Message

From: MacNicholl, Peter@DTSC [Peter.MacNicholl@dtsc.ca.gov]
Sent: 4/2/2018 7:51:35 PM
To: Keller, Lynn [Keller.Lynn@epa.gov]
Subject: RE: [EXTERNAL] Re: March 2018 Agency Technical Meeting Notes and Action Items for afternoon discussion

Hi Lynn,

Sorry I did not get back to you. Im fine with the date and time. Ill be calling in remotely. I don't think we will need 2 hours as most of these discussions are legal in nature and will be determined by the counsel participating in the call.

From: Keller, Lynn [mailto:Keller.Lynn@epa.gov]
Sent: Thursday, March 29, 2018 3:17 PM
To: MacDonald, Alex@Waterboards <Alex.MacDonald@waterboards.ca.gov>
Cc: MacNicholl, Peter@DTSC <Peter.MacNicholl@dtsc.ca.gov>
Subject: RE: [EXTERNAL] Re: March 2018 Agency Technical Meeting Notes and Action Items for afternoon discussion

I just tested my conf calling number, and it's still working—so I can cover that.

I'll send out an invite once Pete confirms he and Isabella can make 13 April from 9 am – 11 am. Does that work, Pete?

Let me know if you think we need more than 2 hours; do you want me to make it for 2.5 or 3 hrs or will 2 cut it?

Lynn M. Keller, EI, CMP
US EPA Region 9 RPM
75 Hawthorne St, SFD 7-1
San Francisco, CA 94105
415.947.4162

From: MacDonald, Alex@Waterboards [mailto:Alex.MacDonald@waterboards.ca.gov]
Sent: Thursday, March 29, 2018 3:02 PM
To: Keller, Lynn <Keller.Lynn@epa.gov>
Cc: MacNicholl, Peter@DTSC <Peter.MacNicholl@dtsc.ca.gov>
Subject: RE: [EXTERNAL] Re: March 2018 Agency Technical Meeting Notes and Action Items for afternoon discussion

We here at the Water Boards are fine for April 13th. 0900 would work well. Can you set up a call in number or how do you want to work it?

Alex

From: Keller, Lynn [mailto:Keller.Lynn@epa.gov]
Sent: Thursday, March 29, 2018 11:33 AM
To: MacDonald, Alex@Waterboards <Alex.MacDonald@waterboards.ca.gov>
Cc: Bradfish, Larry <Bradfish.Larry@epa.gov>; MacNicholl, Peter@DTSC <Peter.MacNicholl@dtsc.ca.gov>
Subject: RE: [EXTERNAL] Re: March 2018 Agency Technical Meeting Notes and Action Items for afternoon discussion

Hi, Alex. Larry and I are still available 4/12 from 8-10 and 4/13 from 8-1 for this interagency A40 ARAR discussion.
Thanks,
Lynn

Lynn M. Keller, EI, CMP

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From: MacDonald, Alex@Waterboards [mailto:Alex.MacDonald@waterboards.ca.gov]
Sent: Friday, March 23, 2018 9:07 AM
To: Keller, Lynn <Keller.Lynn@epa.gov>
Subject: RE: [EXTERNAL] Re: March 2018 Agency Technical Meeting Notes and Action Items for afternoon discussion

Lynn – looks like the common times available are:

Thurs April 12th between 8 and 10 and Fri between 8-1. Friday looks like the preferred time at this point. I am waiting to hear back from David.
Alex

From: Keller, Lynn [mailto:Keller.Lynn@epa.gov]
Sent: Thursday, March 22, 2018 9:02 PM
To: Fennessy, Christopher <christopher.fennessy@Rocket.com>
Cc: MacNicholl, Peter@DTSC <Peter.MacNicholl@dtsc.ca.gov>; MacDonald, Alex@Waterboards <Alex.MacDonald@waterboards.ca.gov>
Subject: RE: [EXTERNAL] Re: March 2018 Agency Technical Meeting Notes and Action Items for afternoon discussion

For that is the question....
I'm asking around on how to handle this issue, and have a few more meetings set up next week. I understand why the State is compelled to use their ARARs given their process and their lead agency role. I am looking into what EPA can enforce long term, and what the advantages/disadvantages are of having different ARARs in the RAP and ROD.

Alex, for scheduling our ARARs agency/PM/attorneys call, I can see that so far, Larry Bradfish and I are available the following days/times:
Fri 30 Mar: 12-4
Tues 3 Apr: 8-11:30
Thurs 12 Apr: 8-10 or 2:30-5
Fri 13 Apr: 8-1

Thanks,
Lynn
Lynn M. Keller, EI, PMP
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From: Fennessy, Christopher [mailto:christopher.fennessy@Rocket.com]
Sent: Thursday, March 22, 2018 8:47 PM
To: Keller, Lynn <Keller.Lynn@epa.gov>
Cc: MacNicholl, Peter@DTSC (Peter.MacNicholl@dtsc.ca.gov) (Peter.MacNicholl@dtsc.ca.gov) <Peter.MacNicholl@dtsc.ca.gov>; MacDonald, Alex@Waterboards (Alex.MacDonald@waterboards.ca.gov) <Alex.MacDonald@waterboards.ca.gov>
Subject: RE: [EXTERNAL] Re: March 2018 Agency Technical Meeting Notes and Action Items for afternoon discussion

Is there a reason why we would not use EPA ARARs in the FS, since it is their document and then add the State ARARs into the RAP?

