

Staszak, Janna/VBO

From: Doran, Karen (DEQ) [Karen.Doran@deq.virginia.gov]
Sent: Monday, June 21, 2010 3:23 PM
To: Jones, Adrienne/VBO; Bob Stroud; Staszak, Janna/VBO; Walter Bell
Cc: Hollis, Michelle (DEQ)
Subject: Site 5 Revised Action Memo - VDEQ comments
Attachments: image001.jpg

Team -

This document underwent VDEQ RPM and ARARs coordinator review. See below for comments:

RPM comments:

1. Page 4, first paragraph, last sentence - basis is misspelled
2. Page 4, under ARARs heading - Attachment A is not included in the previously-approved Action Memo
3. Page 5, Table 1, 2010 cost for Site Prep, Excavation and Disposal - apparent typo
4. Page 7, first line - replace "potential" with "potentially"
5. Page 8 - add EE/CA to list of references

ARARs comments:

A review of the Draft Change in Scope of the Response and Ceiling Increase Action Memorandum for Site 5 Waste/Burnt Soil Area and Impacted Surface Soil and Sediment Areas for St. Juliens Creek Annex dated June 2010 has been performed. Contained in the document were refined tables for Applicable or Relevant and Appropriate Requirements (ARARs) which prompted a review and comparison of the ARARs tables previously approved in the Engineering Evaluation/Cost Analysis for Site 5 dated February 2007 and the Action Memorandum dated March 2007. My comments below pertain to the refined ARARs tables contained in the Draft Change in Scope document dated June 2010.

Table C-2, Virginia Chemical-Specific ARARs

6. This table provides the comment that no Virginia Chemical-Specific ARARs apply. However, the Chemical-Specific ARARs tables contained in the previously approved documents identify the following: *Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation: 9 VAC 25-31-10 to 940 as Relevant and Appropriate; Hazardous Waste Regulations: 9 VAC 20-60-12 to 1505 as Applicable; Solid Waste Management Regulations: 9 VAC 20-80-10 to 790 as Applicable; and Ambient Air Quality Standards: 9 VAC 5-30-10 to 80 as Applicable.*

Please provide an explanation for removing these regulations from the Chemical-Specific ARARs table or amend the table to include these regulations as contained in the previously approved documents.

Table C-4 Virginia Location-Specific ARARs

7. This table does not list the *Chesapeake Bay Preservation Area Designation and Management Regulation: 9 VAC 10-201-10 to 260*. However, the previously approved documents identify this regulation as Applicable.

Please provide an explanation for removing this regulation from the Location -Specific ARARs table or amend the table to include this regulation as contained in the previously approved documents.

Table C-6 Virginia Action-Specific ARARs

8. The *Virginia Water Protection Permit Program Regulation: 9 VAC 25-210-10 to 260* is listed as Relevant and Appropriate. However, the previously approved documents list this regulation as Applicable.

Please provide an explanation for the determination change or amend the table to reflect the determination contained in the previously approved documents.

9. This table does not list the Virginia Pollutant Discharge Elimination System (VPDES) Permit: 9 VAC 25-31-10 to 940. However, the previously approved documents identify this regulation as Relevant and Appropriate.

Please provide an explanation for removing this regulation from the Action-Specific ARARs table or amend the table to include this regulation as contained in the previously approved documents.

10. The *Virginia Water Protection Permit Program Regulation: 9 VAC 25-210-10 to 260* is listed as Relevant and Appropriate. However, the previously approved documents list this regulation as Applicable.

Please provide an explanation for the determination change or amend the table to reflect the determination contained in the previously approved documents.

11. The *Virginia Water Protection General Permit for Impacts from Development Activities Regulation: 9 VAC 25-690-10 to 100* is not listed in this table. However, the previously approved documents identify this regulation as Applicable.

Please provide an explanation for removing this regulation from the Action -Specific ARARs table or amend the table to include this regulation as contained in the previously approved documents.

12. This table does not contain the *Standard of Performance for Visible Emissions and Fugitive Dust/ Emissions [Rule 5-1]*: 9 VAC 5-50-60- to 120; *USEPA National Emission Standards for Hazardous Air Pollutants [Rule 6-1]*: 9 VAC 5-60-60 to 80; *Emissions Standards for Toxic Pollutants from New and Modified Sources [Rule 6-5]*: 9 VAC 5-50-60-300 to 370. However, the previously approved documents identify these regulations as Applicable.

Please provide an explanation for removing these regulations from the Action -Specific ARARs table or amend the table to include these regulations as contained in the previously approved documents.

13. Please add these sections: 390, and 1182 to 1188, in addition to the cited sections contained on this table for the *Virginia Stormwater Management Program (VSMP) Permit Regulations*: 4 VAC 50-60.

14. Please add section 10, in addition to the cited sections contained on this table for the *Erosion and Sediment Control Regulation*: 4 VAC 50-30-40 and 60.

15. Please add these additional sections: 10, 60 (A), 80, 90, 120, 130, 210, 220, 230, 300, 310, 320, 400, 450, 470, 640, 650, 660 and 700, in addition to the cited sections contained on this table for the *Solid Waste Management Regulations*: 9 VAC 20-80.

16. Please add *Private Well Regulations*: 12 VAC 5-630-60, and 360 to 480. Please be aware that well abandonment is governed jointly by the Virginia Department of Health and the Department of Environmental Quality.

Thank you for the opportunity to comment.

Karen M. Doran

Remedial Project Manager
Federal Facilities Program
Department of Environmental Quality
629 East Main Street
Richmond, VA 23219
phone - 804.698.4594
karen.doran@deq.virginia.gov