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NCBC GULFPORT
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TRIP REPORT FROM 9 NOVEMBER 1989 MEETING WITH U S EPA REGION IV
REGARDING STATUS OF DIOXIN DELISTING PETITION NCBC GULFPORT MS
11/9/1989
IDAHO NATIONAL ENGINEERING LABORATORY

39501-SITE 8 INCINERATION
19.01.08.0004

TRIP REPORT

Traveler/Author: D. J. Haley *D J Haley*
Trip Number: 89-1599
Date: November 9, 1989
Location: EPA Region IV, Atlanta, GA

I traveled to EPA Region IV headquarters in Atlanta, GA to meet with a variety of persons concerning the status of the NCBC delisting petition. The attendance sheet is attached.

Overall, the meeting was very cordial. EPA is being very supportive and technically rational. They realize that we did a good job at NCBC and they want to close out this project quickly.

James Scarborough started the meeting by reiterating that EPA/OSW will not grant delisting, much to the dismay of EPA Region IV. It was apparent through out the meeting that EPA Region IV and OSW really wanted to find a way of granting us delisting. However because of EPA's use of the VHS/OLM model and our noncompliance with that model they were unable to do so. To grant delisting because we were "close enough" would be arbitrary, capricious, and unfair to other petitioners.

The basis for denial was that the actual data, when plugged into the VHS/OLM showed that many samples had positive TCDD equivalent concentrations. The laboratories that we used had Practical Quantitation Limits (PQL) below the 15 ppt maximum set by EPA/OSW. (We had simply used 15 ppt as the standard, knowing that if the actual laboratory specific, sample specific PQL was used, we would fail.) Someone from EPA Region IV reiterated that the 15 ppt PQL was the maximum allowed, all PQLs for delisting must be below 15 ppt.

Scarborough and other EPA persons in attendance all agreed that the VHS/OLM model is overly conservative. Scarborough also indicated that EPA/OSW is very dissatisfied with the model. But EPA also realizes that it is the only accepted model to use at the present time. Scarborough continued and said that no other models would be available for about 2 years.

Scarborough laid out our options for us very clearly. He suggested that we quietly withdraw our petition and write a risk based "closure" document that includes the treated soil. The State of Mississippi would then approve the document and EPA Region IV would concur. This would then allow the Navy to use the site.

Scarborough said that he had met with Mr. Sam Mabry of the Mississippi DNR the previous day (or two). During that meeting Mabry said that he would have no problems of approving a closure type document as long as the demonstrated risk is less than one in a million (1×10^{-6}). I asked the question if Region IV and the state had authority to approve this approach. Scarborough and others in EPA strongly agreed that it is indeed within their authority.

We discussed this option at some length and the Air Force and Navy agreed that it was a good and acceptable option. We were concerned that capitulating on the delisting would jeopardize the remediation of other dioxin sites such as Times Beach, JI, and Eglin AFB, in particular. Scarborough settled that concern by saying that in the future, we would do such actions under CERCLA. CERCLA section 106 allows the regional administrator to set the cleanup standard. Scarborough indicated that RCRA and delisting would not even enter into the picture.

Scarborough indicated that we could leave the petition in place, however going to public comment on it would attract a lot of EPA and Environmental group attention. He indicated that this could cause us problems in getting the state to approve the closure document.

Continuing with the discussion of demonstrating 1×10^{-6} risk, EPA indicated that it would be to our advantage to show that the surficial aquifer that is modeled, is unusable because of chloride or total suspended particulate content, for example. I described how the model worked, on a worst case and reasonable worst case scenario. They liked the general approach and I asked that EPA review the model for general compliance with their intentions. They agreed to do so. (I will follow up on this to see if they have reviewed the model.) Additionally, I emphasized that the addition of the small amount of TCDD in the processed soil is insignificant compared to the amount of TCDD left remaining at the site (from the unremediated plots and the bottom of the hole). This would be an insignificant additional factor to include into the source term for the model.

Following the meeting with EPA, representatives of the Air Force and Navy remained in the conference room to discuss the detailed course of action. Mr. Joe McCauley (NavFac Charleston) was very strongly in favor of withdrawing the petition as soon as possible. He feels that we ought to do that before we get formal concurrence from the State on our closure document.

Based upon this discussion we agreed to follow the following course of action.

- Set up meeting with Sam Mabry, State of Miss. DNR (MDNR) to discuss the course of action. Tell him that we are withdrawing our petition and intend to submit a closure

document based upon modeling using the processed soil in addition to the unprocessed soil as the source term.
(Action D.J. Haley)

- Based upon the results of the aforementioned meeting with MDNR revise the Decision document and submit to MDNR for approval. Region IV would also review the document and concur with it, just as they agreed to in our previous meetings regarding site closure. (Action TBD following State meeting)

There was some discussion as to whether or not the decision document would have to go to public comment. I don't think this issue has been resolved.

The issue of Herbicide analysis for bottom of the hole samples was discussed with the Air Force and Navy (EPA was absent). Although this issue is still unresolved, the general feeling is that we ought not include this discussion into the decision document.

Subsequent discussions with Mr. Jeff Short on Tuesday, November 14, 1989 indicated that we ought to get this general plan formally approved by EPA and MDNR before we begin any additional modeling work. Therefore, I told Jeff that I would draft a letter to be sent by the Air Force to EPA Region IV that describes our strategy. In addition, that letter would also transmit a copy of the draft technical reports that EG&G is writing. According to Karl Kneeling (Bolling AFB policy branch) the reports are needed to complete all requirements of the RCRA RD&D permit.

cc:

J. A. Cook
D. B. Derrington (Versar)
R. W. Miller
J. J. Short (USAF)
NCBC Closure File
NCBC Delisting File