



UNITED STATES ENVIRONMENTAL PROTECTIC
REGION IV
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ATLANTA, GEORGIA 30365

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NAS PENSACOLA
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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Ms. Linda Martin
Remedial Activities Branch
Department of the Navy - Southern Division
Naval Facilities Engineering Command
2155 Eagle Drive
Charleston, South Carolina 29411-0068

Re: Revised Draft FY 93 Site Management Plan (SMP) (11/12/92 version)
Naval Air Station (NAS) Pensacola, Florida

Dear Ms. Martin:

The Environmental Protection Agency (EPA) received the draft final FY93 Site Management Plan (SMP) and the Navy's response to our comments on the draft FY93 SMP on November 17, 1992. The revised FY93 SMP is not acceptable for the following reasons:

1. Regarding the status of PSCs 12, 13, 14 and 24, the Navy has already agreed to perform full RI/FS studies on these sites (see the approved Final RI/FS Work Plans, submitted July 1992, for Group B (page 14-14), Group C (page 14-14), and Group D (page 14-11)). The SMP must therefore be revised to reflect this decision and to include enforceable schedules for each of these four sites.

2. Regarding the status of PSC 36, the results of the Phase I investigation were more than adequate to demonstrate that significant contamination exists at the site and that a Baseline Risk Assessment (BRA) will be required. Please note that the NCP requires performance of a BRA for RI/FS sites only (40 CFR §300.430(d)(4)). A BRA is not required for screening, or "PA/SI" sites (40 CFR §300.420). Once contamination significant enough to warrant preparation of a BRA is detected at a site, that site is automatically upgraded to RI/FS status. The FY93 must therefore be revised to reflect this change and to include an enforceable schedule for PSC 36.

3. In accordance with Sections VIII.C. (Consultation with U.S.EPA and FDER) and XXIII.A. (Deadlines) of the FFA, the enforceable schedule for each Operable Unit must be revised to include deadlines for the preparation, submittal, review and approval of all primary documents associated with the RI/FS process, including the document entitled Risk Assessments Report.

Section XXIII.D. (Deadlines) of the Federal Facilities Agreement (FFA) states that the SMP shall be immediately elevated to dispute resolution if the Parties fail to agree on the proposed schedules and priorities by December 1, 1992. However, given the lateness of the Navy's SMP resubmittal (the revised SMP was received in this office on November 17, 1992), EPA proposes to delay

elevation of this matter until December 17, 1992. Upon receipt of a revised FY93 SMP which adequately addresses our above concerns, EPA shall approve the FY93 SMP. If the FY93 SMP is not approved by December 17, 1992, then the matter shall be immediately elevated to dispute resolution.

Finally, please find two additional sets of comments attached to this letter. Neither set of comments shall serve as grounds for disputing the FY93 SMP. The first set of comments lists typographical or grammatical errors which were identified in the revised FY93 SMP. These comments should be incorporated in order to ensure the accuracy of the approved FY93 schedules. The second group of comments reflects continuing concerns which EPA has regarding the SMP and the Navy's overall implementation of the response action program at NAS Pensacola. These concerns should be taken into Consideration in preparing the FY94 SMP, since some of these concerns may serve as grounds for disputing that FY94 document.

Please feel free to contact me at 404/347-3016 should you have any questions regarding these matters.

Sincerely yours,



Allison W. Drew, RPM
Department of Defense Remedial Section
Federal Facilities Branch

Enclosure

cc: Ron Joyner, NAS, Peneacola
Eric Nuzie, FDER

U.S. EPA REVIEW **AND** COMMENT
OF THE REVISED DRAFT **FY93** SITE MANAGEMENT PLAN (**SMP**)
NAVAL AIR STATION (NAS) PENSACOLA
(DRAFT RECEIVED NOVEMBER 17, 1992)

TYPOGRAPHICAL/GRAMMATICAL ERRORS:

