Message

From: Pelton, Jason M (DEC) [jason.pelton@dec.ny.gov]
Sent: 8/23/2019 2:26:55 PM
To: Azzam, Nidal [Azzam.Nidal@epa.gov]
CC: Stein, Carol [Stein.Carol@epa.gov]; Donald Hesler [donald.hesler@dec.ny.gov]
Subject: FW: US EPA Review for TSCA Compliance, NWIRP Bethpage Site 1 Remedial Action

Nidal:

Can you give me a call as soon as you can? I just received a call from the U.S. Navy project manager. They have been trying to work through some TSCA related issues involving the excavation and off-site disposal of PCB contaminated soil from the Site 1 area. For the history, see the email message below.

Earlier this year, the Navy excavated soil that was below the TSCA levels for PCBs from one of four excavation areas. This has been sitting on-site for several months now and the Navy is getting close to losing their permit at the disposal facility. I am hoping we can provide them with approval to remove the current non-TSCA soil from the site for proper disposal.

Thanks
Jason

Jason Pelton
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From: Murray, Brian S CIV USN NAVFAC MIDLANT NOR (USA) <brian.s.murray@navy.mil>
Sent: Monday, August 19, 2019 12:05 PM
To: park.andy@epa.gov; harewood.charles@epa.gov
Cc: Bill Deane (APTIM Fed. Services) <William.deane@cbifederalservices.com>; Monica Smeal (APTIM Fed. Services) <monica.smeal@aptim.com>; Maule, Michael R CIV NAVFAC MIDLANT, Counsel <michael.maule@navy.mil>; Pelton, Jason M (DEC) <jason.pelton@dec.ny.gov>; Johnson, Nina M CIV USN NAVFAC MIDLANT NOR (USA) <nina.johnson@navy.mil>; Ben Conetta (US EPA) <Conetta.Benny@epa.gov>; Dave Brayack (Tetra Tech) <david.brayack@tetratech.com>
Subject: FW: US EPA Review for TSCA Compliance, NWIRP Bethpage Site 1 Remedial Action

Mr. Park/Mr. Harewood,

I am forwarding an email response from the US Navy (Navy) to address Mr. Conetta's questions related to the NWIRP Bethpage Site 1 CERCLA remedial action in Bethpage, NY.

The request to have EPA review of our plans for TSCA compliance originated with Mr. Jason Pelton of NYSDEC (cc'd here). The Navy and NYSDEC have been cooperatively working on the Site 1 remedial action for many years with a ROD approved in 2018. Mr. Conetta was forwarded the request to review the Navy's Site 1 work plan documents by Ms. Carol Stein on 15 Apr 2019. I provided the Site 1 documents on 25 April 19.

As I indicated in the email below, we have non-TSCA soils on site ready for shipment but have delayed any shipments pending EPA's understanding of the project. I would ask that EPA provide concurrence to our response in a timely manner as the delay in removing stockpiled soils will prevent additional excavation in other areas of the site.

Thank you.

Brian Murray PG, PMP
Sr. Restoration Project Manager
NAVFAC MIDLANT
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From: Murray, Brian S CIV USN NAVFAC MIDLANT NOR (USA)
Sent: Tuesday, August 06, 2019 4:31 PM
To: 'Conetta, Benny' <Conetta.Benny@epa.gov>
Cc: Bill Deane (APTIM Fed. Services) <William.deane@cbifederalservices.com>; Monica Smeal (APTIM Fed. Services) <monica.smeal@aptim.com>; Dave Brayack (Tetra Tech) <david.brayack@tetratech.com>; Michael Maule (NAVFAC MIDLANT) <michael.maule@navy.mil>; Nina Johnson (NAVFAC MIDLANT) <nina.johnson@navy.mil>; Jason Pelton (NYSDEC) <Jason.pelton@dec.ny.gov>
Subject: US EPA Review for TSCA Compliance, NWIRP Bethpage Site 1 Remedial Action

Ben,

Pardon my delay in providing a response. This email has been prepared as discussed during our call of 06 May 2019 regarding the disposal of PCB-impacted soil excavated from Site 1 – Drum Marshalling Area in compliance with TSCA at the former NWIRP Bethpage. The Dept. of Navy (DON) has been investigating and remediating this site under its CERCLA authority, the NCP, 40 Code of Federal Regulations (CFR) Part 300, and Executive Order 12580, as amended by Executive Order 13016, for CERCLA response activities to address contamination at and from the former NWIRP Bethpage. The Navy's response authority also derives from the Defense Environmental Restoration Program amendments in 10 U.S.C. § 2701, et seq.
The U.S. EPA and the NYSDEC have been involved in this project since at least the early 1990s and as applicable, provide regulatory review and concurrence of DON actions. As discussed below, the DON asserts that the release of PCBs present in the soils of Site 1 are the result of releases that occurred prior to 1978.

