McCoy, Erin

McCoy, Erin
Friday, June 19, 2015 10:56 AM
McCoy, Erin
Subject: FW: Vogel Paint

Answers from Bob Richards on 6/19/15 via phone call at ~10:45 am

Erin McCoy, P.G. | Remedial Project Manager
EPA Region 7 | Superfund Division | Iowa Nebraska Branch
11201 Renner Blvd | Lenexa, KS 66219
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From: McCoy, Erin
Sent: Friday, June 19, 2015 8:20 AM
To: Richards, Robert
Cc: Dalal, Pradip
Subject: FW: Vogel Paint

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Bob, I have a couple of questions on Vogel, which I believe you are the attorney on. Vogel is a NPL site in Iowa with the state as the lead agency. Hylton Jackson with IDNR is the new state RPM. I have been trying to work with IDNR but am encountering a few small issues I'm not sure how to address, or even if I do need to address them. So, I'm contacting you to let you know what is going on and verify what options I have. I do not believe that I want to take any action at this time, but I do want to make you aware of my concerns and discuss options with you. I have discussed this some with Pradip over the last few months but responses I received this week make me to want to verify a few things with you.

In 2014, the 5-year review was completed and the remedial method was found to be not protective. EPA made several recommendations; however, I do not know if any of them have been completed. There is a report due this month, so hopefully some will be in there. One of the suggestions made in the five-year review was to restart the groundwater treatment system that IDNR approved to be turned off approximately 10 years ago. EPA gave a milestone time line of March 2015 to turn the system back on. The PRP does not want to turn the system back on because they say that it will be too expensive because it has been off too long and would require too many repairs. They said they will look at alternatives and include them in the next semi-annual report due this month. IDNR approved this. I agree too since technology has changed so much in 10 years and there may be something more appropriate that they can implement that is more effective than pump and treat.

However, I am concerned about the response to comments that EPA made on the 2014 Groundwater Monitoring Report last month. IDNR reviewed the report and had no comments. However, when EPA reviewed the report, there were several inconsistencies, inadequate conclusions, and assumptions made without data to support them. Below is an e-mail string I've had with IDNR and the PRP's consultant about EPA's requested changes (comments were from me and Dan Nicoski, the EPA site hydrogeologist). During a phone call with Hylton Jackson, he let me know that he did not agree with several of the comments, but that he would pass them on to the PRP. Just as an example, one of the comments he didn't agree with was the use of year concentration averages to establish plume trends. We discussed this for a while. I expressed my concern that using yearly averages of concentrations does not account for seasonal or trending fluctuations and that statistics already has a way of dealing with outliers so by using averages, the highest and lowest concentrations had much less effect on the trend than if the actual concentrations were used (which is standard

procedure). He did not agree with this. I think his thought process is that it will all come out in the end, based on the conversation.

Anyway, I e-mailed Hylton recently asking if he'd received any responses to EPA's comments on the 2014 Groundwater Monitoring report since it had been about a month. When he contacted the PRP, they indicated that most of them would be addressed in the report due this month. Based on that, I'm not sure that the 2014 Groundwater Monitoring Report will be revised. I am still looking into a few things, but the RPMs in training said over and over to talk to our attorneys to keep them up to date on the sites. So my questions are:

1. Does the PRP have to modify the report based on EPA comments, or is this up to IDNR to enforce or not since IDNR is the lead agency? I'm not sure how much support I'll get since the state approved the report the same day they sent it to EPA for review. I have tried to rectify this by suggesting that Hylton and I discuss responses before sending them on future reports; however, I'm not sure that suggestion will be applied. We'll see when the next report comes in. Everything should go through IDNR but check with Brad Vann to see what he did.
2. What is a reasonable time frame for a PRP to respond to a five-year review that indicates that the remedial method is not protective? The five-year review was completed in September 2014. The milestone for restarting the groundwater system was March 2015 (set by EPA). IDNR approved not turning the system back on because the consultant was looking at alternatives. Given this, how long should the PRP be given to come up with alternatives and can EPA do anything about it if they take too long since this is a state lead site? Does it matter that it is a NPL site in this situation? If you're ok with new technology, this is ok. Time line is dependent on technology.
3. Do you know why Vogel is a state lead site? Did a settlement under CERCLA 122(h), with the condition that they comply with IDNR.
4. Since the remedial action is found to be not protective, and the PRP is looking for an alternate remedial action, does that mean the site will go back under EPA lead or will it stay with the state? (In our training, they indicated that remedial actions fall under EPA and states mostly do O&M, so I'm trying to learn the process and am curious). Likely not, but possible.
5. If a new remedial action is selected while under state lead, how much say does EPA have in the selection? EPA has not given up their enforcement authority.

