Message

From: Norman Bernstein [nwbernstein@nwbllc.com]
Sent: 12/11/2019 2:38:31 PM
To: Ohl, Matthew [ohl.matthew@epa.gov]
CC: Krueger, Thomas [krueger.thomas@epa.gov]; Peter M. Racher Esq. [pracher@psrb.com]; Mary Desmond [mdesmond@nwbllc.com]
Subject: Re: FW: Third Site ERH Remedy - Request for Clarification

Mr. Ohl

Thank you for the clarification.

Norman W. Bernstein

On Wed, Dec 11, 2019 at 9:17 AM Ohl, Matthew <ohl.matthew@epa.gov> wrote:
Good morning:

1,2-dichlorobenzene is a volatile organic compound and requires treatment. The use of monitoring points for treatment or other related purposes is not acceptable because it would likely impact the integrity of the points and our ability to make comparisons to previously collected data.

Thank you,

Matt

Matthew J. Ohl
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From: Norman Bernstein <nwbernstein@nwbllc.com>
Sent: Monday, December 2, 2019 5:31 PM
To: Ohl, Matthew <ohl.matthew@epa.gov>
Cc: Krueger, Thomas <krueger.thomas@epa.gov>; Peter M. Racher Esq. <pracher@psrb.com>; Mary Desmond <mdesmond@nwbllc.com>
Subject: Third Site ERH Remedy - Request for Clarification

Mr. Ohl:

In connection with the implementation of the Electrical Resistance Heating ("ERH") remedy at Third Site ("the Site") the Trustees of the Third Site Trust Fund ("the Trustees") request that EPA clarify two matters that have come to the Trustees' attention.

The 1,2-Dichlorobenzene Question

The chemical 1,2-Dichlorobenzene was originally included within the list of the Total Volatile Organic Compounds ("Total VOCs") that were to be reduced by 90% from a value of 42,850 ug/L to a value of 4,285 ug/L Total VOCs within the sheet-pile enclosed DNAPL area at the Site. That chemical was also included within the Total VOCs reported to EPA after the first round of ERH treatment that ended in or about January 2019. March 2019 sampling results, after that first round of ERH treatment were reported by Ramboll to EPA in April of 2019.

During April of 2019, the Trustees' ERH Contractor, McMillan-McGee ("MM") asserted for the first time that 1,2-Dichlorobenzene is not a volatile organic compound, but rather is a semi-volatile organic compound and that the values reflected for that chemical in the March 2019 sampling should be excluded from the Total VOCs that were reported in attempting to reach the compliance value of 4,285 ug/L. The matter was not resolved at that time.

After a second attempt at operating the ERH system, which began in or about April 2019 and ended in or about August 2019, compliance sampling was conducted by Ramboll in September 2019 and reported by Ramboll to EPA in October 2019. In November 2019, MM renewed the issue about 1,2-Dichlorobenzene. It asserted that as a result of excluding 1,2-Dichlorobenzene from the September data, as it in its view should be done, sampling point P-2 is now in compliance with the 4,285 ug/L criteria.

A data table showing all sampling result within the sheet-pile enclosed DNAPL area at the Site is attached.

Please clarify whether (a) 1,2-Dichlorobenzene should be considered one of the Total VOCs whose cumulative value must not exceed 4,285 ug/L, or (b) should be considered a semi-volatile organic compound whose value need not be counted in determining whether the Total VOCs exceed 4,285 ug/L.

The Use of P-1 and P-2

There are four points that are monitored within the sheet-pile enclosed DNAPL area at the Site in order to determine compliance with the 4,285 ug/L Total VOCs value. Those sampling points are three piezometers (P-1, P-2, and P-3) and the sump. After the March compliance sampling data was distributed to it, MM asserted that it wanted to use P-1 and/or P-2 as ERH extraction points or ERH heating points. Ramboll at the time responded that it believed that EPA would not allow compliance sampling points to be used as ERH treatment system extraction or ERH heating points. (There is no plan to replace P-1 or P-2. Attempting to do so would make any data collected from the replacement piezometers not comparable to the original data from P-1 and P-2, which were considered in determining the 4,285 ug/L compliance value to be achieved).

Please advise as to whether Ramboll is: (a) correct that EPA would not permit, in accordance with applicable laws and regulations, the use of sampling points P-1 and P-2 as ERH remedy implementation points; or (b) incorrect and that EPA will allow the use of compliance sampling points P-1 and P-2 as ERH extraction or heat injection points.

Thank you for your assistance in clarifying EPA's position for us on these two matters.

Norman W. Bernstein, Trustee, Third Site Trust Fund.

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