Beginning 19 Aug 2019, the DON plans to ship Site 1 excavated soils (0 to 2 ft interval) generated during the first phase of the ongoing remedial action. These soils have been characterized using insitu data collected during the extensive subsurface investigations completed to date as described below. In addition, the soils have been further sampled exsitu (five point composite of 500 cy stockpiles) for disposal in compliance with the Remedial Action Workplan provided to your office. Sample results indicate 80% of the PCB concentrations in these soils are less than 5 ppm with concentrations in remaining 20% ranging from 7.2 to 10.5 ppm.

NWIRP Bethpage History
The former NWIRP Bethpage was Navy owned property located adjacent to the former Northrop Grumman (NG) facility. The facility was operated by Grumman and later NG from 1942 to the mid-1990s. The plant's primary mission was the research prototyping, testing, design engineering, fabrication, and primary assembly of military aircraft. In 1996, operations ended at the NWIRP Bethpage. At that time, the NWIRP was approximately 109.5 acres in size. The majority of the pre-1982 hazardous waste management activities were conducted at Site 1 – Drum Marshalling Area. In 1982, the waste management activities were relocated to another area at the site.

Environmental Activities
In 1986, the Navy prepared an Initial Assessment Study (IAS), the current equivalent of a Preliminary Assessment for evaluating pre-Resource Conservation and Recovery Act (RCRA) and -Toxic Substances Control Act (TSCA) releases of hazardous materials. Any generation, storage, treatment, and disposal of post-RCRA and -TSCA hazardous materials were conducted by NG, presumably in compliance with applicable regulations at the time.

The 1986 study included documentation of waste management activities conducted at the facility. This study focused on current and pre-RCRA hazardous material activities, primarily cadmium and chromium wastes and chlorinated solvents. Cleanup of the cadmium, chromium, and solvent wastes is being conducted concurrent with the PCB cleanup. The 1986 IAS also provided limited discussion of the management of PCBs at the time and stated:

- "There are two PCB-containing electrical transformers on the activity that contain a total of 865 gallons. These transformers are positioned on undiked concrete or crushed stone pads. Reportedly, they were both retrofitted in 1978 and the material was incinerated at a permitted facility. Existing PCB concentrations in the two transformers are reportedly 30,000 and 37,000 parts per million."
- "At the time of the IAS site visit in 1985, the north end of the Salvage Storage Area contained large aircraft components. Retired vehicles and stationary equipment, including small, non-PCB transformers and batteries awaiting sale to off-activity scrap or used equipment dealers. are stored south of this aircraft scrap. There is no evidence that these transformers and batteries were emptied of their contents during storage."

In the mid-1990s, as part of the property transfer activities, the Navy conducted the 1997 Phase I Environmental Baseline Survey. This survey included additional worker interviews and record searches, as follows.

- "Until the early 1980s, oil containing PCBs was used in transformers and other electrical equipment at various locations throughout NWIRP Bethpage. In the mid-1980s, Grumman developed a schedule to replace or retrofill all PCB-contaminated transformers on site. Prior to implementation of this schedule, oil from PCB transformers was collected in 55-gallon containers and stored on wooden pallets in the Materials Storage Shed at Grumman-owned Plant 02. According to on-site personnel, no PCB transformers remain at NWIRP Bethpage (Taormina, 1997)."

These references indicate that NG, the facility operator, was aware of TSCA regulations and were actively taking steps to comply with the requirements of TSCA in the late-1970s. NG did not report any spills of PCB fluids at Site 1 after 1978.

2018 Record of Decision for Operable Unit 4 - Site 1 Former Drum Marshalling Area Contaminated Soil, Soil Vapor, and Groundwater

In the late 1990s, the horizontal and vertical extent PCBs at Site 1 was determined to be much larger than estimated in the 1995 ROD. Site 1 investigations continued through 2014 to fully understand the nature and extent of contamination. A 2015 Remedial Investigation Addendum presented these results and presented a site-specific human health risk assessment.