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From: McCoy, Erin
Sent: Friday, June 19, 2015 6:56 AM
To: 'Keith Delange'; Jackson, Hylton [DNR]
Cc: Lundberg, Cal [DNR]; Scott.Heemstra@vogelpaint.com; Dan Hanson
Subject: RE: Vogel Paint

Keith, do you intend to revise the 2014 Groundwater Monitoring Report as requested in areas and resubmit? Your last e-mail didn't indicate either way, so I wanted to verify. Thanks!

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From: Keith Delange [mailto:KDelange@geotekeng.com]
Sent: Thursday, June 18, 2015 11:00 AM
To: Jackson, Hylton [DNR]
Cc: Lundberg, Cal [DNR]; McCoy, Erin; Scott.Heemstra@vogelpaint.com; Dan Hanson
Subject: RE: Vogel Paint

Hylton,

Yes, I am still planning to send in report this month. The report will be our semi-annual report and will include analytical results from two sampling events completed so far in 2015. The report will also include an evaluation of the remedial options, as has been discussed. I would agree with Erin's comments below about you folks reviewing the options, and the report, before providing a response. In light of the report coming out relatively soon, I would suggest review of the report and then schedule a site visit/meeting after that. That would give us all a chance to meet and discuss where things are at and where they are going. I think trying to do a site visit/meeting in August would be good, that would give you time to review report, etc. Probably don't need to set a specific date yet. Temp in August will not be 10 below, I will guarantee that.

As far as responding to Erin's comments in her April 28 email, many of those will be discussed/addressed in the semi-annual report. Those comments that I don't address directly in the report, we can discuss at the tentative August meeting.

Let me know if you have any questions.

Thanks

Keith

Keith DeLange
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www.geotekeng.com

Resources for Design & Construction

From: Jackson, Hylton [DNR] [mailto:Hylton.Jackson@dnr.iowa.gov]
Sent: Thursday, June 18, 2015 9:04 AM
To: Keith Delange
Cc: Lundberg, Cal [DNR]; McCoy, Erin
Subject: FW: Vogel Paint

Keith,
Just forwarding you this inquiry from EPA. Are we still on schedule to get something in on this yet this month? Ms. McCoy has expressed an interest in an onsite meeting sometime this summer as she has never seen the site. I have only

been there once (December of 2013 – about 10 below as I recall) and I could stand to spend a little more time there too. I know you've been working on another project in this part of the state. Perhaps if the timing works out, you and I could get together at that site and schedule something for Vogel either before or after. Let me know when you get a rough idea of a time frame on things.

HYLTON JACKSON Environmental Specialist

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PLEASE NOTE: Effective Monday, November 24, 2014, my phone number will change to 515-725-8338 and FAX number will be 515-752-8202

From: McCoy, Erin [mailto:McCoy.Erin@epa.gov]
Sent: Tuesday, June 16, 2015 10:58 AM
To: Jackson, Hylton [DNR]
Cc: Lundberg, Cal [DNR]
Subject: RE: Vogel Paint

Hylton, I haven't heard anything back on this and it's been almost a month. Have you? Also, weren't they planning on submitting some alternatives to turning on the groundwater system (recommended in the last 5-year review) this month? Have you heard anything about those? I think it might be good for us to both review and discuss the options they present before either of us respond to them so that we are both on the same page; however, I'm not sure if that works for you or not. Please let me know. Thanks!

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From: Jackson, Hylton [DNR] [mailto:Hylton.Jackson@dnr.iowa.gov]
Sent: Tuesday, May 19, 2015 7:34 AM
To: Scott.Heemstra@vogelpaint.com; Keith Delange
Cc: Dalal, Pradip; Lundberg, Cal [DNR]; McCoy, Erin
Subject: RE: Vogel Paint

Scott and Keith,
As Keith and I discussed yesterday, I am forwarding EPA's comments on the 2014 Annual Groundwater Monitoring Report. If Vogel has any questions or comments to EPA, you may contact Ms. McCoy. I understand that Vogel plans on submitting an evaluation/work plan of remediation methods in the near future (June?). I think that a meeting to review and discuss those methods may be beneficial.

