

**Responses of James Woolford, EPA, to Questions for the Record from the
Defense Base Closure and Realignment Commission**

August 22, 2005

1. Commissioner Coyle asked the Panel a question concerning an earlier question that the Chairman raised about the cost of environmental clean up at Cannon Air Force Base in New Mexico being zero. Commissioner Coyle asked that if you think it is going to be zero, then why is it zero and if it is some other number, what would you think a more likely number would be?

Answer: The State of New Mexico is the lead regulator at Cannon Air Force Base, since this site is not on the Superfund National Priorities List (NPL). As to potential cleanup costs, DoD has informed EPA that cost information for the cleanup at Cannon AFB was submitted to the BRAC Commission, and that DoD estimates a cost-to-complete of \$1.2 million. EPA defers to the estimates provided by DoD.

2. Commissioner Hansen asked a question concerning the '73 Endangered Species Act and if there were any examples from prior rounds where the Act has come into consideration.

Answer: As you may know, the Endangered Species Act falls under the jurisdiction of the U.S. Fish and Wildlife Service, not EPA, and therefore EPA does not have a complete list of examples where the Act has come into consideration. However, in my experience, three examples come to mind: Sierra Army Depot, California (endangered Carson wandering skipper—a small butterfly); the former Fort Ord, California (threatened California tiger salamander); and Naval Training Center San Diego, California (endangered Least Tern—a small bird).

3. Commissioner Coyle asked a question concerning the use of an interagency standard for environmental cleanup involving radioactive materials, the Multi-Agency Radiation Site Survey Investigation Manual (MARSSIM). His question referred to the Navy not basing their cost estimate to clean up New London on the MARSSIM standards and if they had, what impact would that have on the cost estimate for the radiation clean-up at New London.

Answer: The Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM) provides detailed guidance for planning, implementing, and evaluating environmental and facility radiological surveys conducted to demonstrate compliance with a dose- or risk-based regulation. MARSSIM focuses on the demonstration of compliance during the final status survey following scoping, characterization, and any necessary remedial actions. MARSSIM is a guidance document—it is not a requirement and not a cleanup standard.

Based upon the initial Superfund Preliminary Assessment and Site Investigation (PA/SI) (which was performed by the Navy and reviewed by EPA), no radioactivity was found at the Naval Submarine Base, New London. Since radioactivity was not found at the site, there was no need to conduct further assessment following MARSSIM. The Navy and EPA will update this

information if results of ongoing monitoring or further review of prior radiological surveys determine a change to be necessary.

4. Commissioner Coyle also asked what would happen to the \$23 million environment cost estimate for the Naval Submarine Base, New London, if the Navy would have based their cost estimate on the environmental standards of the State of Connecticut.

Answer: EPA has not made any independent assessment of the Navy's cost-to-complete estimates and therefore I am not in a position to comment on the impact of basing the cost estimate on the environmental standards of Connecticut.

As background, please note that response actions at the Naval Submarine Base, New London are being conducted under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980 as amended by the Superfund Amendments Reauthorization Act (SARA) of 1986, also known as Superfund. CERCLA remedial actions conducted on site must meet cleanup levels and performance standards provided in applicable or relevant and appropriate requirements (ARARs) of other federal or State environmental laws. CERCLA requires that a remedial action comply with state environmental laws provided the State's requirements: (1) are promulgated; (2) are more stringent than Federal laws or regulations; and (3) are identified by the State in a timely manner.

The Department of the Navy signed in January 1995 a CERCLA Federal Facility Agreement (FFA) with EPA and the then State of Connecticut Commissioner for the Department of Environmental Protection. Among the items in the agreement, the FFA details EPA's and the State's roles in the environmental restoration process at the New London Submarine Base. State standards and regulations are taken into account when planning and conducting the cleanup, and the State of Connecticut has been actively involved in identifying their cleanup standards that are ARARs.