



REGION 10
SEATTLE, WA 98101

May 8, 2024

Jason Brune
Director of Environmental Management
North Slope Borough
P.O. Box 350
Utqiaqvik, AK 99723

RE: Proposed language for the Atqasuk Community Closure Plan Addendum and Modifications

Dear Mr. Brune:

As discussed at our meeting on April 22, 2024, please find EPA's draft proposed language for the Atqasuk Community Closure Plan Addendum (Addendum). EPA's approval of the Atqasuk Community Closure Plan (Closure Plan) is conditioned upon the North Slope Borough's (NSB's) incorporation of the following comments and providing responses to EPA's questions in an Addendum. It is critical that NSB work with EPA to finalize the Addendum, so that NSB can complete field work in Atqasuk this summer. EPA intends to share the finalized Addendum along with the Closure Plan during the required 30-day public comment period per 40 C.F.R. § 265.112(d)(4). This decision was based on information provided by NSB and its contractors. If new or additional information comes to light, EPA retains the right to request additional work. In addition, sampling, analysis, and field screening comments on the Closure Plan must be responded to adequately, and NSB must provide an answer for each remaining comment on the attached table titled "*North Slope Borough Atqasuk Closure Plan Addendum Proposed Modifications.*"

- 1. RCRA IDs** – The current RCRA ID numbers for NSB does not comport with 40 C.F.R. § 260.10. The Closure Plan Addendum must include updated RCRA IDs for all Atqasuk non-contiguous facilities that are subject to closure under the Consent Decree.

NSB must provide correct RCRA ID numbers information in their response to the letter.

2. **Section 1.6.2** - NSB added Tables 1-3 and 1-4 listing analytical methods to be used for each analyte in addition to descriptions of decontamination processes. EPA's approval of the closure plan will require NSB to use the most current methodologies specified in the most updated EPA hazardous waste test method/ SW-846. The closure plan addendum will need to update methods in Table 1-3 from SW8270D to SW8270E and from SW8082 to SW8082A, and in Table 1-4 from SW6020 to SW6020B. Please make these updates to the corresponding tables referenced in the QAPP.

EPA's Proposed language:

"The Borough added Tables 1-3 and 1-4 listing analytical methods to be used for each analyte in addition to descriptions of decontamination processes. The Borough will use the most current methodologies specified in the most updated EPA hazardous waste test method/ SW-846. The Borough will update methods in Table 1-3 from SW8270D to SW8270E and from SW8082 to SW8082A, and in Table 1-4 from SW6020 to SW6020B."

NSB must inform EPA as soon as possible, if the inclusion of this comment is problematic.

3. **Section 3.7 Waste Containers** - The Closure Plan states that it is expected that hazardous wastes will be transported during the winter because there are no roads to Deadhorse in the summer, and there is no contractor on board yet. However, the schedule in Table 5.2 expects all waste to be offsite by July 30, and the Borough is currently moving waste offsite. The Borough needs to explain how and when it plans to transport all hazardous waste from each of the six regulated units in Atqasuk.

EPA's Proposed language:

"The Borough will transport waste using the following methods:

For hazardous waste removal in the summer season (June through September 2024), NSB's contractor Umiaq will package and prepare the wastes to be flown, barged or driven (if feasible) offsite. The process for packaging, preparing, and transporting the waste is: _____. (Please explain the packaging and preparation process for each type of waste and container that will be transported for each of the hazardous waste management units identified in the Closure Plan.) NSB must identify the Treatment, Storage, and Disposal Facility where hazardous waste from the Atqasuk hazardous waste regulated units will be sent along with the timeline for such disposal.

NSB must inform EPA as soon as possible, if the inclusion of this comment is problematic. NSB must provide this information as soon as possible.

4. **Decontamination** – All decontamination water must be collected and characterized. This is stated on Section 3.3.3.2, page 3-12 for containment devices, but it is not stated elsewhere. NSB must include an overall statement on decontamination procedures. Additionally, several appendices have tables that indicate equipment decontamination will not be required must be stricken because all equipment used to implement closure and handle hazardous waste at all HWMFs must be decontaminated after the closure activities are completed.

EPA's Proposed language:

"All equipment used to implement closure and equipment exposed to hazardous waste during closure will be decontaminated. For example, dollies, wet vacuums, sampling devices, etc. The following tables from Appendices A-F, have been revised as necessary and inserted below. (Insert corrected tables from appendices below showing that all equipment will be decontaminated.)