HYLTON JACKSON Environmental Specialist

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From: McCoy, Erin [mailto:McCoy.Erin@epa.gov]
Sent: Tuesday, April 28, 2015 11:06 AM
To: Jackson, Hylton [DNR]
Cc: Dalal, Pradip; Lundberg, Cal [DNR]
Subject: RE: Vogel Paint

Hylton, I looked back in the file to the 1990 Memorandum of Understanding between EPA and IDNR and it says:

The EPA RPM shall provide review of and comments to all RD/RA related technical documents submitted as part of this agreement. Review of and comment to the submitted documents shall be provided by EPA to IDNR according to the schedule in Attachment 1 in this MOU. Site work or the next phase of the project my proceed upon IDNR approval; however, IDNR shall address EPA's written comments, if any, made regarding RD/RA activities.

Given this, I don't plan to submit EPA's comments to either Scott or Keith. However, please feel free to include my information on an e-mail or letter so that they can contact me if they have any questions. Or as per the agreement, IDNR can address the comments.

Since we are going to be working together on this, would it be beneficial to discuss how best to handle reports going forward? Or does this system work for you? While we can't change the agreement, we may be able to work together to set up deadlines for EPA comments or something that will make this process easier. Would Wednesday or Thursday afternoon work for a you for a call? I'm available any time before 4 pm.

Erin McCoy, P.G.
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TEL: 913-551-7977 Email: McCoy.Erin@epa.gov

From: Jackson, Hylton [DNR] [mailto:Hylton.Jackson@dnr.iowa.gov]
Sent: Monday, April 27, 2015 8:41 AM
To: McCoy, Erin

Cc: Dalal, Pradip; Lundberg, Cal [DNR]
Subject: RE: Vogel Paint

As per your request, I have attached the 2014 Semi-Annual report (dated August 15, 2014). The boring logs you are looking for (GMW-35, GMW-36, and GMW-37) are in Appendix A. I am assuming you are going to send your comments to Scott Heemstra at Vogel and/or Keith DeLange at Geotek? Please call with any questions or to discuss your comments.

HYLTON JACKSON Environmental Specialist

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PLEASE NOTE: Effective Monday, November 24, 2014, my phone number will change to 515-725-8338 and FAX number will be 515-752-8202

From: McCoy, Erin [mailto:McCoy.Erin@epa.gov]
Sent: Thursday, April 23, 2015 2:41 PM
To: Jackson, Hylton [DNR]
Cc: Dalal, Pradip
Subject: RE: Vogel Paint

Hylton, I received the 2014 Annual Groundwater Monitoring Report you forwarded to Sandeep on March 23, 2015 that included IDNR's response. Per the e-mail, EPA has reviewed the report and has a number of comments outlined below. Feel free to call me to discuss. It would be much easier to discuss next week as I'll be in the office and available. Do you have any idea when the next sampling event is scheduled? I'd like to visit the site sometime while they are sampling to familiarize myself with the area.

Also, the report references an August 2014 report for boring logs. EPA does not have a copy of this report. Can you please forward preferably an electronic copy to me?

I look forward to talking to you next week. Thanks!

General Comments

1) The original work plan should be referenced within the text to outline the scope of work.
2) Deviations from the work plan should be outlined within the report.
3) A table consisting of top of casing elevations, down the well measurements/elevations, total depth, and well screen elevations would assist in adequate data evaluation.
4) The trend of contaminant concentrations at each well should be indicated in the text rather than indicating concentrations are below the MCL, have been elevated, or consistently below limits.
5) EPA concurs with their recommendations to conduct an FS through evaluation of three remedial technologies (P&T as well as two in-situ techniques).
6) Groundwater is proposed to occur in March/April and September/October, while geochemical sampling is proposed in July. Geochemical sampling should occur at the same time as chemicals of concern are sampled and all samples should be collected using the same methodology throughout the year. With this, can metals be collected by passive-diffusion? Do the passive-diffusion samplers proposed to be used in 2015 provide adequate sample volume for all of the samples to be collected?

