

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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11201 Renner Boulevard
Lenexa, Kansas 66219

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Superfund

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APR 23 2013

Mike Felix
Remediation Section Supervisor
Waste Management Division
Nebraska Department of Environmental Quality
1200 N Street Suite 400
Lincoln, Nebraska 68509-8922

Dear Mr. Felix:

Subject: Garvey Elevator site (Site), Hastings, Nebraska

The U.S. Environmental Protection Agency has received the Nebraska Department of Environmental Quality's (NDEQs) letter dated April 8, 2013. In the letter NDEQ reiterated support for the preferred remedial alternatives for the Operable Unit 01 (OU 01) soils and the OU 02 groundwater that were presented to NDEQ in the Draft Proposed Plan for Interim Remedial Action (Draft Proposed Plan) on August 7, 2012. Specifically, the preferred remedial alternatives for OU 01 soils and OU 02 groundwater are, respectively: Alternative S4 – Excavation, Treatment and Disposal of Contaminated Soil and Expansion and Operation of the Existing SVE System and Alternative G3 – Groundwater Recovery, Treatment, and Discharge at Mid-plume and Leading Edge of Plume. However, NDEQ, in the letter and in previous meetings and communications subsequent to the EPA issuing the Draft Proposed Plan, has expressed concern that the Proposed Plan does not include additional remedial action for OU 01 groundwater, beyond those remedial actions currently taking place under the 2010 Interim ROD and the 2012 State Superfund Contract (SSC). NDEQ stated a preference for including in the Proposed Plan additional measures with the goal being to shorten the cleanup timeframe for OU 01 groundwater and reduce the cost impact to the State.

In August 2012, the EPA and NDEQ approved the Revised Final FS for the Site. The Revised Final FS presented the development, screening, and detailed evaluation of a range of remedial alternatives to address OU 01 soils, OU 01 groundwater, and OU 02 groundwater. The Draft Proposed Plan, which the EPA was developing concurrent with revisions to the FS, did not amend the remedial actions to address OU 01 groundwater under the 2010 Interim ROD because of disagreements between the EPA and NDEQ on the technical and administrative implementability of the in situ treatment via groundwater amendments. The EPA has sought to resolve the disagreements by requesting and receiving further analysis of the Revised Final FS by subject matter experts. However, there remain technical disagreements between the EPA and NDEQ.

Based on the April 17, 2013 teleconference between representatives from the EPA and NDEQ, it appears that a consensus has been reached. That being, that in order to put in place in a timely manner source control actions, as well as actions to prevent further migration and spread of the downgradient groundwater contaminant plume, the remedy selection process (i.e. Proposed Plan, public comment period, Interim (Record of Decision) to address OU 01 soils and OU 02 groundwater should proceed.



This letter formally proposes this course of action. The preferred alternatives identified in this Proposed Plan would be consistent with those presented in the August 2012 Draft Proposed Plan. Concurrent with the remedy selection process, the EPA would task its contractor to develop a Supplemental Feasibility Study (SFS) for OU 01 groundwater. At a minimum, draft and final versions of the SFS will be developed. The SFS would develop, screen and evaluate, to a sufficient level of detail, a range of remedial alternatives to address the source area groundwater at OU 01. As with previous RI/FS work at the Site and in accordance with Subpart F of the National Oil and Hazardous Substances Contingency Plan and the 2012 Management Assistance Superfund Cooperative Agreement, the EPA will continue to ensure meaningful and substantial State involvement during development and review of the SFS.

The EPA is seeking NDEQ's concurrence on the above approach and would like to receive a response by May 8, 2013. If you have questions regarding this, or any other matter pertaining to this site, don't hesitate to contact Brian Zurbuchen, Ph.D. at (913) 551-7101.

Sincerely,

A handwritten signature in black ink, appearing to read "Pradip L. Dalal". The signature is written in a cursive style with a large initial "P".

Pradip L. Dalal, P.E.
Chief, Iowa/Nebraska Remedial Branch
Superfund Division