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From: Keller, Lynn [mailto:Keller.Lynn@epa.gov]
Sent: Thursday, March 22, 2018 4:31 PM
To: Fennessy, Christopher
Cc: MacNicholl, Peter@DTSC (Peter.MacNicholl@dtsc.ca.gov) (Peter.MacNicholl@dtsc.ca.gov); MacDonald, Alex@Waterboards (Alex.MacDonald@waterboards.ca.gov); jrohrer@dtsc.ca.gov; ROJAS-MICKELSON, DAEWON; Hanley, Valerie@DTSC; Varljen, Mark
Subject: [EXTERNAL] Re: March 2018 Agency Technical Meeting Notes and Action Items for afternoon discussion

Great notes, Chris-thank you.

The only thing I'd like added is that EPA's FS comments are also focused on the ARARs. The FS needs only one set of project ARARs adopted by the agencies and carried through to the RAP and ROD. Just wanted to clarify that the ARAR issue is also with the FS.

Thank you for taking such good notes,
Lynn

Lynn Keller
Remedial Project Manager
EPA Region 9
415-947-4162

On Mar 22, 2018, at 10:33 AM, Fennessy, Christopher <christopher.fennessy@Rocket.com> wrote:

Protectiveness Determination

- Aerojet and EPA both would like EPA to be able to make a statement to EPA senior management that the Aerojet remedy is protective of public health and the environment
- Groundwater – EPA stated that it could make a protectiveness statement for groundwater as long as there is not a realized risk today and we have a plan that:
    - identifies all the vulnerabilities and a trigger (sentinel well) for each vulnerability
    - specifies monitoring requirements and response requirements (remedy implementation requirements) if a trigger event occurs for each vulnerability
    - includes calculations and schedules for the time from trigger event to realized risk and the time to respond to a trigger event
    - ensures that the time to respond to trigger event is shorter than the time between trigger event and realized risk
- **Mark to prepare initial list of vulnerabilities by April 6.**
- Vapor Intrusion – EPA stated that it could make a protectiveness statement following the review of the March VI report and following confirmation that all of the immediate risks have been addressed and a plan is in place for all of the long term risks.

Ready for Reuse – EPA stated that AR can plan for a 4-6 month time for EPA to prepare a ready for reuse determination letter once all documentation has been provided to EPA.

Winter Indoor Air Sampling Event Update – Provided summary of February 2018 monitoring results. **Chris to forward results to Valerie Hanley.**

Ambient Air Sampling Event Update – Provided summary of February 2018 monitoring results. **Chris to forward results to Valerie Hanley.** AR requested EPA to review purpose for final round of ambient air monitoring. AR feels that since the risk has been identified and selected remedy requires source removal followed by monitoring to confirm that the existing ambient air issue has been resolved, there is no longer a need to continue pre-source removal ambient air monitoring. **Lynn to confirm with EPA risk and VI folks.**

Area 40 Soil Vapor monitoring - AR requested DTSC to review purpose for additional rounds of soil vapor sampling to evaluate temporal trends. **Chris to forward e-mail from Chris to Peter regarding vapor sampling to Valerie Hanley**. AR feels that since the risk has been identified and selected remedy requires vapor mitigation beneath all structures regardless of soil vapor concentration and source removal followed by monitoring to confirm that the soil vapor concentrations are not above VM thresholds, there is no longer a need to continue pre-source removal soil vapor monitoring. **Peter to confirm with DTSC GSU folks.**

Review of FS/RAP comments – DTSC stated they would have formal comments on FS by March 23. EPA stated that due to staff limitations, FS comments would not be available until April 6. However, EPA stated that there are not about the remedy, rather whether the risks are portrayed and addressed correctly in the FS. AR reiterated that the schedule is to issue the RAP along with CEQA document to public by May 1. **Chris to schedule CEQA public participation kick off meeting. Chris to schedule a court reporter for the May CAG meeting.**

ARAR discussion – EPA having difficulty with ARARs that will be defined in RAP and how their ROD will present ARARs. **Alex to schedule meeting between EPA and State, with attorneys to resolve EPA ARAR issue.**

CEQA – USEPA reviewing need for NEPA because EPA had comments on the EIS that they feel the City of Folsom did not address. AR stated that the developers are submitting 404 permit applications for each of the developments as they occur. The developers have not submitted the 404 permit application for the development that includes Area 40. AR stated that it is premature to process a 404 permit application now; however, it would go through the 404 permitting process once the details of the remedy are flushed out in the remedial design documents. **Lynn to follow up with EPA to confirm that NEPA is not required at this time.**

DTSC oversight MOU – EPA stated that it was just about finished with the language and ready to send back to DTSC for final review and signature. MOU will include remedy implementation. AR has provided DTSC language that shows that PCD can be interpreted to cover preparation of additional documents and the oversight costs associated with these documents. **Chris to send this language to Lynn.**

Let me know if I missed anything. Chris

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