7) Table 1 has a lot of blanks cells. If the chemical was not analyzed, please indicated this within the cell instead of leaving the cell empty.

Specific Comments

1) Page 1, Section 2, Paragraph 1, Sentence 1 – Indicate the matrix/depth to water at each screen interval. Indicate the vertical gradients in site associated wells. Does the glacial till depicted in the 2005 cross-section have sufficient clay to act as an aquitard separating the shallow from the deep aquifer?
2) Page 1, Section 2, Paragraph 1, Sentence 2 – The text indicates the shallow aquifer flows north from near wells GMW-20 and GMW-21 and northeast from the two private wells west of the site. Figure 2 depicts groundwater flowing south in the area of the indicated wells. No tables are included in the report that indicate the depth to water/groundwater elevations at the two private wells or any screening intervals/elevations of site associated wells to verify reported statements. Review and revise as appropriate.
3) Page 1, Section 2, Paragraph 1, Sentences 3 & 4 – The indicated depths to water are the same as indicated in the 2005 report. Has the water table consistently been at the indicated depth (e.g - TC-7 at 7 ft) or range of depths (e.g. - 16 ft – 18 ft at GMW-13/14) for the past 10 years? Please revise the report to include an additional table with the current and historic water levels.
4) Page 1, Section 2, Paragraph 1, Last sentence – The text indicates the upper alluvial sand containing the shallow aquifer slopes to the north. Is there a cross-section north of well GMW-14 that depicts the indicated conditions?
5) Page 1, Section 2, Paragraph 2 , Sentence 1 – The text indicates the shallow aquifer and deep aquifer commingle near GMW-14. Indicate the geologic feature (lens, layer, etc.)/matrix alteration and/or hydrogeologic change that occurs in this area that explains the apparent comingling of the two aquifers.
6) Page 2, Section 2, Paragraph 1, Sentence 1 – The text indicates the deep aquifer originates near GMW-14? Please explain. Figure 2 depicts what appears to be several different flow directions on the northern extent of the site with no associated groundwater elevations depicted by the contours. Please review and revise appropriate.
7) Page 2, Section 3 – Figure 2 depicts groundwater with a 90 degree change in the groundwater flow direction (i.e. – from southerly to easterly) in the area of the new wells (GMW-35/36/37). Please explain this phenomenon.
8) Page 2, Section 4, Paragraph 3 - Review and revise.
    a. In Figure 3, well GMW-21 should be labeled; the lateral extent to the southern portion of the xylene plume is not adequately delineated; re-evaluate/explain the plume delineation in the area of wells GMW-15, GMW-17, GMW-20, and GMW-21.
    b. In order to evaluate the impact of natural attenuation, there should be the ability to adequately determine if the plume is stable, shrinking or expanding.
    c. The ethylbenzene plume on Figure 4 depicts well GMW-22 as the lateral extent; this well has not been sampled since November 2011; re-evaluate/explain the plume delineation in the area of wells GMW-17 and GMW-20.
    d. The benzene plume (Figure 6) should be depicted as continuous; no data to indicate otherwise.
    e. Where the new wells screened in the same/similar interval/matrix as well GMW-30?
    f. Concentrations in Figure 3 through 6 use both µg/L and ppb; revise to be consistent, preferably with µg/L to correspond with MDLs.
9) Page 3, Section 4 – GMW-30 – Yearly trends may increase or decrease but since March 2013 the trend in benzene and ethylbenzene concentrations appear to be increasing. Indicate the change and determine the reason, if possible.
10) Page 6, Section 4 – GMW-20 – The text should indicate the contaminate trend for this well. From the graph it appear to be slightly increasing.
11) Page 7, Section 4 – GMW-7R – The text indicates concentrations have been elevated for two years. The text should indicate the contaminate trend (increasing) for this well and the potential cause, if possible.
12) Page 15, Section 8, Paragraph 1, Sentence 2 – Whereas natural biodegradation may be occurring, the lines of evidence are not conclusive. Natural attenuation is ineffective in reducing the source area and is not inhibiting the migration of contaminants offsite.

