March 4, 2009

Mr. John Nordine
US EPA Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

Dear Mr. Nordine,

Attached to this letter is a reply to your email of February 27, 2009 regarding a request for additional information from our February 26, 2009 meeting at your office in Chicago regarding Lockheed Martin's petition under 40 C.F.R. § 761.61(c) to remediate and restore Haley's Ditch.

I hope the attached information provides you sufficient information for you to approve Lockheed Martin's petition to remediate and restore Haley's Ditch as outlined in our plans. As we discussed, Lockheed Martin is near completion of detailed operational, restoration and community relations plans, whose submittal we anticipate will be conditions in EPA's approval of our petition.

I appreciate your understanding for the need to proceed in a timely manner so that this project can be completed in time for the restored area to stabilize before the onset of cold weather in the fall.

If you have any additional questions, please feel free to contact me at any time.

Sincerely,

David Gunnarson

Lockheed Martin's Responses to EPA's February 27, 2009 questions regarding Lockheed Martin's petition to remediate and restore Haley's Ditch

1. How will the culverts and storm drains be cleaned?

Lockheed Martin is working with the City of Akron to obtain access to the stormwater culvert located at the south end of the Haley's Ditch remediation area. The culvert extends beneath a section of Triplett Boulevard and a parking lot owned by LKQ.

Lockheed Martin's preferred approach to addressing sediments within this culvert is to remove and replace the culvert with a new pipe that meets the requirements of the City. The culvert and any sediment present within the culvert will be transported off-site for disposal at an appropriate facility. Stormwater will be temporarily bypass pumped around the section of culvert to allow work to proceed in the dry. Once the culvert is removed, Lockheed Martin will sample soils within the excavation; if the soils contain PCBs above 1 mg/kg, Lockheed Martin will remove those soils for off-site transport and disposal consistent with the approach described in the petition. Disposal will be based on the concentration of PCBs present in sediments within the culvert. Following soil removal, if needed, Lockheed Martin will conduct confirmation sampling in accordance with the request.

If access is not granted to allow culvert removal, Lockheed Martin will proceed with cleaning of the culvert to remove accumulated sediments. If the culvert is determined to be safe for entry, the sediments will be manually removed and collected for disposal. Stormwater will be temporarily pumped around the culvert during the removal activities to allow sediment removal to be performed in the dry. If the culvert is not determined to be safe for access, Lockheed Martin will clean the culvert via flushing and collection of sediment and flushed water. Collected water will be treated as described in the request and collected sediment will be disposed of based on PCB concentration as described in the request.

2. Dust Control Measures

Several levels of dust control will be employed as needed during the remediation work (and will be included in the operational plan):

- The contractor will be equipped to mist/wet areas if/when dusting occurs.
- Excavation and restoration will be conducted in small areas with restoration being conducted as soon as practical following receipt of acceptable confirmation sample data. Limiting disturbed areas and backfilling and vegetating areas quickly will minimize the areas subject to wind erosion that may cause dusting.
- Clearing and grubbing will be conducted in phases to limit exposed soil. Clearing will be conducted in two primary phases (south section and north section) as

work progresses. Grubbing will occur as the excavation proceeds in each excavation area.

- Stone access roads will be used to limit dust generation associated with hauling material within the excavation areas and limit the potential for tracking of soils onto public roads.

3. Air Monitoring for PCB's

The operational plan will include provisions for air monitoring, which are summarized below.

- Personal air monitoring within work area and worker breathing zone in accordance with the site-specific Health and Safety Plan (to be prepared by the contractor).
- During the initial phases of land disturbing activities, downwind perimeter air monitoring will be conducted to document that the activities are being conducted in a manner that is protective of human health. Throughout land disturbing activities particulate monitoring will be conducted in the worker breathing zone and at downwind perimeter locations. Dust control measures will be employed as appropriate to control particulate migration.

4. How will short term excavated material storage be managed? Overnight?

- To the extent practical, excavated materials will be live loaded directly into off-site transport trucks, thus minimizing the need to stage excavated material.
- Soil storage within the remediation area, when needed, will be limited to small manageable day piles. Day piles will be contained within areas remaining to be remediated; soils beneath the day piles will be removed in accordance with the petition. Confirmation sampling will be conducted following excavation to document that remaining soils contain less than 1 mg/kg total PCBs.
- If excavated materials need to be temporarily staged outside of the remediation area, the materials will be staged in lined and bermed areas.
- To facilitate material handling and proper disposal, separate day piles and lined staging areas (if needed) will be maintained for material containing more than 1 mg/kg but less than 25 mg/kg total PCBs (i.e., materials designated for non-TSCA facility disposal). Any overnight storage piles will be covered if precipitation is expected; if no precipitation is expected, the pile will remain uncovered. Note that all storage will be within a locked, fenced area. It is expected that most storage piles would be loaded for off-site disposal the following day, however storage duration may be 1 to 3 days.

