2 will be issued prior to 25 October 2007.

~~For the LUCRD and Proposed Plan submittals the delay is caused by ongoing negotiations between the agencies:~~

~~For the Site 1 LUCRD the Navy waited in good faith for received comments from SCDHEC which were received on 23 August 2007. In that same good faith the Navy will attempt to meet the newly proposed milestone date of September 13, 2007, and using the agreed upon time frames in the SMP Milestone schedule of 30 days to address comments and 45 days to revise the document the deliverable would be submitted in mid November. The Completion letter would follow in ~~two~~^{one} weeks on ~~219~~¹⁹ September 2007.~~November.~~~~

~~The Site 3 Proposed Plan was discussed among the agencies and needs issue resolution prior to comments from EPA and SCDHEC. EPA and DHEC have requested in writing an extension for the automatic 20 days to be added to the review period, bringing the close of the review period to September 24th, 2007. In order to resolve these issues, the Navy has proposed an accelerated review schedule, allowing for and including the above mentioned non-enforceable interim milestone for a D1 rev 2 submittal and a revised draft final milestone. Therefore there is a need for the extension. ~~but comments or recommendations stated to be forthcoming have not yet appeared on the re-write of the draft. The Record of Decision will follow after a 30 day period and a 45 day period.~~~~

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~~The LUC documentation for Site 12 will use the agreed upon Site 1 document as a template but each site has specific conditions that may cause a delay with the review and resolution and therefore the request for an extension is necessary.~~

The Site 27 Work Plan will be issued by 21 September 2007.

Please advise if you have additional questions. My mailing address is:

NAVFAC Southeast,
OPCEVR (IPT-Central),
2155 Eagle Drive, North Charleston, SC 29406

or you can call me 843-820-7482.

Sincerely,

ARTHUR F. SANFORD
Environmental Engineer
NAVFAC SE OPCEVR