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NASA-JPL
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National Aeronautics and
Space Administration
Office of Program
and Institutional Integration

NASA Management Office

180-801
4800 Oak Grove Drive
Pasadena, CA 91109-8099

Reply to Attn of:

Ms. Deborah Smith
Regional Water Quality Control Board, Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013

August 15, 2007

Dear Ms. Smith:

I appreciate the work of your staff, specifically Mohammad Zaidi, in helping to keep the groundwater restoration related to the Jet Propulsion Laboratory project moving forward. In the last few years, we have seen significant progress in containing the plume and removing the source, which is due in large part to the cooperative efforts of the team of Remedial Project Managers I work with from your agency, the Department of Toxic Substances Control, and the U.S. Environmental Protection Agency (EPA). In this regard, thank you for signing the Interim Record of Decision (IROD) for Operable Unit 3 (OU-3).

With regard to your letter conveying the OU-3 IROD signature page, there are a few points I would like to clarify.

First, the OU-3 IROD decision document progressed through all of the regulatory steps with your agency having the opportunity to review and comment at each step (e.g., Draft, Draft Final, and Final). In accordance with applicable regulations and EPA guidance, the OU-3 IROD signature page was not sent to the regulatory agencies for signature until after the review and comment process was fully completed. Thus, the document sent to you on April 9th was for signature only. I apologize for any confusion my April 9th letter may have created relative to misleading your agency into believing it was being asked to review and comment on the OU-3 IROD yet again.

Second, there were three points in your cover letter I would like to clarify. Specifically,

1. NASA concurs that OU-3 treatment systems will reduce concentrations of volatile organic compounds and perchlorate to below applicable chemical-specific ARARs. In this regard, your attention is directed to Sections 11.4 and 12.2 of the OU-3 IROD.

2. NASA shares your concern about reporting and sampling requirements. Therefore, the reporting and sampling requirements for the City of Pasadena treatment system will be determined as part of the Remedial Design/Remedial Action (RD/RA) Work Plan and in consultation with the Department of Public Health, who will identify specific reporting and sampling requirements as part of the drinking water permit. These data will be reported to you as part of the OU-3 progress memoranda.

3. Your comment relative to obtaining a discharge permit is noteworthy. In this regard, I would like to make note of CERCLA Section 121(e)(1) since it highlights how NASA will meet the substantive requirements associated with discharges into the Arroyo Seco. This CERCLA Section provides that no Federal, state, or local permit shall be required for the portion of any response action conducted entirely on-site. On-site is defined as the "aerial extent (including surface area, air, soil, and groundwater) of contamination and all suitable areas in very close proximity to the contamination necessary for implementation of the response action." Therefore, discharges to the

Arroyo Seco do not require obtaining a National Pollutant Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board. The Arroyo Seco is an on-site discharge; therefore, only the substantive NPDES requirements would need to be met. Substantive requirements will be described in the RD/RA Workplan. We will coordinate closely with your staff to ensure that substantive requirements are met.

If you have any questions please feel free to call me at 818-393-6683.

Thank You,

Steven Slaten
NASA Remedial Project Manager
JPL CERCLA Program

Cc: Mohammad Zaidi, Los Angeles Regional Water Quality Control Board
Cc: Michel Iskarous, Department of Toxic Substances Control
Cc: Lewis Mitani, Environmental Protection Agency

California Regional Water Quality Control Board

Los Angeles Region

Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

Linda S. Adams
Agency Secretary

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Arnold Schwarzenegger
Governor

July 31, 2007

Steven W. Slaten
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APPROVAL OF INTERIM RECORD OF DECISION OPERABLE UNIT 3, NASA JET PROPULSION LABORATORIES (JPL) FACILITY, 4800 OAKGROVE DRIVE, PASADENA, CALIFORNIA, FILE NO. 117.0001, (SITE IDENTIFICATION NO. 2040600)

Dear Mr. Slaten:

You submitted Final Interim Record of Decision (IROD) for Jet Propulsion Laboratories (JPL) Facility Operable Unit 3 (OU-3) Off-Facility Groundwater to the Regional Board on July 9, 2007 for our review, and also requested Regional Board Executive Officer to sign off on the signature page. The Regional Board has no objection to the OU-3 IROD except compliance with the following requirements:

1. In Section 10 of the subject document, you have stated: "Alternative 2 involves meeting applicable, relevant, or appropriate state and federal water quality requirements (ARARs) prior to distribution to consumers and are therefore protective of human health." "An alternative must comply with ARARs or be covered by a waiver to be acceptable." "Alternative 2 (centralized treatment) meets all location- and action-specific ARARs, prevents further migration of VOCs and perchlorate, and removes chemical mass from the aquifer, thus supporting the final remedy." Also, in section 12.2.1 of the IROD, you stated: "Because this is an interim ROD, establishing cleanup goals for the aquifer is not part of this response action. Cleanup goals for the aquifer will be addressed as part of the final remedy for groundwater." The above statements imply that during approximately three years of operations (after which the final remedy is expected to start operations) of the proposed centralized treatment (liquid-phase granular activated carbon and ion exchange) of the contaminated groundwater pumped at a rate of 7,000 gallons per minute from the four City of Pasadena production wells under the subject IROD, the treated effluent may not meet the chemical-specific ARARs before its discharge to the concrete-lined Windsor

Reservoir. This possible non-compliance of the centralized treatment system effluent with the chemical-specific ARARs during the period of implementation of an interim ROD may result in a potential threat to water quality, and will not be protective of human health and the environment. Therefore, the Regional Board requires you to treat the volatile organic compounds (VOCs)- and perchlorate-contaminated groundwater extracted from the four City of Pasadena production wells in the operable unit 3 using the selected Alternative 2, so that the treated effluent meets the chemical-specific ARARs prior to its discharge to the Windsor Reservoir.

2. The Regional Board also requires you to collect groundwater samples from each of the four Pasadena production wells and the effluent samples from the centralized treatment system on a monthly basis, analyze the samples for VOCs and perchlorate, and include the sample analytical results in the future JPL quarterly groundwater monitoring reports.

3. As you may be aware, a facility accepting the treated groundwater effluent for discharge to any surface waters is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit from the Regional Board. Also, the discharge of treated groundwater to an unlined basin or ground surface requires a Waste Discharge Requirement (WDR) Permit from the Regional Board.

Should you have any questions regarding this letter, please contact the project manager Mr. Mohammad Zaidi at (213) 576-6732, or Dr. Kwangil Lee at (213) 576-6734. If you have any questions about the NPDES permit requirements, you may contact Ms. Cassandra Owens at (213) 576-6750 or Mr. Augustine Anijielo at (213) 576-6657. For questions about a WDR permit, please contact Mr. Rodney Nelson at (213) 620-6119.

Sincerely,

Deborah J. Smith
Interim Executive Officer

Attachment: Signature page.

cc: Ms.Sayareh Amirebrahimi, California Department of Toxic Substances Control, Glendale
Mr. Michel Iskarous, California Department of Toxic Substances Control, Glendale

Mr. Kurt Souza, California Department of Health Services
Mr. Alan Sorsher, California Department of Health Services
Mr. Lewis Mitani, U. S. Environmental Protection Agency, Region IX
Mr. Robert Hayward, Raymond Basin Management Board
Mr. Keith A. Fields, Battelle, 505 King Avenue, Columbus, Ohio 43201-2693
Mr. Gary Takara, City of Pasadena