



## **REGION 4**

ATLANTA, GA 30303

**June 21, 2024**

Mr. James Foster  
Base Realignment and Closure Division (ACSIM-ODB)  
2530 Crystal Drive (Taylor Building), Room 5000  
Arlington, VA 22202-3940

Dear Mr. Foster,

The United States Environmental Protection Agency (EPA) acknowledge receipt of the United States Army (lead agency, Army) extension request for the Draft Proposed Plan for groundwater remedial work (Draft Proposed Plan) at the Main Installation (MI) of the former Defense Depot Memphis, Tennessee (DDMT). The EPA has carefully reviewed your submission and reached a decision.

The EPA conditionally accepts the extension for the submission of the Draft Proposed Plan, provided that the lead agency completes its draft version submission to the regulatory bodies by August 20, 2024. Although, the EPA stresses the critical nature of adhering to established timelines and procedures, reminding that all extension requests are subject to regulatory approval. Failure to comply may result in EPA initiating a formal dispute process, which could lead to increased scrutiny of your remedial operations, mandatory corrective actions, and potential legal proceedings.

Moreover, the EPA recognizes that extended comment and response cycles could lead to delays in submitting crucial documents like the Draft Final Focused Feasibility Study for MI groundwater, which was received on June 21, 2024. While such circumstances might justify an extension request for document submittals like the Proposed Plan, the EPA emphasizes the importance of adhering to the Federal Facility Agreement (FFA) guidelines. The FFA mandates that extension requests be submitted in writing at least 10 days before the deadlines specified in the Site Management Plan (SMP). Non-compliance with these procedures could lead to a formal dispute resolution processes and potential penalties. Timely submissions are essential as they allow for proper review and collaboration, thereby ensuring smooth project progression and avoiding potential complications. By adhering to these guidelines, we can work together more effectively to achieve our shared environmental protection goals.

Given that the 2024 SMP was approved on April 26, 2024, the EPA believes the Army had sufficient time to request an extension for this primary document. However, acknowledging the Remedial Team's significant progress over the past two years and the importance of selecting an appropriate remedy for the Main Installation, the EPA has decided to make an exception.

The EPA strongly recommends that the lead agency take immediate action to improve its internal processes to ensure that all future extension requests are submitted well in advance, not only for current remedial processes but also for the upcoming PFAS investigations and any other actions that will contribute to a sitewide protectiveness determination that must comply with the Five-Year Review determinations. As other project approaches, it is imperative that the Remedial Team thoroughly familiarize themselves with the FFA to maintain compliance and foster a collaborative partnership.

The EPA values the lead agency's efforts and looks forward to continued collaboration within the established procedures. If you have any questions about this letter, please contact me via email at [martinez-torres.fernando@epa.gov](mailto:martinez-torres.fernando@epa.gov) or at 404-695- 4991.

Sincerely,

Fernando Martinez Torres  
Remedial Project Manager  
Department of Defense Section  
Superfund & Emergency Management Division  
United States Environmental Protection Agency

**cc:** Jamie A. Woods, TDEC  
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