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NIROP ABL ROCKET CENTER
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LETTER AND U S NAVY RESPONSE TO U S EPA REGION III COMMENTS REGARDING
DRAFT SITE 1 FEASIBILITY STUDY APPLICABLE OR RELEVANT AND APPROPRIATE
REQUIREMENTS ALLEGANY BALLISTICS LABORATORY NIROP ROCKET CENTER WV
02/23/2011
NAVFAC MID ATLANTIC



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND, MID-ATLANTIC
9742 MARYLAND AVENUE
NORFOLK, VA 23511-3095

IN REPLY REFER TO:

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OPHE3/16/116

FEB 23 2011

Ms. Ji-Sun Yi
NPL/BRAC Federal Facilities Branch
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103

Dear Ms. Yi:

SUBJECT: ALLEGANY BALLISTICS LABORATORY SITE 1 FEASIBILITY
STUDY; APPLICABLE OR RELEVANT AND APPROPRIATE
REQUIREMENTS (ARAR)

Thank you for your comments on the selected ARARs from the Draft Site 1 Feasibility Study. We are concerned that our suggested inclusion of 47 CSR §57-4.2 appears to have created the misunderstanding that the Navy sought to be "absolve[d] ... from any further obligation under the State of West Virginia's Groundwater Protection Act" in addressing the Site 1 soils contamination. That was certainly not the message we intended to convey.

The Navy is fully committed to implementing an appropriate soil remedy at Site 1. We recognize that some constituents in the soil may leach to and contribute to the existing contamination in the groundwater. The alternatives analysis we have performed accounts for and addresses this issue. As indicated in the draft Feasibility Study (FS), the Navy intends for the selected OU4 remedy to complement the remedy already in place under OU3.

In response to your comments and similar comments of the WVDEP, the Navy will remove 47 CSR 57-4.2 from the ARARs list in the draft FS. We will include 47 CSR 57-4.1 as cited by your letter.



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We look forward to continuing to work with you as we move forward in the OU4 CERCLA process.

Sincerely,

TIMOTHY A. REISCH
Head, Restoration Branch
By direction of the
Commanding Officer

Copy to:
WV DEP (Mr. Thomas Bass)
CH2M Hill, VA Beach (Mr. Steve Glennie)
NAVSEA (Mr. John Aubert, Mr. Lou Williams)