5. How will the greater than or equal to 50 mg/kg be stored?

As shown on Figure 2 of the petition there are only three small areas containing PCBs with concentrations equal to or greater than 50 mg/kg; these soils will be directly loaded directly into the transportation vehicles for transport to the appropriate disposal facility. We do not anticipate need for storage of soils with concentrations equal to or greater than 50 mg/kg.

6. How will the water be collected from the natural dewatering process?

As described in the disposal approval request, the remediation work will include bypass pumping of the ditch base flow to allow work to proceed in the dry. Further, the work will be conducted during the dry season which will further reduce water in the soil. Therefore we expect very little, if any, water accumulation from natural dewatering. However, provisions will be in place to handle any such water.

Lined and bermed soil pile areas will be constructed to drain to a sump, water will be collected within the sump and transferred to a tank prior to on-site treatment and discharge to the POTW as described in the disposal approval request.

7. Identify endangered species (fauna and flora) U.S. EPA is requires a search of records from Ohio Department of Natural Resources state-listed species or valued habitat on or within a one-mile radius of this location. A similar request should be submitted to the U.S. Fish and Wildlife Service for federally listed species. This is required for the replanting in the Haley's Ditch and for the wetland areas.

Lockheed Martin performed and Ecological Resources assessment of the project area. This included evaluation of the Ohio DNR Natural Heritage Database which indicated no records of rare or endangered species within the project area.

A review of the U.S. Fish and Wildlife Service records indicted the Indiana Bat, bald eagle and northern monkshood are federally listed endangered species whose range includes Summit County.

On August 8, 2008 Lockheed Martin team received a letter from the Ohio Department of Natural Resources summarizing the location of any threatened and endangered species both State and federally listed. A copy of this letter is attached. In summary, one record of the State threatened Upland Sandpiper has been recorded within one mile of the project area. No federally endangered species are located within one mile radius of the project area.

Lockheed Martin performed on-site field surveys and the results are presented below.

- Lockheed Martin conducted a mist net survey in July of 2008 for the presence of the federally endangered Indiana Bat (Myotis sodalist) at the request of USFWS. No Indiana bats were captured in this survey.

- Bald eagles require foraging and perching areas, and nesting sites. Their habitat includes estuaries, large lakes, reservoirs, rivers and some seacoasts. In the winter, these birds congregate near open water in tall trees for spotting prey and night roosts for shelter. No evidence of bald eagles or their nests were found during the site visit.
- Preferred habitat for northern monkshood is cool, moist, shaded cliff faces or talus slopes in wooded ravines, near water seeps; no preferred habitat was identified during field investigations.

8. List the plants Lockheed Martin will use in the restoration of Haley's Ditch.

Before the project work begins, EPA will be provided a full Restoration Plan. The restoration approach for Haley's Ditch will follow the principles listed below. Specific details are provided for two zones: wetlands and riparian.

For wetland areas:

- Restoration Approach- Restoration of at least 0.83-acres designed as seasonally inundated riverine wetland areas to received bankfull interval flooding as well as lowest bottom elevation equal with streambed for laterally connectivity through water table.
- Hydrology- Precipitation and increased connectivity to Haley's Ditch through water table and overbank flooding
- Soils- Carlise muck is often a deep soil complex (10-30 ft) Hydric base soils will remain after remediation, clean topsoil will be imported
- Vegetation- Native species will be used for seed mixes, shrubs and trees. A mix of obligate and facultative species will be restored. Preliminary species include *Carex sp., Elymus sp., Cornus sp., Salix sp., Juncus sp*. See Table 1 below for expanded conceptual list of native species.

For the riparian areas:

- Restoration Approach - Establish a mixture of successional field and forest communities with an emphasis on woody riparian vegetation along stream bank and expanding existing forest areas avoided during remediation effort. Restored vegetation will be tolerant of flooded and seasonally inundation because of the location within the floodplain.
- Vegetation - Native species will be used for seed mixes, shrubs, trees and live stakes. Preliminary woody species include *Cornus sp., Salix sp. Acer sp., Quercus sp., Plantanus sp.* Vegetation used for restoration will be selected from the list of native species shown in Table 1.

Table 1.
Native Species Candidates for Wetland and Riparian Restoration in Haley's Ditch

Floodplain / Riparian	**Areas**
Herbs	
Genus/Species	***Common Name***
Agrimonia parviflora	Small-flowered agrimony
Carex crinita	
Carex grayi	Asa gray's sedge
Carex lurida	Lurid sedge
Carex vulpinoidea	Fox sedge
Cinna arundinacea	Wood reed grass
Elymus riparius	Riverbank wild rye
Elymus virginicus	(Virginia Wild Rye)
Eupatorium fistulosum	(Joe Pye Weed)
Eupatorium maculatum	(Spotted Joe Pye Weed)
Glyceria striata	Fowl manna grass
Impatiens capensis	Jewelweed
Juncus effusus	Soft rush
Leersia virginica	Whitegrass
Monarda fistulosa	Wild bergamot
Panicum clandestinum	Deertongue
Penstemon digitalis	Tall White Beard tongue)
Rudbeckia hirta	Black Eyed Susan
Senecio aureus	Golden ragwort
Verbesina alternifolia	Wingstem

