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U S NAVY RESPONSES TO U S EPA REGION IV COMMENTS ON THE DRAFT
EXPLANATION OF SIGNIFICANT DIFFERENCES FOR OPERABLE UNIT 4 (OU 4) SITE 15
PESTICIDE RINSATE DISPOSAL AREA NAS PENSACOLA FL
7/21/2015
RESOLUTION CONSULTANTS

**RESPONSES TO UNITED STATES ENVIRONMENTAL PROTECTION AGENCY COMMENTS
DRAFT EXPLANATION OF SIGNIFICANT DIFFERENCES
OPERABLE UNIT 4 — SITE 15, PESTICIDE RINSATE DISPOSAL AREA
NAVAL AIR STATION PENSACOLA
PENSACOLA, FLORIDA
DATED 21 JULY 2015**

Comment 1:

The table below needs to be revised to use the term 'cleanup level' not 'performance standard' consistent with United States Environmental Protection Agency (U.S. EPA) guidance.

"The table below replaces Table 9-1 in the ROD.

Table 9-1 Performance Standard for Groundwater	
Contaminant	Performance Standard
Arsenic	10 µg/L

Notes:

µg/L = microgram per liter
Performance standard is U.S. EPA SDWA MCL."

Response:

Agreed. Table 9-1 will be revised to use the term "cleanup level".

Comment 2:

The text below needs to be revised (replaced with suggestion) to better reflect that the cleanup level for arsenic is based upon a chemical-specific ARAR and CERCLA requires compliance with ARARs as threshold requirement.

This explanation of significant differences (ESD) documents the determination by the Navy and U.S. EPA, with FDEP concurrence, that there are no other changes of the Safe Drinking Water Act and F.A.C. Chapter 62-550 standards that currently affect the protectiveness of the remedy. Implementation of this newer federal [and state] cleanup standard for arsenic will be protective of human health and the environment.

Suggested revision: "Under CERCLA 121(d), remedial actions undertaken at National Priority List (NPL) sites must be protective of human health and the environment, comply with ARARs of both federal and more stringent state environmental laws and regulations unless a waiver is justified. The MCL for arsenic of 10 µg/L, (which is included F.A.C. 62-550.310 Table 1 and is the same as the federal MCL promulgated at 40 CFR Part 141.62), is considered a chemical-specific ARAR and is the basis for the cleanup level for restoration of arsenic contaminated groundwater at this Site. This ESD documents the addition of this chemical-specific ARAR as well as the requirements in F.A.C. 62-520.400(1) *Minimum Criteria for Ground Water* as ARARs that the selected remedial action must attain."

Response:

Agreed. The text in the ESD will be replaced with the suggested revision.

Comment 3:

The text below should be revised to match language used in the OU2 ROD but as revised per my earlier comments. I included the original sentences with suggested revisions in my suggested revision.

“STATUTORY DETERMINATIONS

The proposed changes to the selected remedy will continue to satisfy the statutory requirements of CERCLA Section 121. The modified remedy will remain protective of human health and the environment, and will continue to comply with federal and state ARARs and be cost effective. The modified remedy does not include treatment to address groundwater contamination.”

Suggested revision: “Remedial actions undertaken at National Priority List (NPL) sites must meet the statutory requirements of Section 121 of CERCLA and be protective of human health and the environment, comply with ARARs of both federal and more stringent state environmental laws and regulations unless a waiver is justified, be cost-effective, and utilize to the maximum extent practicable, permanent solutions and alternative treatment or resource recovery technologies. The selected remedy will remain protective of human health and the environment and will comply with the ARARs identified in the ROD and the State of Florida regulations identified earlier in this ESD. The selected remedy of MNA does not include treatment to address the arsenic contaminated groundwater.”

Response:

Agreed. The text will be replaced with the suggested revision.

Comment 4:

The LUC language should comport with the EPA LUC Checklist Items #1-9 including sample language and ideally there should be LUC objectives in the ESD if not included in the ROD as well as a brief listing of the LUCs such as GIS, Base Master Plan with use restrictions identified, warning signs, procedures related to excavation, a deed/lease restrictions in the event of property transfer etc. Since I don't have the LUCIP, I'm unable to verify what LUCs have been implemented. Note that this may be good time to add more if existing LUCs are limited.

“The third significant difference being affected by this ESD is to substitute future reliance upon a LUC RD in lieu of the aforementioned current

LUCAP and LUCIP to specify those LUC maintenance and oversight procedures which shall be applicable to Site 15. The LUCs at OU 4 restrict use of groundwater from the surficial zone of the Sand-and-Gravel aquifer within 300 feet of Site 15 and restrict site use to industrial. The LUCs shall be maintained for as long as they are required to prevent unacceptable exposures to contaminated media or to preserve the integrity of the remedy. The Navy or any subsequent owners shall not modify, delete, or terminate any LUC without U.S. EPA and FDEP concurrence. The LUCs shall be maintained until the concentrations of hazardous substances in soil and groundwater have been reduced to levels that allow for unlimited exposure and unrestricted reuse.

The Navy will be responsible for implementing, inspecting,.....”

Suggested revision:

“The third significant difference being affected by this ESD is the requirement for the Navy to issue a LUC RD within 90 days of the issuance of the ESD for EPA and FDEP approval which contains the implementation, maintenance and oversight procedures for the LUCs and will supersede any requirements that are currently in the LUCAP and LUCIP for Site 15. The LUC objectives include the following:

- Prohibit reuse of the site for residential or residential-like uses. Residential and residential-like land use restrictions prohibit uses including, but not limited to, any form of housing, child-care facilities, any kind of school including pre-schools, elementary schools, secondary schools, playgrounds, and adult convalescent and nursing care facilities.
- Prohibit all uses of groundwater from the surficial aquifer underlying the site (including, but not limited to, human consumption, dewatering, irrigation, heating/cooling purposes, and industrial processes) without prior written approval from the USEPA and FDEP.
- Maintain the integrity of any existing or future monitoring or remediation system(s).

The LUCs include updating the Base Master Plan, GIS level information and Base dig procedures on the location of the contamination and the associated use restrictions which include restrictions on use of surficial groundwater in the sand and gravel aquifer within 300 feet of Site 15 as well prohibiting residential land use and maintain the integrity of current and future monitoring wells. These LUCs will be maintained until the concentration of hazardous substances in the soil and groundwater are at such levels to allow for unrestricted use and unlimited exposure. The Navy is responsible for implementing, maintaining, reporting on, and enforcing the LUCs described in the

ROD and this ESD in accordance with the approved LUC RD. Although the Navy may later transfer these procedural responsibilities to another party by contract, property transfer agreement, or through other means, the Navy shall retain ultimate responsibility for the remedy. The Navy or any subsequent owners shall not modify, delete, or terminate any LUC without U.S. EPA and FDEP concurrence."

Response:

Agreed. The text will be replaced with the suggested revision.