1. Page 2, Paragraph 1:
Regarding the phrase "multiple tank sites", if the number of tank sites is known, this should be provided.
2. Page 2, Paragraph 2:
Please correct the grammar of the sentence which begins with the phrase "The five (5) remaining PSCs...".
3. Page 7, Paragraph 3:
Is "20" the correct number of Operable Units?
4. Pages 8-9:
Please replace the word "Operational" in the titles of sections 5. and 6. with "Operable".
5. Page 12:
If a document is not "primary" then by default it is "secondary". This applies to the **HASP**, **SAP**, and any other documents which are submitted in addition to the required primary documents. Please make the appropriate corrections throughout the **SMP**.
6. Page 17:
Operable Unit #7 is part of the former "Batch 2". The Draft Final and Final RI/FS Work Plans for this OU are therefore due November 27, 1992 and December 27, 1992, respectively. Please make the appropriate changes to the list of 1993 Primary Deliverables.
7. Page 19:
Please be aware that the 30 days allotted for **SAP** review in this, and all other, Operable Unit schedules is not an enforceable review period. While EPA will make every attempt to complete its review within this time frame, the Agency cannot guarantee that the listed deadlines will be met.

GENERAL/PROGRAMMATIC CONCERNS:

1. Regarding EPA Comment #1:
The Navy's decision to submit a plan with schedules for Removal Actions under separate cover is acceptable. In the interests of assisting the Navy in preparation of this plan, EPA will be providing the Navy with a list of recommended Removal Actions under separate cover.
2. Regarding EPA Comment #6:
The Navy may opt not to include the requested information on UST sites in the **SMP**. However, EPA shall not consider complications or interferences arising from any UST sites as just cause for extensions to the enforceable schedules for RI/FS sites.

3. Regarding EPA Comment #8b:

The enforceable schedules presented for FY93 are acceptable. However, the Navy should anticipate the demands on the resources of both the Navy and the regulators for multiple activities to be completed simultaneously. Also, EPA continues to be concerned at the number of artificial limitations and restrictions which the Navy is placing on the RI/FS process. Of particular concern are the time-consuming, over-structured contracting procedures which lead to lengthy delays and prevent the parties from modifying investigative schedules when practicalities (such as the recognition of existing site conditions or increasing workload) could easily justify such modifications. The RI/FS process is inherently unstructured and unpredictable. Attempts to overstructure or "categorize" this process are therefore likely to create many more roadblocks and delay to the RI/FS process than would otherwise be encountered.

4. Regarding EPA Comment #11:

EPA shall not consider any requests to extend the April 14, 1993 due date for the FS Report which are due to lack of proper planning on the Navy's part.

5. Regarding EPA Comment #14:

First, the distinction between the removal and remedial processes must be more clearly defined. Specifically, any additional data which the Navy believes is needed to justify a time-critical removal for Site 39 must be obtained in a timely manner so that (i) the removal action can be completed prior to initiating the RI and (ii) the RI can proceed on schedule. If the removal cannot be performed until after the RI has begun, or if the Navy believes that some or all of the data collected during the RI is needed to justify the removal, then it will be inappropriate to classify this action as time-critical. Given the limited scope of the RI for this site, once the RI is initiated it can easily be completed before taking any action. Any action taken after initiation of the RI should therefore be documented in a Record of Decision (ROD), either interim or final, for the site.

Second, the ultimate decision as to whether or not to perform a removal at Site 39 is the Navy's. However, EPA wishes the record to show that it is the considered opinion of this Agency that adequate documentation of an actual or potential threat to human health and the environment already exists for site 39. A removal action is therefore warranted at this time. Such action would further demonstrate to the public that the Navy is taking a pro-active approach to cleanup at NAS Peneacola.

6. Regarding EPA Comment #20e:

45 days to prepare and publish the public notice is excessive. Further documentation in support of the Navy's response will be needed in order for EPA to consider this time period justified.