A 2016 Feasibility Study Addendum and 2017 Supplement to the Addendum was used to develop and evaluate nine soil cleanup alternatives with actions ranging from containment to full excavation. The costs estimated ranged from $13,000,000 to approximately $100,000,000. This information was presented to the public in the 2017 Proposed Plan and associated public comment period. In 2018, the Navy, with NYSDEC concurrence, selected a remedy to address soils, soil vapor, and groundwater.

The soil portion of the remedy was determined to be protective of human health and the environment by:

- Removing the majority of the PCBs present at the site
- Providing a minimum of a 2-foot thick cover to prevent human exposure and surface erosion of impacted soil to surface water and sediment (infiltration basins)
- Installing a reduced permeable cover over the majority of the remaining PCBs to limit migration to groundwater
- Land use controls to restrict future excavations in the area and prevent residential development
- Annual inspections and five year reviews to ensure the protectiveness of the remedy
- Groundwater monitoring to evaluation potential future impacts to groundwater.

TSCA requirements were considered in the development Site 1 Feasibility Study and eventual Record of Decision as relevant and appropriate. Per EPA CERCLA regulations, ARARs are frozen at the time of the ROD. The Navy is therefore addressing PCB remediation waste consistent with the substantive requirements of 40 CFR 761.61.

The Navy recognizes your expertise and appreciates your review of the planning documents for the Site 1 excavation, handling, and offsite disposal activities and would like to continue coordinating the project with the U.S. EPA. As has been the Navy's practice at the NWIRP Bethpage and other similar sites around the country where the release of a hazardous material is believed to occurred prior to the effective date of TSCA and RCRA regulations, the Navy cleans up the site in accordance with its CERCLA authority.

If you have any questions, please let me know.

Brian Murray PG, PMP
Sr. Restoration Project Manager
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From: Conetta, Benny <Conetta.Benny@epa.gov>
Sent: Friday, April 26, 2019 9:02 AM
To: Murray, Brian S CIV USN NAVFAC MIDLANT NOR (USA) <brian.s.murray@navy.mil>
Cc: Azzam, Nidal <Azzam.Nidal@epa.gov>; Bill Deane (APTIM Fed Services) <William.deane@cbifederalservices.com>; Monica Smeal (APTIM Fed. Services) <monica.smeal@aptim.com>; Donald Hesler <donald.hesler@dec.ny.gov>; Jason Pelton <jason.pelton@dec.ny.gov>
Subject: [Non-DoD Source] RE: US EPA Review for TSCA Compliance

Brian,

A couple of quick comments.

Soils **need to be characterized insitu for disposal purposes under TSCA** – waste characterization samples taken post ex are not acceptable.

Post excavation samples will be needed – these are typically on a 400 sq ft frequency.

Are all the pcbs being removed or will some remain on site? What levels of pcbs are expected to remain on site? If some remain on site, the use of the site may be limited based on levels remaining and capping may be required.

The decon procedures need to be explained in the document.

I will check and see what was submitted.

Thanks
ben

From: Murray, Brian S CIV USN NAVFAC MIDLANT NOR (USA) <brian.s.murray@navy.mil>
Sent: Thursday, April 25, 2019 11:52 AM
To: Conetta, Benny <Conetta.Benny@epa.gov>
Cc: Azzam, Nidal <Azzam.Nidal@epa.gov>; Bill Deane (APTIM Fed Services) <William.deane@cbifederalservices.com>; Monica Smeal (APTIM Fed. Services) <monica.smeal@aptim.com>; Donald Hesler <donald.hesler@dec.ny.gov>; Jason Pelton <jason.pelton@dec.ny.gov>
Subject: US EPA Review for TSCA Compliance

Ben,

Per our phone conversation, I have captured your questions related to the Navy's removal and disposal of soils at Site 1, NWIRP Bethpage, NY in accordance with TSCA requirements.

To facilitate your review of TSCA compliance, I have provided answers to your questions.

1. What are the levels of PCBs?
   Under current conditions, the maximum concentration of PCBs in the surface soil is 88 mg/kg. The maximum detection of PCBs in unsaturated subsurface soils (2 to 50 feet bgs) is 3,500 mg/kg at 8 to 10 feet bgs.

2. What are we going to do with soils?
   Contaminated soils will be excavated to targeted depths, staged onsite, characterized via sampling for off-site disposal, and then transported to approved facilities. Specifics for this topic are provided in the Waste Management Plan.