Shrubs/Trees	
Genus/Species	***Common Name***
Acer negundo	Box elder
Alnus rugosa	Speckled alder
Cornus amomum	Silky Dogwood
Cornus sericea	red osier dogwood
Lindera benzoin	Spicebush
Platanus occidentalis	American sycamore
Quercus bicolor	Swamp white oak
Spiraea alba	Meadow sweet
Ulmus americana	American elm

Wetland Areas	
Herbs	
Genus/Species	***Common Name***
Alisma subcordatum	Water plantain
Asclepias incarnata	Swamp milkweed
Carex crinita	Fringed sedge
Carex cristatella	Crested sedge
Carex lurida	Lurid sedge
Carex scoparia	Broom sedge
Carex tribuloides	Blunt broom sedge
Carex vulpinoidea	Fox sedge
Eleocharis obtusa	Blunt spike-rush
Eupatorium fistulosum	Joe Pye Weed
Eupatorium maculatum	Spot. Joe Pye Weed
Eupatorium perfoliatum	boneset
Glyceria striata	Fowl manna grass
Hibiscus moscheutus	Rose mallow
Iris versicolor	Blue flag
Juncus canadensis	Canada rush
Juncus effusus	Soft rush
Leersia oryzoides	Rice cutgrass
Lobelia cardinalis	Cardinal flower
Lycopus americanus	Water horehound
Mimulus ringens	Monkey flower
Onoclea sensibilis	Sensitive fern
Polygonum arifolium	halberdleaf tearthumb
Scirpus cyperinus	Woolgrass
Sisyrinchium angustifolium	Blue-eyed grass
Spiraea tomentosa	steeplebush
Verbena hastata	Blue vervain
Shrubs	
Genus/Species	***Common Name***
Cephalanthus occidentalis	buttonbush
Cornus amomum	Silky Dogwood
Cornus sericea	Red osier dogwood
Sambucus canadensis	Common elderberry

9. **Provide letters from the Ohio Department of Natural Resources and U.S. Fish and Wildlife Service with their information on listed species.**

- See answer to question 7 above.

Other agency contacts:

- On November 20, 2008, Lockheed Martin submitted a Clean Water Act Section 404 nationwide permit application to Corp's Buffalo District- Orwell Field Office, Agent- Chantelle Carrol (440) 437-8970
- Project coordination has occurred with Ohio EPA Northeast District office Steve Tuckerman (330) 425-9171

10. **Community Outreach Plan how will it be implemented? What is the Action Plan? Public Notice before off-site cleanup begins.**

EPA will be provided the complete Community Outreach Plan before initiation of the project. The outline of the Community Outreach Plan includes: Outreach to property owners in or abutting the remediation and restoration area. This has already taken place, since Lockheed Martin has already obtained access agreements from these owners.

- Identifying stakeholders for the project.
- Establishing a web site for information.
- Establishing a document repository for information at one or more locations within the community.
- Developing a Citizens Guide for the project including information and illustrations about the project.
- Communicating with local political contacts. Kelli Crawford, the Ward 10 representative has met with Lockheed Martin and we are working with her to identify additional stakeholders.
- Sending a post card to all stakeholders near the project area notifying them of an informational meeting.
- Briefing key stakeholders and elected officials in advance of the proposed work.
- Sending letters to key stakeholders, elected officials and opinion leaders notifying them of the informational meeting.
- Advertisements will be placed in the local newspapers regarding the informational meeting.
- Holding informational meeting, or meetings, in the area.
- Responding as needed to additional requests for information.
- Having an on-site representative to answer any questions.

11. **Will the decontamination plan include decon of the trucks before leaving the site and control of wind born particulates from PCB soils as they travel off-site? Will**

The operational plan will include provisions for:

- To protect the truck beds, all trucks will be lined with disposable liners prior to filling with soils. The liners will be disposed of along with the excavated materials.
- To manage wind borne particulates during transport, all trucks will be covered with a tarp prior to exiting the site to public roads.
- Trucks will not be traveling on impacted soils. To prevent contact with soils, clean haul roads will be constructed of stone; alternatively, in some cases 6-mil poly may be placed within the loading area as a separation layer between a vehicles tires and impacted soils. Further, poly will be draped over the sides of the truck and tires during soil loading to control the spillage of excavated material onto the truck and tires.
- Stone construction exits will be installed at egress locations. In addition, Lockheed Martin will conduct tire inspections, and cleaning if needed, to manage tracking of soils onto public road. A street sweeper will be maintained on site on standby to quickly address any material tracked onto roads. As noted above, transport trucks will not drive on impacted soils, and controls will be in place to control the spillage of impacted soils onto truck tires.
- Affected areas of excavation equipment (tracks, buckets, etc) will be decontaminated utilizing a combination of dry-decontamination for gross removal and pressure washing. Equipment will be sampled prior to removal from site to document effective decontamination.