



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

FEB 26 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Mark E. Davidson
US Navy
BRAC PMO SE
4130 Faber Place Drive
Suite 202
North Charleston, SC 29405

Re: Naval Activity Puerto Rico (NAPR), formerly Naval Station Roosevelt Roads,
EPA I.D. Number PRD2170027203,

- 1) December 20, 2007 Responses to Comments and Phase I RFI Work Plans for SWMUs 57, 60, 62, 67, 70, 71, and 72
- 2) Semiannual Groundwater Monitoring Report for September 2007 Sampling Event SWMU #3, Base Landfill;
- 3) January 25, 2008 Responses to Comments and Revised Phase I RFI Reports for SWMUs 27, 29, and 42; and
- 4) January 25, 2008 Responses to Comments and Revised Corrective Measures Study (CMS) Work Plan for SWMU 73.

Dear Mr. Davidson:

This letter is addressed to you as the Navy's designated project coordinator pursuant to the January 29, 2007 RCRA Administrative Order on Consent ("the Consent Order") between the United States Environmental Protection Agency (EPA) and the U.S. Navy (the Navy). EPA Region 2 has completed its reviews of the above documents, which were submitted on behalf of the Navy, pursuant to the requirements of the Consent Order. Based upon our reviews, EPA has several comments, which are discussed below. Additional comments are given in the enclosed Technical Reviews prepared by our consultant, TechLaw, Inc.

Responses to Comments and Phase I RFI Work Plans for SWMUs 57, 60, 62, 67, 70, 71, and 72

EPA has completed its review of the Responses to Comments and Phase I RFI Work Plan submitted on December 20, 2007 by Baker Environmental on behalf of the Navy. These Responses and Revised Work Plans were submitted to address comments given with EPA's letter of October 18, 2007.

Based upon our reviews, which included reviews by our consultant TechLaw Inc, EPA has determined that several items need to be clarified before EPA can fully approve these work plans.

Firstly, a general concern regarding all seven work plans is that the Navy has not included an updated Quality Assurance Project Plan (QAPP) with the RFI Work Plans. Rather, the Navy indicates that the RFI work plans have been revised to follow the procedures in the September 1995 RFI "Master Management Work Plan", including the Data Collection Quality Assurance Plan (DCQAP), Health and Safety Plan, and other Plans in the EPA approved, September 1995 RCRA Facility Investigation Master Management Plans for the facility. However, it should be noted that the 1995 RFI Master Plans were prepared prior to the Uniform Federal Policy for Quality Assurance Project Plans (UFP-QAPP), dated March 2005. EPA and TechLaw have not reviewed the 1995 Master RFI Plans for their consistence with procedures required under the 2005 UFP-QAPP.

Previous Navy responses on this issue have indicated that the general elements required under the UFP-QAPP were included in the 1995 Master RFI Management Plans DCQAP. This approach may be acceptable; however, additional detail about the 1995 Master RFI DCQAP should be presented in the Navy's responses. Alternatively, more detailed references to the specific components of the DCQAP need to be provided so that EPA can confirm the QA elements required under the UFP-QAPP are present in the Master RFI DCQAP. Without this additional detail, it is unclear from the Navy's responses whether the data quality produced by following the Master RFI DCQAP will be adequate to support the required risk management or remedial design decisions, in accordance with the UFP-QAPP procedures.

Certain federal facilities that initiated investigations before the adoption of the UFP-QAPP guidance have followed quality assurance plans that were not drafted in accordance with the UFP-QAPP procedures, yet have produced data of sufficient quality to support the risk management decisions.

Therefore, rather than re-evaluate the quality assurance program followed for prior RCRA investigations at NAPR, EPA requests that the Navy either revise their Response to Comments to discuss in more detail how the 1995 Master RFI DCQAP will assure that data of sufficient quality, i.e., consistent with requirements of the 2005 UFP-QAPP, is achieved under these Phase I RFI work plans; or revise those portions of the 1995 Master RFI DCQAP, as necessary, to make it consistent with requirements of the 2005 UFP-QAPP.