3. What is the source of the PCBs? Are they from pre-1978 releases?
   From the early 1950's to 1978, drums containing liquid wastes were stored on a cinder-covered area over a cesspool leach field. This leach field may have been used to discharge process wastewater. Transformers and PCB-filled autoclaves were also stored at the site. The waste drums reportedly contained chlorinated and non-chlorinated solvents, and liquid cadmium and chromium wastes. In addition, underlying most of Site 1 are approximately 120 abandoned cesspools that were designed to discharge sanitary wastewaters from Plant No. 3 that were in use from the early 1950s to 1978. There are no known reports of leaks or spills of drum contents at Site 1.
   Dry Well 20-08 was part of a storm water management system. The dry wells functioned to infiltrate low volumes of water and overflowed higher volumes of water into
   the recharge basins. PCB-containing fluids are suspected to have been introduced by Northrop Grumman operations to the system through floor drains, and subsequently to underlying soil, through permeable well bottoms.

4. What is our design for sampling of excavated soils?
   Waste characterization sampling and analysis will be conducted on all excavated soil at a frequency of one sample per 500-CY. The samples will be collected as composite and discrete grab samples from the stockpiles of excavated soil located in the material storage areas. Composite waste characterization samples will be analyzed for PCBs, ignitability, corrosiveness, reactivity, Toxicity Characteristic Leaching Procedure (TCLP) metals, target compound list (TCL) SVOCs, pesticides, and herbicides and discrete waste characterization samples will be analyzed for VOCs to characterize the material for disposal. Additional sampling and comparison values may be required based upon the proposed approved facility requirements. Specifics for this topic are provided in the Waste Management Plan, Section 4.2.

5. What is the amount of waste (both non-TSCA and TSCA)?
   31,947 tons of soil are anticipated to be disposed of as non-hazardous
   15,521 tons of soil are anticipated to be disposed of as hazardous due to PCB concentration greater than 50 parts per million
   2,512 tons of soil are anticipated to be disposed of as hazardous (RCRA/TSCA) due to elevated Cd, Cr, or PCBs
   Discussion of the waste distribution is provided in the Remedial Action Work Plan.

6. Where is the waste going to be sent?
   The proposed facilities for transportation and disposal of RCRA-Hazardous, TSCA- Hazardous, and non-hazardous soils are provided below:
   Non-Hazardous Soil
   Gloucester County Solid Waste Complex
   109 Budd Boulevard
   Woodbury, NJ 08096
   Phone: (856) 379-7391
   EPAID#: LOP100003

   RCRA Hazardous Soil

US Ecology Idaho
20400 Lemley Road,
Grand View, ID 83624
Phone: (800) 274-1516
EPAID#: IDD073114654

Envirosafe Services of Ohio
876 Otter Creek Roadd
Oregon, OH 43616
Phone: (215) 659-2001
EPAID#: OHD045243706

TSCA Hazardous Soil (PCB > 50 parts per million [ppm])
Heritage Subtitle C Landfill
4370 West Country Road 1275 North
Roachdale, IN 46172
EPAID#: IND980503890

US Ecology Michigan Landfill
49350 North I-94 Service Drive,
Belleville, MI 48111
Phone: (800) 592-5489
EPAID#: MIS048090633

Alabama Department of Environmental Management
PO Box 55
Emelle, AL 35459
Phone: (404) 402-5732
EPAID#: ALD000622464
TSCA Hazardous Soil (PCB > 1,000 ppm)
CWM Waste Management Emelle

7. Provide details on equipment decontamination procedures.
   Equipment necessary for decontamination activities will be provided, installed, and verified in working order prior to site operations. Equipment in the decontamination area includes items such as brushes and waste containers, power washers, and/or equipment suitable for dry decontamination procedures.
   The decontamination area will be used to remove site materials such as dirt and mud from vehicles prior to accessing a public roadway. Equipment contacting known or suspected contaminant-impacted material shall be decontaminated at the work area prior to relocation to the support zone.
   Decontamination water will be pumped from the decontamination pad using a six-in. diesel pump with a 25-ft. hose through a 10-oz. filter bag to be stored in a 20,000-gallon portable storage tank. Prior to off-site disposal, stored decontamination water will be sampled for waste characterization analysis.
   Specifics for this topic are provided in the Waste Management Plan, Section 4.3.

We have begun our excavation of the 0 to 2 ft soils. I have attached the Remedial Action Work Plan and Waste Management Plan. These files are in red-line strikeout to reflect changes requested by NYSDEC and the Navy. Can you provide a date for completion of your review of the TSCA sections?

Thanks.

Brian Murray PG, PMP
Restoration Project Manager

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