

12/29/88-00483



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III

841 Chestnut Building  
Philadelphia, Pennsylvania 19107

DEC 29 1988

In Reply Refer To: 3HW32

CERTIFIED MAIL 282606580  
RETURN RECEIPT REQUESTED

Commanding Officer (ATTN: Code 100)  
Norfolk Naval Shipyard  
Portsmouth, Virginia 23709-5000

<b>ACTION</b>	Code 410
CONTROL NO.	280
DUE	1/19/1989

RE: St. Juliens Creek Annex  
(EPA I.D. No. VA5 17 000 0181)  
RCRA Business Confidentiality Assertion

Dear Sir:

I am writing to afford you the opportunity to assert and comment on any business confidentiality claim or other privilege you wish to make with regard to the documents listed below as they relate to the St. Juliens Creek Annex:

Navy Assessment and Control of Installation Pollutants: Initial Assessment Study of St. Juliens Creek Annex, Norfolk Naval Shipyard, Portsmouth, VA - August 1981 - NEESA 13-001 - Naval Energy and Environmental Support Activity Port Hueneme, California 93043 (Enclosure 1);

Addendum to St. Juliens Creek Annex Initial Assessment Study Report NAVENENVSA 13-001 (Enclosure 1A);

Captain J. R. Cottingham 10 July 1987 Letter to Mr. W. E. Lanford Regarding the St. Juliens Creek Annex Contingency Plan (Enclosure 2);

Mr. Neil T. Fox 01 June 1983 Letter to Mr. Martin R. Howe (NUS Corporation) Regarding Photographs and other information (Enclosure 3); and

St. Juliens Creek Annex RCRA Facility Assessment (RFA) Report Dated August 30, 1988 - Transmittal Date of December 14, 1988 (Enclosure 4).

Any claim of business confidentiality or other privilege must be asserted at the time documents are submitted to EPA in the manner described in 40 C.F.R. §§ 2.203(b) and 270.12. Information covered by such a claim will be disclosed by EPA only to the extent and the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no claim of confidentiality or other privilege is made at the time documents are submitted to EPA, they may be made available to the public without notice to the Department of the Navy (Department).

In addition, pursuant to 40 C.F.R. § 2.204(e) you are invited to comment on the following points regarding any privilege or business confidentiality claim:

- (i) The portions of the information which are alleged to be entitled to confidential treatment;
- (ii) The period of time for which confidential treatment is desired by the Department (e.g., until a certain date, until the occurrence of a specified event, or permanently);
- (iii) The purpose for which the information was furnished to EPA and the approximate date of submission, if known;
- (iv) Whether a business confidentiality claim accompanied the information when it was received by EPA;
- (v) Measures taken by the Department to guard against undesired disclosure of the information to others;
- (vi) The extent to which the information has been disclosed to others, and the precautions taken in connection therewith;
- (vii) Pertinent confidentiality determinations, if any, by EPA or other Federal agencies, and a copy of any such determination, or reference to it, if available;
- (viii) Whether your Department asserts that disclosure of the information would be likely to result in substantial harmful effects on the Department's competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the casual relationship between disclosure and such harmful effects; and
- (ix) Whether your Department asserts that the information is voluntarily submitted information as defined in 40 C.F.R. § 2.201(i), and if so, whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.

If information submitted to EPA Region III by your Department as part of its comments on any privilege or business confidentiality claim is not otherwise in EPA's possession, and is marked when received in accordance with 40 C.F.R. § 2.203(b), it will be regarded by EPA as entitled to confidential treatment. Such comments will not be disclosed by EPA without the Department's consent, unless its disclosure is ordered by a Federal court, notwithstanding other provisions of Subpart B, 40 C.F.R. Part 2 to the contrary.

Please forward any comments you have pertaining to any privilege or business confidentiality assertion to John J. Humphries, III, (3HW32), Chief, General State Section, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, PA 19107, ~~no later than fifteen (15) days after receipt of this letter.~~ Extensions of the time period allowed for the Department to comment on any business confidentiality claim or other privilege may be requested pursuant to 40 C.F.R. § 2.205(b)(2). EPA Region III will consider the Department's failure to furnish timely comments as a waiver of any and all business confidentiality claims or other privileges.

If the Department determines that the aforementioned documents do not contain any privileged or confidential business information and may be released to the public, please state so in your response.

If you have any questions, or wish to discuss this matter further, please contact me at the above indicated address or at 215-597-0320.

Sincerely,

*W. H. Schreyer, III*  
 John J. Humphries, III, Chief  
 General State Section

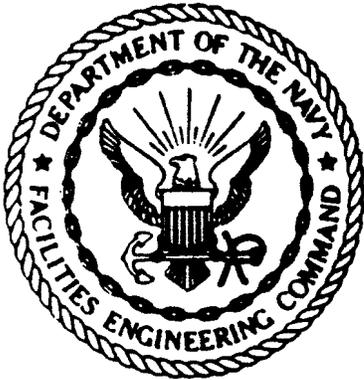
Enclosures (Cover Pages Only)

cc: William C. Early (3RC22) (w/o Enclosure)

Sherman Latchaw (3HW32) (w/o Enclosure)

Mr. James Strickland, Environmental Division  
 Program Director (w/enclosure)  
 Code 410  
 Norfolk Naval Shipyard