Secondly, several additional comments are applicable to the Response to Comments and/or RFI Work Plans for SWMUs 60, 62, 67, and 71. These additional comments are given in the enclosed four Technical Reviews prepared by TechLaw, which are dated January 25, 2008 and February 1, 2008, respectively.

Within 45 days of your receipt of this letter, please submit written responses addressing the above comments, as well as those in the four enclosed Technical Reviews for SWMUs 60, 62, 67, and 71, and if necessary submit revisions to the above RFI work plans.

Semi-Annual Groundwater Monitoring Report for SWMU 3, Base Landfill

EPA has completed its review of the "Semi-Annual Groundwater Monitoring Report September 2007 Sampling Event" for SWMU 3 - Former Solid Waste Landfill" (the Report), which was submitted on January 18, 2008 by Baker Environmental on behalf of the Navy.

Based upon our review, which included reviews by our consultant TechLaw Inc, EPA has determined that the recommendation, given in the Conclusions and Recommendations of the Semi-Annual Report, to revise Section 4.0 of the 1999 Sampling and Analysis Plan (SAP) for the Base Landfill to "provide consistency in describing background concentrations" and to enlarge the background data base for the Landfill to "...allow a statistical plan to be followed that is compound specific when background concentrations (upper limit of the means) are exceeded during detection monitoring" are not fully acceptable.

The Semi-Annual Report does not provide any details on how the 1999 SAP will be altered to provide consistency in the background concentrations, nor does it describe the statistical method(s) that are being considered. In the enclosed Technical Review, General Comment 1 addresses these, and other issues concerning proposed revision to the approved SAP. Since the 1999 SAP was incorporated into the 2007 Consent Order by reference, any revisions to the SAP, including Section 4.0, must be submitted to EPA for review and approval, prior to being implemented.

As discussed previously in our letter of December 11, 2007 commenting on the previous semiannual report (on the March 2007 sampling event), if the Navy wishes to utilize a revised SAP for future groundwater sampling at the Base Landfill (SWMU 3) under the 2007 Consent Order, please submit, within 45 days of your receipt of this letter, any proposed revisions the Navy wishes to make to the 1999 SAP.

In addition, there are several additional items discussed in the enclosed Technical Review dated February 5, 2008, where a relatively minor clarification and/or correction are required in the current Semi-Annual report. Please submit within 60 days of your receipt of this letter, written responses and/or revised pages or figures, addressing the above comments and those given in the enclosed Technical Review.

Responses to Comments and Phase I RFI Reports for SWMUs 27, 29, and 42

EPA has completed its review of the Responses to Comments and the Revised Phase I RFI Reports for the above three SWMUs, which were submitted on January 25, 2008 by Baker Environmental on behalf of the Navy. These Responses and the Revised Phase I RFI Reports were submitted to address comments given with EPA's letter of January 7, 2008. EPA has determined that the January 25, 2008 Responses to Comments and the Revised Phase I RFI Reports for the above three SWMUs are acceptable.

Responses to Comments and Revised CMS Work Plan for SWMU 73

EPA has completed its review of the Responses to Comments and Revised CMS Work Plan for SWMU 73 submitted on January 25, 2008 by Baker Environmental on behalf of the Navy. As discussed above regarding the RFI work Plans, EPA notes that the CMS work Plan also does not include an updated Quality Assurance Project Plan (QAPP). Rather, the Navy indicates that the CMS work plan has been revised to follow the procedures in the September 1995 RFI "Master Management Work Plan", including the Data Collection Quality Assurance Plan (DCQAP) and other Plans in the EPA approved, September 1995 RFI Master Management Plans for the facility. However, it should be noted that the 1995 RFI Master Plans were prepared prior to the Uniform Federal Policy for Quality Assurance Project Plans (UFP-QAPP), dated March 2005. Rather than re-evaluate the entire quality assurance program utilized for prior RCRA investigations at NAPR, EPA requests that the Navy either revise their Response to Comments to discuss in more detail how the 1995 Master DCQAP will assure that data of sufficient quality, i.e., consistent with requirements of the 2005 UFP-QAPP, is achieved under the SWMU 73 CMS Work Plan; or revise those portions of the 1995 Master RFI DCQAP, as necessary, to make it consistent with requirements of the 2005 UFP-QAPP.

