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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY - REGION II

290 BROADWAY

NEW YORK, NEW YORK 10007-1866



JUL 19 1995

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. S.J. Pena
Commander, CEC, U.S. Navy
Public Works Officer
U.S. Naval Station Roosevelt Roads
TSC 1008 Box 3001
Code NO
FPO AA 34051-3001

Re: Tow Way Fuel Farm (SWMUs/AOCs #7 and #8) - Navy response to
EPA comments on Site Characterization Report and Corrective
Action Plan
U.S. Naval Station Roosevelt Roads
RCRA/HSWA Permit No. PR2170027203

Dear Commander Pena:

The United States Environmental Protection Agency (EPA) Region II has reviewed the Navy's response, transmitted by your June 27, 1995 letter, to EPA's April 13, 1995 comments on the Site Characterization Report (SCR) and Corrective Action Plan (CAP) for the Tow Way Fuel Farm (SWMUs/AOCs #7 and #8). While the response transmitted with your letter states that these two documents had been "prepared to satisfy the requirements of Commonwealth of Puerto Rico Environmental Quality Board (EQB) underground storage tank (UST) regulations," it must be noted that the SCR and CAP do not satisfy EPA requirements for an RFI and the Navy did not adequately address EPA's April 13 comments. EPA had repeatedly indicated to the Navy that any corrective actions at Tow Way Fuel Farm (SWMUs/AOCs #7 and #8) must satisfy the requirements of both EQB's UST regulations, and the Final Permit issued pursuant to Subtitle "C" of the Resource Conservation and Recovery Act of 1976 (RCRA) as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA). In this regard, please refer to the following:

1) My letter of December 2, 1993 to P.A. Rakowski, Head, Environmental Programs Branch, Environmental Quality Division, Atlantic Division, Naval Facilities Engineering Command, a copy of which was also sent to L.V. Marchette, Commander, CEC, U.S. Navy, Public Works Officer, U.S. Naval Station Roosevelt Roads;

2) My letter of October 20, 1994 to Stephen C. Wood, Captain, U.S. Navy, Commanding Officer, U.S. Naval Station Roosevelt Roads, transmitting the Notice of Issuance of the Final RCRA/HSWA Permit, which included the Responsiveness Summary, explaining EPA's basis for determination on all issues raised relative to the Draft RCRA/HSWA Permit public noticed on December 17, 1993, including those raised in Commander L.V. Marchette's letter of January 27, 1994 to my attention, and Mr. P.A. Rakowski's letter of January 27, 1994 to my attention.

The April 13, 1995 comments on the SCR and CAP were issued in regards to the usability of these documents towards satisfying all or parts of the corrective action requirements of the 1994 RCRA/HSWA Final Permit, negotiated and accepted by the Navy. Issuance of the RCRA/HSWA permit allowed the continued operation of hazardous waste container storage units at your facility.

While EPA will not require the Navy to modify the SCR and CAP documents, it must be noted that actions implemented pursuant to the CAP, i.e. free product removal, are interim measures, and do not necessarily constitute final clean-up. Full investigation and characterization of the soils and groundwater at Tow Way Fuel Farm (SWMUs/AOCs #7 and #8), as required pursuant to the corrective action requirements of the 1994 RCRA/HSWA Final Permit, is necessary before a determination of what constitutes final clean-up can be made. There are deficiencies/data gaps in the SCR/CAP characterization of soils and groundwater at Tow Way Fuel Farm (SWMUs/AOCs #7 and #8), as discussed in my April 13, 1995 letter and its enclosures, which should be addressed in the RFI workplans currently under development.

Please submit within sixty (60) days of your receipt of this letter, RFI work plans to complete full characterization of the soils and groundwater at the Tow Way Fuel Farm (SWMUs/AOCs #7 and #8). EPA will then evaluate your recommendation that implementation of this additional characterization work should be deferred, pending completion of the free product removal currently under way.

In the future, please insure that any corrective actions at Tow Way Fuel Farm (SWMUs/AOCs #7 and #8) satisfy the requirements of both EQB's UST regulations, and the 1994 RCRA/HSWA Final Permit.

Please contact Mr. Tim Gordon, of my staff, at (212) 637-4167 if there are any questions.

Sincerely yours,

Andrew Bellina, P.E.
Chief, Hazardous Waste Facilities Branch

cc: Mr. P.A. Rakowski, P.E., LANTDIV
Mr. Carl A. Soderberg, 2EPA-CFO
Mr. Israel Torres, PREQB
Mr. Art Wells, LANTDIV