



4/6/04-00972 *Reading file*

TELEPHONE NO:

**DEPARTMENT OF THE NAVY**

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IN REPLY REFER TO:

5090  
EV24KC:EVS

APR 06 2004

U.S. Environmental Protection Agency-Region II  
Attn: Mr. Adolph Everett, P.E.  
Chief, RCRA Programs Branch  
290 Broadway - 22<sup>nd</sup> Floor  
New York, NY 10007-1866

Subject: EPA Comments Letter dated January 30, 2004 for  
November 24, 2003 Draft Corrective Measures Study  
(CMS) Final Report for Tow Way Fuel Farm (SWMUs 7  
and 8)

Dear Mr. Everett:

In an effort to address comments contained in the EPA  
Comments letter dated January 30, 2004 for November 24,  
2003 Draft Corrective Measures Study Final Report for Tow  
Way Fuel Farm, a conference call was held between the Navy  
and Mr. Tim Gordon of your office on March 22, 2004.  
During this call it was determined that because of issues  
related to the closure of Naval Station Roosevelt Roads on  
March 31, 2004 and its impact on the RCRA Corrective Action  
program efforts, a full response to this letter are not  
possible at this time.

The issues of particular interest that must be addressed in  
order for a full response to be prepared include: 1) How  
the Navy will ensure that the proposed Corrective Action  
Objectives will remain appropriate when the site is closed  
and transferred to private ownership and 2) How Land Use  
Controls will be implemented on sites where contamination  
is left in place above unrestricted reuse.

As presented in a Video Teleconference call between the  
Navy and EPA Region 2 Regional Administrator on March 30,  
2004 the Navy envisions the transfer of property requiring  
environmental cleanup actions to private entity(s) through  
public sale with the cleanup responsibility being  
negotiated as a term of the sale price. Also, to ensure  
that any contaminated sites that are transferred are  
managed as agreed to under the RCRA Corrective Action  
program, interim land use controls by deed pending cleanup  
would be implemented.

**Quality Performance ... Quality Results**

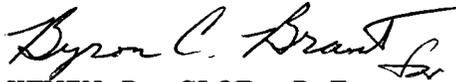
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Lastly, the Congressional direction to close Naval Station Roosevelt Roads has also required that funding for environmental restoration activities be removed from the Environmental Restoration, Navy funding program and transferred to the Base Realignment and Closure program. As a result, the funding required for the response to technical comments included in your letter has not been awarded. We do not see this issue as a significant issue at this time, however it will delay immediate response to these comments until a contract for these technical services can be awarded.

Based on the above issues that must be resolved between EPA and the Navy regarding the handling of RCRA Corrective Action program sites as a result of the base closure and above discussed funding issues, we anticipate that a response to your comments can be provided by August 3, 2004.

If you have any questions, please contact me at (757) 322-4736.

Sincerely,



KEVIN R. CLOE, P.E.

Remedial Project Manager  
Installation Restoration Section  
(Caribbean and Other)  
Environmental Programs Branch  
Environmental Division  
By direction of the Commander

Copy to:

US EPA Region II (Mr. Tom Gordon)

P.R. Environmental Quality Board (Mr. Carmelo Vazquez)

Public Works Department, Naval Station Roosevelt Roads  
(Ms. Madeline Rivera)

Booz Allen & Hamilton (Ms. Kathy Rogovin)

Baker Environmental (Mr. Mark Kimes)