EPA's contractor TechLaw Inc also had several additional comments on the Responses to Comments. These are discussed in the enclosed Technical Review dated February 20, 2008. However, because the Navy has indicated that, due to the pending transfer of the parcel containing SWMU 73 to the U.S. Department of the Army/Army Reserves, it wishes to commence implementation of the CMS activities on an expedited basis, and because the additional comments do not have a material impact on the overall acceptability of CMS work plan, EPA will approve the Revised CMS Work Plan, subject to the Navy addressing the above and enclosed comments in the draft CMS Report for SWMU 73, when developed.

If you have any questions on the above or enclosed comments, please telephone me at (212) 637-4167.

Sincerely yours,



Timothy R. Gordon
Remedial Project Manager
Resource Conservation and Special Projects Section
RCRA Programs Branch

Enclosures (6)

cc: Ms. Josefina Gonzalez, P.R. Environmental Quality Board, w/encls.
Mr. Julio I. Rodriguez Colon, P.R. Environmental Quality Board, w/encls.
Mr. Jeffrey G. Meyers, US Navy, BRAC PMO, w/o encls.
Mr. David Criswell, US Navy, BRAC PMO, w/o encls.
Mr. Mark Kimes, Baker Environmental, w/encls.
Mr. Andrew Dorn, TechLaw Inc., w/o encls.
Mr. Felix Lopez, USF&WS, w/o encls.

REPA4R2-002-ID-060

**TECHNICAL REVIEW OF THE
FINAL PHASE I RCRA FACILITY INVESTIGATION WORK PLAN SWMU 60
DATED DECEMBER 20, 2007**

**NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO
EPA ID NO. PR2170027203**

Submitted to:

**U.S. Environmental Protection Agency
Region 2
290 Broadway
New York, NY 10007-1866**

Submitted by:

**TechLaw, Inc.
One Penn Plaza, Suite 2509
New York, NY 10119**

EPA Task Order No.	002
Contract No.	EP-W-07-018
TechLaw TOM	Andrew Dorn
Telephone No.	312-345-8963
EPA TOPO	Timothy Gordon
Telephone No.	212-637-4167

January 25, 2008

**TECHNICAL REVIEW OF THE
FINAL PHASE I RCRA FACILITY INVESTIGATION WORK PLAN SWMU 60
DATED DECEMBER 20, 2007**

**NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO
EPA ID NO. PR2170027203**

The following comment was generated based on review of the December 20, 2007, *Final Phase I RCRA Facility Investigation Work Plan SWMU 60* (Work Plan), Naval Activity Puerto Rico (NAPR) Ceiba, Puerto Rico.

SPECIFIC COMMENTS

1. **TechLaw Specific Comment 4: Table 3-3: Summary of Sampling and Analytical Program QA/QC and IDW Samples:** The response to TechLaw's Specific Comment 4 is inadequate. The comment requested that one of the two total metals columns be revised to identify dissolved metals. The response was only to eliminate the duplicate total metals column. Revise Table 3-3 to include a column for dissolved metals.

