N69118.PF.001134
ST JULIENS CREEK
5090.3b

EMAIL AND COMMENTS FROM U S EPA REGION III REGARDING FIVE YEAR REVIEW REPORT ST JULIENS CREEK ANNEX CHESAPEAKE VA (PUBLIC DOCUMENT)
03/16/2010
U S EPA REGION III

Staszak, Janna/VBO

From: Stroud.Robert@epamail.epa.gov
Sent: Tuesday, March 16, 2010 6:29 PM
To: Bell, Walter J CIV NAVFAC MidLant
Cc: Jones, Adrienne/VBO; Staszak, Janna/VBO; Doran, Karen (DEQ)
Subject: RE: Five-Year Review
Attachments: SJCA 5yr 031610.doc

Team EPA comments re: 5 Year review. I think these can be discussed at the meeting.

-Bob

(See attached file: SJCA 5yr 031610.doc)

"Bell, Walter J CIV NAVFAC MidLant" <walt.j.bell@navy.mil>
03/16/2010 08:55 AM

To: Robert Stroud/R3/USEPA/US@EPA
cc: <Adrienne.Jones@CH2M.com>, <Janna.Staszak@CH2M.com>, "Doran, Karen (DEQ)" <Karen.Doran@deq.virginia.gov>
Subject: RE: Five-Year Review

That sounds like a good idea to discuss the comments at the meeting.
Depending on the types of comments that are made I may want to check with Navy Legal with some of the comments.

See you Thursday!

Walt

-----Original Message-----
From: Stroud.Robert@epamail.epa.gov
[mailto:Stroud.Robert@epamail.epa.gov]
Sent: Tuesday, March 16, 2010 8:35 AM
To: Bell, Walter J CIV NAVFAC MidLant
Cc: Adrienne.Jones@CH2M.com; Janna.Staszak@CH2M.com; Doran, Karen (DEQ)
Subject: RE: Five-Year Review

Walt I apologize for the inconvienience I should have EPA legal comments this week possibly today. Originally we were under the impression that the 5 year review report was draft and it would not be signed until it was resubmitted for review as a draft final. With that being said maybe we can rearrange the schedule a bit and maybe resolve the comments at the meeting.

-Bob

"Bell, Walter J CIV NAVFAC MidLant" <walt.j.bell@navy.mil> 03/15/2010
09:13 AM AST

To Robert Stroud/R3/USEPA/US@EPA
cc "Doran, Karen (DEQ)" <Karen.Doran@deq.virginia.gov>,
<Adrienne.Jones@CH2M.com>, <Janna.Staszak@CH2M.com> bcc
Subject RE: Five-Year Review

Just wanted to keep everyone up to date. The Commanding Officer's staff does not want to schedule any time on the 19th for a 5-year review presentation without the document being fully reviewed.

Once we get all comments received and resolved, I can schedule a meeting with the CO on a 3-week notice.

It looks like we will not need to rearrange the agenda.

Walt

-----Original Message-----
From: Bell, Walter J CIV NAVFAC MidLant
Sent: Tuesday, March 09, 2010 1:41 PM
To: Stroud.Robert@epamail.epa.gov
Cc: 'Doran, Karen (DEQ)'; 'Adrienne.Jones@CH2M.com'; 'Janna.Staszak@CH2M.com'
Subject: Five-Year Review

Bob,

The Five Year Review Report must be signed by the Commanding Officer by March 19 to meet the trigger date set by Navy policy for 5-year reviews.

The Commanding Officer possibly has time available on March 19 for a presentation. The next earliest date I am available is the 16th, but I do not know if the CO is available.

However, we ultimately need to review pending comments from Betsy
Leukens. Not having received her comments at this time (March 9) I
doubt we can have a final document in time for Mar 16, plus I am not sure that the CO is available on the 16th.

Hopefully we can have a final document ready for signature by March 19
if we get comments in the next day or two. If so, I would like to work
with the Partnering Team to arrange the agenda so I can be at the shipyard on that morning to brief the CO.

Walt

EPA Comments on Five-Year Review Report for St. Julien's Creek Annex, Chesapeake, VA

General Comments:

LUCs:

According to the Report, LUC implementation has consisted of signage (presumably prohibiting digging), and fencing to restrict access, as well as the filing of a survey plat with the City of Chesapeake to provide public notice of the environmental conditions and limitation on the use of the property. It would be helpful to include the specific statement that is posted on the signs, as well as the specific prohibitions included in the survey plat.