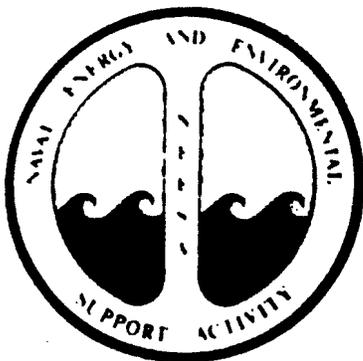
ENCLOSURE 1



August 1981

**NAVY ASSESSMENT AND CONTROL  
OF INSTALLATION POLLUTANTS:  
Initial Assessment Study  
of St. Juliens Creek Annex,  
Norfolk Naval Shipyard, Portsmouth, VA**

**NEESA 13-001**



**NAVAL ENERGY AND ENVIRONMENTAL  
SUPPORT ACTIVITY**

**Port Hueneme, California 93043**

RELEASE OF THIS DOCUMENT REQUIRES PRIOR NOTIFICATION  
OF THE CHIEF OFFICIAL OF THE STUDIED ACTIVITY.

# ENCLOSURE 1A

ADDENDUM TO ST. JULIENS CREEK ANNEX  
INITIAL ASSESSMENT STUDY REPORT  
NAVENENVSA 13-001

1. Building 198 has been certified by EPA Region III as being decontaminated of Kepone. A copy of the decontamination notification is attached. Reference pp. 44-49.
2. Soil samples from the pest control rinseate disposal area have been tested for residual contamination. Copies of the analyses are attached indicating only low level DDT and chlordane contamination, reference pp. 41-42.
3. ERRATA pg. 3, Section IV.B., should reference Section II.A., not IV.A.
4. Heating Plant (Bldg. 283) transformer contains 170 gal fluid with 26000 PPM PCB content per SUNOHIO transformer test report certification number 10712 of November 1980 and was labeled accordingly per Section IV.E.1 (p.4)

ENCLOSURE 2

file 21



DEPARTMENT OF THE NAVY  
NORFOLK NAVAL SHIPYARD  
PORTSMOUTH, VIRGINIA 23709-5000

6280  
87-54

FOR OFFICIAL USE ONLY



19 JUL 1987

Mr. W. E. Lanford  
Area Manager  
Commonwealth of Virginia  
Department of Waste Management  
11th Floor, Monroe Building  
101 N. 14th Street  
Richmond, Virginia 23219

Dear Mr. Lanford:

This is in response to your letter of April 10, 1987, concerning the St. Juliens Creek Annex contingency plan. As called for by the Virginia Hazardous Waste Management Regulations, we have forwarded copies of the St. Juliens Creek Annex contingency plan to local police departments, fire departments and hospitals. We are forwarding, verification of receipt of the contingency plan, along with the closure plan, completed inspection schedules and the contingency plan.

If you have questions or need additional information, please call James Strickland at (804) 396-7016.

Sincerely,  
  
J. R. COTTINGHAM  
Captain, CEC, USN  
Public Works Officer  
By direction of  
The Shipyard Commander

- Encl: (1) Receipts for Contingency Plan  
(2) Closure Plan  
(3) Inspection schedules  
(4) Contingency Plan



ENCLOSURE 3

DEPARTMENT OF THE NAVY

NORFOLK NAVAL SHIPYARD

PORTSMOUTH, VIRGINIA 23709

7504/58

0 1 JUN 1983

Mr. Martin R. Howe  
NUS Corporation  
992 Old Eagle School Road  
Suite 916  
Wayne, Pennsylvania 19087

Dear Mr. Howe:

Forwarded with this letter are the photographs requested during your on-site visit to the shipyard in February, 1983.

These photographs cannot be used for publication in any public paper, periodical, magazine, etc. They are to be used only in connection with the assessment study.

If there are questions, they may be directed to Cherry Lopresti, telephone (804) 396-9047.

Respectfully,

NEIL T. FOX  
Director,  
Management Engineering Office

Enclosure: (1) One book of photographs (2 sets)

14 — 7 5/8" X 9 5/8" (Approximations)

RECEIVED

JUN 6 1983

NUS CORPORATION  
REGION III

SENT TO \_\_\_\_\_



ENCLOSURE 3

DEPARTMENT OF THE NAVY

NORFOLK NAVAL SHIPYARD

PORTSMOUTH, VIRGINIA 23709

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14 — 7<sup>5</sup>/<sub>8</sub>" x 9<sup>5</sup>/<sub>8</sub>" (Approximations)

RECEIVED

JUN 6 1983

NUS CORPORATION  
REGION III

SENT TO \_\_\_\_\_

# ENCLOSURE 4

**PHASE II  
RCRA FACILITY ASSESSMENT**

of the

**ST. JULIENS CREEK ANNEX FACILITY  
NORFOLK, VIRGINIA**

**EPA I.D. No. VA5 170000181**

prepared for

**U.S. Environmental Protection Agency  
Region III  
841 Chestnut Street  
Philadelphia, Pennsylvania 19107**

prepared by

**A. T. Kearney, Inc.  
225 Reinekers Lane  
Alexandria, Virginia 22313**

and

**K. W. Brown & Associates, Inc.  
6 Graham Road  
College Station, Texas 77840**

**EPA Contract No. 68-01-7038  
Work Assignment No. R03-08-44**

30  
August 1988