REPA4R2-002-ID-062

**TECHNICAL REVIEW OF THE
FINAL PHASE I RCRA FACILITY INVESTIGATION WORK PLAN SWMU 62
DATED DECEMBER 20, 2007**

**NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO
EPA ID NO. PR2170027203**

Submitted to:

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290 Broadway
New York, NY 10007-1866**

Submitted by:

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EPA Task Order No.	002
Contract No.	EP-W-07-018
TechLaw TOM	Andrew Dorn
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EPA TOPO	Timothy Gordon
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February 1, 2008

**TECHNICAL REVIEW OF THE
FINAL PHASE I RCRA FACILITY INVESTIGATION WORK PLAN SWMU 62
DATED DECEMBER 20, 2007**

**NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO
EPA ID NO. PR2170027203**

The following comment was generated based on review of the December 20, 2007, *Final Phase I RCRA Facility Investigation Work Plan SWMU 62* (Work Plan), Naval Activity Puerto Rico (NAPR) Ceiba, Puerto Rico.

SPECIFIC COMMENTS

- 1. Navy's Response to TechLaw Specific Comment 1, Section 3.1, Soil Sampling and Analysis Plan, Page 3-2:** The Navy's response to this comment is inadequate. The combined responses to General Comment 1 and Specific Comment 1 state that the previously noted features such as piles of charcoal, metal and building materials appear to be overgrown, and that samples are proposed to delineate the 1958/1961 polygons. Section 3.1 of the Work Plan reiterates the sampling that is targeted toward assessing the polygons. While this approach appears to be adequate based on the current data, additional sampling should be allowed if evidence of piled waste materials are observed during the Phase I RFI. Revise the sampling plan to allow for additional sampling based on observed field conditions. Sampling should be required near any visual evidence of current or former stockpiling of waste materials.

**TECHNICAL REVIEW OF THE
FINAL PHASE I RCRA FACILITY INVESTIGATION WORK PLAN SWMU 67
DATED DECEMBER 2007**

**NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO
EPA ID NO. PR2170027203**

Submitted to:

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EPA Task Order No.	002
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February 1, 2008

**TECHNICAL REVIEW OF THE
FINAL PHASE I RCRA FACILITY INVESTIGATION WORK PLAN SWMU 67
DATED DECEMBER 2007**

**NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO
EPA ID NO. PR2170027203**

The following comment was generated based on review of the December 20, 2007, *Final Phase I RCRA Facility Investigation Work Plan SWMU 67* (Work Plan), Naval Activity Puerto Rico (NAPR) Ceiba, Puerto Rico.

GENERAL COMMENT

7. The response to TechLaw General Comment 7 is potentially misleading. The response indicates that petroleum hydrocarbons generally do not mobilize metals in soils; however, the more water soluble components of petroleum (such as benzene, toluene, etc.) are well known to significantly change groundwater geochemistry, resulting in lower oxidation/reduction potentials, pH decreases, and conditions that mobilize metal constituents. For example, oxidation of hydrocarbons produces organic acids and phenols along with the reduction of iron oxides (FeIII) to produce ferrous ions (FeII). Because sorption of metals (such as lead and arsenic oxides) to iron oxides is a major mechanism decreasing the mobility of metals in soil and groundwater, reduction of the iron oxides defeats this mechanism and releases the metals into solution, as well as increasing the soluble iron (FeII) concentrations in groundwater. The Navy response that "petroleum hydrocarbons are immiscible in water" is misleading as it does not address the fact that they are mixtures of hydrocarbon constituents, some of which can significantly diffuse out of the hydrocarbon matrix and dissolve into groundwater. Revise the Work Plan text and/or the resulting investigation report to discuss this condition.

**TECHNICAL REVIEW OF THE FINAL PHASE I
RCRA FACILITY INVESTIGATION WORK PLAN
SWMU 71 – QUARRY DISPOSAL SITE
DATED DECEMBER 20, 2007**

**NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO
EPA ID NO. PR2170027203**

Submitted to:

**U.S. Environmental Protection Agency
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290 Broadway
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EPA Task Order No.	002
Contract No.	EP-W-07-018
TechLaw TOM	Andrew Dorn
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February 1, 2008

**TECHNICAL REVIEW OF THE FINAL PHASE I
RCRA FACILITY INVESTIGATION WORK PLAN
SWMU 71 – QUARRY DISPOSAL SITE
DATED DECEMBER 20, 2007**

**NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO
EPA ID NO. PR2170027203**

The following comments were generated based on review of the December 20, 2007, *Final Phase I RCRA Facility Investigation Work Plan SWMU 71 – Quarry Disposal Site (Work Plan)*, Naval Activity Puerto Rico (NAPR) Ceiba, Puerto Rico.

