



THE MEMPHIS DEPOT TENNESSEE

ADMINISTRATIVE RECORD COVER SHEET

AR File Number 43



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File:
C.G. 547-460 d

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

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4WD-FFB

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

C. Michael Rust, Colonel, USA
Commander
Defense Distribution Depot Memphis
2163 Airways Blvd.
Memphis, Tennessee 38114-5000

Re: Approval of extension request for submittal of revised Draft
RFI (RI) Work Plans
Defense Distribution Depot Memphis, Tennessee
EPA I.D. No.: TN4 210 020 570

Dear Colonel Rust:

The Environmental Protection Agency (EPA) is in receipt of your extension request and proposed schedule for submittal of the RCRA Facility Investigation (RFI) (or Remedial Investigation (RI)) Work Plans. EPA approves the proposed schedule. We look forward to receiving all generic work plan documents and the RFI (RI) Work Plan for Operable Unit (OU) 1 (Dunn Field) within one hundred and five (105) days from Defense Distribution Depot Memphis, Tennessee's (DDMT's) receipt of the September 21, 1993, Notice of Technical Inadequacy (NOTI), or by January 10, 1994.

The enforceable due dates for subsequent OU-specific RFI (RI) work plans are also revised as appropriate to reflect the new approved due date for the RFI (RI) Work Plan for OU 1. Therefore, the remaining OU-specific RFI (RI) work plans must be received in this office at thirty (30) day intervals, beginning with EPA's receipt of the first of these work plans (i.e. the RFI (RI) Work Plan for OU 2) no later than thirty (30) days from EPA's receipt of the January 10, 1994, revision of the RFI (RI) Work Plan for Operable Unit 1.

The RFI (RI) Work Plan submitted for each OU must also include a submittal schedule for the corresponding Corrective Measures Study (CMS) (or Feasibility Study (FS)) Work Plan, since the CMS (FS) Report must be submitted no later than ninety (90) days after submittal of the RFI (RI) Report.

Given the near final status of the Federal Facilities Agreement (FFA), EPA shall follow the review and finalization procedures for primary documents set forth in Section XV (Consultation with EPA

and the Tennessee Department of Environment and Conservation (TDEC) for Primary and Secondary Documents) of the FFA for purposes of finalizing all RFI (RI) and CMS (FS) Work Plans.

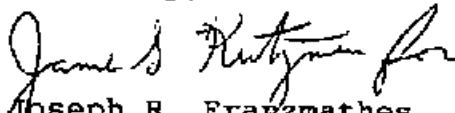
Please note that until all RFI (RI) and CMS (FS) Work Plans have been approved, DDMT will not have fulfilled the requirements for conditions II.E.1. and II.G.1. of RCRA-HSWA Permit Number TN4 210 020 570, effective September 28, 1990. Failure to comply with any permit condition may result in an enforcement action pursuant to Section 3008(a) of RCRA, 42 U.S.C. Section 6928, as amended by the Federal Facility Compliance Act of 1992, under which EPA may seek the imposition of penalties of up to \$25,000 for each day of continued non-compliance.

Also, once the FFA becomes effective, EPA may assess stipulated penalties (Section XXIV. (Stipulated Penalties)) at the rate of \$5,000 for the first week and \$10,000 for each additional week, or invoke dispute resolution (Section XXV (Dispute Resolution), upon receipt of an unacceptable Draft Final RFI (RI) or CMS (RS) Work Plan.

Given DDMT's repeated failure to submit an acceptable RFI (RI) Work Plan, EPA will likely pursue one or more of the above enforcement actions if the Draft Final submittals for any of the above-mentioned primary documents are unacceptable.

Should you have questions or comments regarding any of the above issues, please contact Jon Johnston, Chief, Federal Facilities Branch, or Caron Falconer, Acting Chief, DOD Remedial Section, at (404) 347-3016.

Sincerely,



Joseph R. Franzmathes
Director

Waste Management Division

cc: Christine Kartman, DDMT
Michael Dell'Orco, USACE Huntsville
Bill Forrester, TDEC
Jordan English, TDEC

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