13) Page 15, Section 8, Paragraph 3 – Place ORP comments in context through a brief discussion of historic results. This may provide a sense of how this indicator overtime indicates aerobic biodegradation is occurring at the site. ORP readings are either a possible or likely indicator that anaerobic conditions were present (i.e. – readings of less than 50 mV) at the site from 2009 to 2012. Overall, ORP reading have turned increasingly positive in 2013 and 2014 thereby indicating a more aerobic environment.
14) Page 15, Section 8, Paragraph 4 – Typically anaerobic conditions are indicated by DO readings of less than 0.5 mg/L. DO readings since 2009 have indicated aerobic conditions. Reevaluate the geochemical data collectively and determine if supports biodegradation and revise the discussion, if necessary.
15) Page 15, Section 8, Paragraph 6, Sentence 1 – Indicate iron (FeII) demonstrated the most consistent evidence that anaerobic biodegradation was occurring rather than only biodegradation.
16) Page 16, Section 9, Paragraph 2 – Whereas the Vogel site may be considered Low Risk under the IDNR, the NCP states that EPA expects to return usable groundwater to their beneficial uses wherever practicable, within a timeframe that is reasonable given the particular circumstances of the site.
17) Page 16, Section 10, Paragraph 3 – The use of average concentrations of contaminants is not appropriate and each constituent should be considered on a well by well basis.

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From: Jackson, Hylton [DNR] [mailto:Hylton.Jackson@dnr.iowa.gov]
Sent: Monday, March 23, 2015 8:02 AM
To: Mehta, Sandeep
Cc: Lundberg, Cal [DNR]; Dalal, Pradip
Subject: RE: Vogel Paint

Sandeep
I have received the 2014 Annual report for the Vogel Site (see attached). In the report, Vogel addresses some of the issues raised in the Five-Year Report and I have responded. I am forwarding the 2014 annual report and my response for your review and comment. Can send hard copies if required. If required, please supply a mailing address.
Thanks,
Hylton

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PLEASE NOTE: Effective Monday, November 24, 2014, my phone number will change to 515-725-8338 and FAX number will be 515-752-8202

From: Mehta, Sandeep [mailto:mehta.sandeep@epa.gov]
Sent: Wednesday, February 04, 2015 12:16 PM
To: Jackson, Hylton [DNR]
Cc: Lundberg, Cal [DNR]; Dalal, Pradip
Subject: RE: Vogel Paint

Mr. Hylton:

Hello.

I had the opportunity to review the latest five year report. This document already has a great time line included as part of the report that will provide the information you are trying to put together through the help of your contractor.

I was trying to see if you had any update on the timeline information and such. I have attached your email below for your ready reference.

The sooner we are able to get together on this report implementations, the better it would be for the project. Let us know if we can assist.

Regards,
Sandeep Mehta, P.E.
mehta.sandeep@epa.gov
Phone: 913-551-7763

From: Jackson, Hylton [DNR] [mailto:Hylton.Jackson@dnr.iowa.gov]
Sent: Thursday, December 11, 2014 3:38 PM
To: Mehta, Sandeep
Cc: Lundberg, Cal [DNR]; Keith Delange
Subject: RE: Vogel Paint

Sandeep,
Sorry about the delay. As I or phone conversation, your main concern is about the first recommendation in the five year review that reads "Restart or reconstruct the existing groundwater treatment plant." Please contact me with the specifics of what you are looking for. I am going to review the file and put together a time line of pertinent information regarding the treatment plant (ROD, date of startup, ESD, date the plant was shut down, etc.) We will review the timeline in house and develop a response to your request for

information and state our position on that specific issue and other significant site conditions. I will try to get the file reviewed and get our response to you by the last week of December or the first week of January. Please note that I have contacted Vogel's environmental consultant, GEOTEK, as I see no reason why they should not be part of this dialog. I will be out of the office tomorrow but can be reached at 641 373 2083. I will be in the office Monday morning (12/15/2014) and then in the field for the rest of that week (December 16, 17, and 18).
Hylton

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From: Mehta, Sandeep [mailto:mehta.sandeep@epa.gov]
Sent: Tuesday, November 25, 2014 6:43 AM
To: Jackson, Hylton [DNR]
Subject: Vogel Paint

Hylton:

Hi. Good morning.

I wanted to provide my email and phone number, for your convenience. When you are ready to send me the information on Vogel Paint, just email it to me. I will review it and see what EPA needs to figure out.

Any idea on when you may be able to provide IDNR input for the project as we discussed on November 14, 2014?

Regards,
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Phone: 913-551-7763