GENERAL COMMENT

3. The response to TechLaw General Comment 3 is not adequate. The response states that the drums were found in the intersection of the 1976 and 1977 polygons, and that several boring locations are downgradient of this location. However, no borings have been proposed to the west of the building. Due to the limited background information regarding the original topography and the overall extent of the drum area, as well as the lack of information provided about groundwater flow in the text and in the figures, an additional boring should be advanced to the west of the polygon overlap within the area covered by the eastern corner of the parking lot. This boring should be completed along the eastern perimeter of the 1977 polygon feature.

SPECIFIC COMMENTS

2. **Navy Response to TechLaw Specific Comment 2:** There is still a discrepancy in the description of the proposed surface soil sampling in Section 3.0. The third paragraph of Section 3.0 says that no surface soil samples are proposed for collection near 71SB04, 71SB05 and 71SB06. However, the first bullet below that paragraph states that 10 surface soils will be collected. The Work Plan should be revised to correct this conflicting information.
3. **Navy Response to TechLaw Specific Comment 3:** The proposed number of subsurface soil samples is still not consistently discussed in the Work Plan. The second bulleted item in Section 3.0 states that 14 subsurface soils will be collected from the seven proposed boring locations. This is not completely accurate, as the collection of several of the subsurface soil samples are contingent on the physical conditions of the subsurface north and south of the Commissary Building. The Work Plan should be revised to state that "Up to 14 subsurface soils should be collected ..."

**TECHNICAL REVIEW OF THE JANUARY 18, 2008, SEMI-ANNUAL
GROUNDWATER MONITORING REPORT ON THE SEPTEMBER 2007
SAMPLING EVENT FOR SWMU 3, BASE LANDFILL
NAVAL ACTIVITY PUERTO RICO**

**NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO
EPA ID No. PR2170027203**

Submitted to:

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February 5, 2008

**TECHNICAL REVIEW OF THE JANUARY 18, 2008, SEMI-ANNUAL
GROUNDWATER MONITORING REPORT ON THE SEPTEMBER 2007
SAMPLING EVENT FOR SWMU 3, BASE LANDFILL
NAVAL ACTIVITY PUERTO RICO**

The following comments were generated based on the technical review of the January 18, 2008, Semi-Annual Groundwater Monitoring Report on the September 2007 Sampling Event for SWMU 3, Base Landfill (Report).

GENERAL COMMENTS

1. The Report indicates in the second paragraph of Section 4.0 that “the Navy is proposing to revise Section 4.0 of the SAP in order to provide consistency in describing background concentrations over NAPR and at the Landfill.” Section 4.0 of the Report also states that, “the Navy is proposing to enlarge the background data base for the Landfill to include the first eight rounds of monitoring. This increase in data will allow a statistical plan to be followed...” Section 4.0 of the Sampling and Analysis Plan (SAP) provides a general description of the approach for the statistical analyses of the data. This includes a seven page flowchart that summarizes the statistical procedures to be used for evaluating site data. However, it is not clear from the Report where the data from the monitoring program currently falls in the flowchart, how the SAP will be altered to present more consistent information regarding the background concentrations over the Base and at the Landfill, and which statistical method(s) are/is being pursued by the Navy. Revise the Report to clarify what information will be amended in the SAP and indicate how this information will be used for future groundwater monitoring sampling events. In addition, revise the Report to describe the place in which the current monitoring results fall in Figure 4-1 of the SAP and identify the statistical approach intended for evaluating the groundwater monitoring data at SWMU 3.

A revised SAP, including the issues discussed above, should be provided to EPA Region 2 for review. The revised SAP should provide detailed supporting information, including calculation procedures and mathematical rationale, for all proposed statistical analysis methods and the background data expansion. No modifications to the current monitoring program should be implemented until EPA approves the revised SAP.