Is there a reference to a Base Master Plan or some other type of Base planning device that would incorporate the restrictions specified in the Land Use Controls. If such a plan exists, the LUCs should be included in it as long as the Navy owns the Site.

In addition, a copy of, or specific reference to, the language included in the LUC RD specifying the Navy's responsibilities regarding implementation of LUCs should be included in the Five-Year Review Report.

ARARs/toxicity factors:

The Report states at p. 3-8, Section 3.5, Question B, Changes in Toxicity and Other Contaminant Characteristics:

"Although there have been some changes in toxicity values, regulatory levels, and risk characteristics of some constituents detected in Site 4, these changes would not affect the protectiveness of the selected remedy as it would not substantially change the results of the risk assessment.

"The landfill contents and contaminated soil have been covered and the contaminated drainage ditch sediment has been excavated, eliminating potential transport/exposure pathways. Additionally, LUCs restrict unauthorized activities which may result in exposure to landfill waste and/or contaminated soil. Therefore, any changes in toxicity would not affect the protectiveness of the remedy."

The original ARARs, toxicity values, and risk characteristics and the changes thereto should be included in a chart in the Five-Year Review. The statement above may be true, but it needs documentary support.

Specific Comments:

p. 1-1, last paragraph, 2d line from the bottom of page: Shouldn't this be "Engineering Evaluation/Cost Analysis"?

p. 1-1, last paragraph, last line: " . . . Site Inspection; therefore, it is not included . . ." (Please add comma after "therefore.")

p. 1-2, last paragraph, first sentence: "SJCA has elected to follow the Navy recommendation . . ." (Please add "the" before "Navy.")

p. 3-2, Section 3.2.1, first line at top of page: " . . aquifer is predominantly sandy and typically . . ." (Please change "predominately" to "predominantly.")

p. 3-2, Section 3.2.1, end of first paragraph: "The flow direction in the Yorktown aquifer at SJCA is to the southwest and east, towards Blows Creek and the Southern Branch of the Elizabeth River (Figure 3-3)." (Please switch "east" and "southwest" to correlate to the order of the water bodies.)

p. 3-2, Section 3.2.3, sentence: This sentence doesn't make sense; how could the trenches be filled with trash, etc., from "subsequent" trenches? Perhaps what was meant is the following: "The trenches were subsequently filled with trash, wet garbage, and soil."

p. 3-2, Section 3.2.3, sentence: What is the "IAS"? Has this been referenced before? If not, please spell out the acronym.

p. 3-2, Section 3.2.5, first sentence: "An HHRA . . ." ("H" is pronounced "aitch", which commences with a vowel sound, and should be preceded by the indefinite article "an")

p. 3-3, Section 3.2.5, last paragraph, second line: " . . . human health and ecological risks from exposure to waste, soil and sediment. . ." (Please replace "to" with "from" before "exposure.")

p. 3-3, Section 3.3.1, last sentence re LUCs: "The LUCs shall be maintained within the boundaries of the landfill indefinitely, or until all parties (Navy, USEPA, and Commonwealth of Virginia) agree that waste left in place is at such levels to allow for unlimited use and unrestricted exposure." (Please transcribe the entire sentence from the ROD selected remedy section [p. 2-34, Section 2.12.2], including the UU/UE language.)

p. 3-3, Section 3.3.2, first paragraph, second line: " . . . actions were developed in an RD for LUCs . . ." (Please change "a" to "an" before "RD.")

p. 3-4, Section 3.3.2, bullet at top of page: "Removal and offsite disposal of 1 foot of sediment from the floor and sidewalls of the eastern drainage ditch." (Please delete "a" before "1" and delete the hyphen between "1" and "foot.")

p. 3-4, Section 3.3.3, Heading: “Operation and Maintenance” (Please delete the “s” from “Operations.”)

p. 3-5, Section 3.4.2, sentence: What is meant by “the applicable groundwater cleanup standards, as listed in the ROD, . . .”? There is no groundwater cleanup specified in this ROD. Where are groundwater cleanup standards listed in the ROD?

p. 3-6, Section 3.4.5, second paragraph, last line on page: “ . . . however, all arsenic concentrations are below . . .” (Please insert comma after “however.”)

p. 3-7, Section 3.5, Remedial Action Performance, end of sentence: Please change “amendment” to “modification.” As I understand it, the ROD was not amended with public comment; it was modified through a Technical Memorandum.

p. 3-7, Section 3.5, Optimization: Is there no concern that the vegetation, if not mowed, will grow large enough to develop roots that penetrate into the waste layer, below the 18” “vegetative support layer” and 6” of topsoil?