



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX**

75 Hawthorne Street
San Francisco, CA 94105

July 24, 2017

Christopher Lund
Gershman, Brickner & Bratton, Inc.
2010 Corporate Ridge, Suite 510
McLean, VA 22102

Via Electronic Copy—Hard Copy Not to Follow

RE: Drilling Delays Will Delay U.S. EPA Tentative Approval of PCMP

Dear Chris,

Thank you for alerting U.S. EPA on July 19 of the unexpected delay in securing the drilling rig for the soil vapor extraction (SVE) and air injection (AI) pilot test and subsequent full-scale SVE/AI system installation. Per our discussion, the driller is not available until August 14, at the earliest. The Receiver's best estimate, based on available information, is that the 9 SVE wells, test wells, and probes for the pilot test will be installed between August 14-28, and the pilot test, itself, will be conducted during the same period. Rain or inclement weather, however, could further delay this estimated schedule. Upon completion of the test well installation, the driller is not available until October to complete the installation of all wells needed for the full-scale SVE/AI system.

As we discussed, in order for U.S. EPA to tentatively (or conditionally approve) the draft post-closure management plan (PCMP), it is critical that, among other things, the PCMP include the design of the full-scale SVE/AI system, and a preliminary operation, maintenance, and monitoring plan (OMMP) for the full-scale system. The design of the full-scale SVE/AI system as well as the details for piping, blowers, and other system components, are reliant on the completion of the pilot test, and analysis of the results.

Based on the driller's schedule delay, U.S. EPA has concluded that we will not be able to tentatively approve the PCMP by August 31, as we initially estimated to the Court. Without a tentatively approved PCMP, Guam EPA cannot issue a draft post-closure permit (which attaches the PCMP) for meaningful public review and comment. U.S. EPA's approval of the final PCMP (and consequently, Guam EPA's final post-closure permit) also could be similarly delayed given the driller's unavailability until October.

While it is clear that the August 31 date is not possible for tentative approval of the PCMP, we have discussed that the Receiver hopes to provide the full-scale SVE/AI design and a preliminary OMMP by September 8, assuming no additional drilling delays. U.S. EPA's travel to Guam the following week would offer U.S. EPA a good opportunity to work collaboratively with you and Guam EPA to make any necessary changes to the PCMP to enable U.S. EPA's tentative approval and Guam EPA's draft permit to be issued before U.S. EPA departs from

Guam. Regardless, while on-island, U.S. EPA intends to hold a community engagement meeting for the benefit of Mayor Gogue and the residents of Ordot Chalan-Pago. If all goes as planned, our outreach meeting would be coincident with Guam EPA's issuance of the draft post-closure permit and 45-day public comment period.

In closing, despite the setback caused by the driller's schedule, U.S. EPA appreciates the collaboration between our respective technical experts that began in June and continues today. Without such collaboration and real-time data review and discussion, timely completion of the SVE/AI pilot and full-scale installation and implementation of the SVE/AI system will not be possible.

Sincerely,



Karen Ueno

cc: Conchita Taitano, Guam EPA
Chris Lichens, US EPA
John Tinger, US EPA
Laurie Williams, US EPA