2. Section 2.1 of the Report indicates that well R7GW04R did not recover during purging. Since this has been a reoccurring problem, it is suggested that an assessment be performed to determine why the well is not recovering. The assessment should include a review of available well logs to determine if the lack of recovery is due to subsurface materials (i.e., fine grain materials that influence groundwater recovery). If the lack of recovery is not attributed to subsurface materials, it is suggested that the Navy consider redeveloping the well.

SPECIFIC COMMENT

1. **Section 3.4, Criteria Comparison and Statistical Analyses, Page 3-2:** The last full sentence on this page states "Background groundwater quality data includes the upper limit of the mean and the upgradient concentrations as found during the landfill background monitoring events." The meaning of this statement is unclear. Please clarify the definition of the "upper limit of the mean" (does this mean the 95% confidence level?) and explain how the mean values and distribution (upper limits) were obtained.

**TECHNICAL REVIEW OF THE FINAL CMS
WORK PLAN SWMU 73
DATED JANUARY 25, 2008**

**NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO
EPA ID NO. PR2170027203**

Submitted to:

**U.S. Environmental Protection Agency
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Submitted by:

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EPA Task Order No.	002
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February 20, 2008

**TECHNICAL REVIEW OF THE FINAL CMS
WORK PLAN SWMU 73
DATED DECEMBER 20, 2007**

**NAVAL ACTIVITY PUERTO RICO
CEIBA, PUERTO RICO
EPA ID NO. PR2170027203**

The following comments were generated based on review of the *Final Corrective Measures Study Work Plan SWMU 73* (Work Plan), Naval Activity Puerto Rico (NAPR) Ceiba, Puerto Rico.

1. **Evaluation of the Response to TechLaw General Comment 1:** The response stated that the use of background chemical levels as a step for eliminating chemicals of potential concern (COPCs) was in accordance with Navy policy. It is still suggested that consideration be given to the fact that background risk may be an important site characteristic. It is possible for a chemical to be below background levels but still pose a potential risk to ecological receptors.
2. **Evaluation of the Response to TechLaw General Comment 4:** The response regarding dissolved vanadium in groundwater is incomplete. Vanadium exceeded the NAPR background screening value at one of the ground water sampling locations (19E-01). It was concluded that this exceedance was actually within background levels because the detected concentration at 19E-01 was below the maximum concentration detected in the background samples. The June 2001 EPA Eco Update (EPA 540/F-01/014) states that comparisons to background can only be used to focus the baseline risk assessment. Therefore, the maximum concentration of vanadium should only be compared to the selected groundwater screening value in order to determine whether or not it is a chemical of potential concern at the site.
3. **Evaluation of the Response to TechLaw Specific Comment 4:** The portion of this response regarding the selection of COPCs for use in food web screening is incomplete. The original comment stated that additional refinement steps cannot be used in a Screening Level Ecological Risk Assessment. The addition of selecting chemicals based on their log K_{ow} value is still a type of refinement. In addition, the 1997 EPA Ecological Risk Assessment Guidance for Superfund states that screening-level exposure estimates assume that the bioavailability of all the contaminants at the site is 100 percent. This guidance also states that for those chemicals that are classified as bioaccumulative, the most conservative bioaccumulation factors (BAFs) obtained from literature can be used in food web screening. Therefore, please use all of the chemicals selected as COPCs and the appropriate BAFs, if available, in the food web screening.
4. **Evaluation of the Response to TechLaw Specific Comment 5:** The response stated that the SLERA would be based on NOAEL-HQs (No Observable Adverse Effect Level -

Hazard Quotients). However HQs based on LOAELs (Lowest Observable Adverse Effect Levels) and MATCs (Maximum Acceptable Toxicant Concentration) were also calculated as part of this SLERA. Please provide an explanation for the purpose of these additional HQ calculations.