[Insert Tables]

In addition, all decontamination wastewater will be characterized to determine if it is hazardous waste (required by 40 CFR § 262.11) using knowledge or by analysis using the most current EPA-approved hazardous waste test/ SW-846 methods. If it is determined to be hazardous waste, the wastewater will be handled as hazardous waste."

NSB must inform EPA as soon as possible, if the inclusion of this comment is problematic.

5. **Section 3.3.5.1 Wipe Sampling** – The original Closure Plan indicated that wipe sampling would be done for PCBs, SVOCs, and metals. However, SVOCs and metals were missing from the January 2024, Version 1, Revision 3 of the Closure Plan. EPA commented and asked for these analytes to be put back in or for NSB to provide a rationale for not doing so. Yet again, EPA's comment was not addressed in the updated April 2024 Closure Plan, Version 1, Revision 4. Please provide an explanation.

EPA's Proposed language:

"Atqasuk Community Closure Plan, Section 3.3.5.1 Wipe Sampling – Wipe sampling will include SVOCs and metals in addition to PCBs."

NSB must inform EPA as soon as possible, if the inclusion of this comment is problematic.

6. **Section 3.3.5.2 Bulk Concrete Sampling** – The first paragraph on page 3-17 lists sampling for VOCs, SVOCs, metals, and PCBs. However, VOCs were left off on page 3-18, last bullet.

EPA's Proposed language:

“The bullet on page 3-18 is hereby amended to state that VOCs will be sampled in concrete along with SVOCs, metals, and PCBs.”

NSB must inform EPA as soon as possible, if the inclusion of this comment is problematic.

7. **Landfill Accumulation Area** – The January version of the Closure Plan noted a hazardous waste management unit (HWMU) in the southwest corner of the landfill. EPA asked for an explanation of whether sampling would be done to verify no other HWMUs were in the landfill. The subsequent version did not address the comment but stated there was no HWMU at this HWMF. Please explain.

EPA's Proposed language:

“A December 2022 inventory of Atqasuk Community Hazardous Waste Management Facilities (HWMFs) included the Landfill Accumulation Area to the north of the residential portion of Atqasuk. The April 2024 Atqasuk Community Closure Plan omitted the Landfill Accumulation Area and indicated there was no HWMF at the site. Since the southwest corner of the Landfill Accumulation Area was included in the 2022 inventory as a Hazardous Waste Management Unit (HWMU), and the sources of waste are unknown, this HWMU within the Landfill Accumulation Area HWMF will be included in the facility closure and any hazardous waste will be transported off site and managed under RCRA.”

NSB must inform EPA as soon as possible, if the inclusion of this comment is problematic.

8. **Section 3.3.5.4 Groundwater Sampling** – If soil samples are above the closure performance standards (Method Two Artic Zone from 18 AAC 75), the Borough will need to submit a Post-Closure Plan for subsequent groundwater evaluation.

EPA's Proposed Language:

“The Atqasuk Community Closure Plan, Section 3.3.5.4 Groundwater Sampling, states that groundwater sampling will be performed in the summer of 2025 if soil sampling results exceed the closure performance standards. Soil cleanup levels based on Method Two in the DEC Procedures for Calculating Cleanup Levels, (DEC 2018) and for the Arctic Zone will be used for the soil closure performance standard (Table 1-4). The closure performance standard for lead will be 200 parts per million, based on EPA’s Updated Residential Soil Lead Guidance for CERCLA Sites and RCRA Corrective Action memorandum (EPA 2024a).”

“If soil sampling results exceed the closure performance standards, then the HWMU is not able to be clean closed. If HWMUs cannot be closed according to closure performance standards, then the North Slope Borough will submit a Post-Closure Plan to EPA describing the subsequent monitoring to be performed and the institutional controls to be put in place to protect the public.”

Please reach out to me if you have any questions or would like to schedule a meeting to discuss the Closure Plan Addendum and modifications in more detail.

Sincerely,



Rory O'Rourke
RCRA Project Manager
Land, Chemicals, & Redevelopment Division

Attachment:

1. North Slope Borough Atqasuk Closure Plan Addendum Proposed Modifications

Attachment 1. North Slope Borough Atqasuk Closure Plan Addendum Proposed Modifications

Comment ID	Comment Date	Updated Page #	Updated Section #	EPA Comment or Edit	Applicable RCRA Regulation and/or CD Requirement	Link with Additional Information 1	Link with Additional Information 2	Link with Additional Information 3	NSB Response to Comment	EPA RESPONSE TO NSB COMMENT
1	4/25/2024	N/A	N/A	There is little to no historical background provided for hazardous and solid waste generation and management within the HWMF and associated hazardous waste management units (HWMUs) and SWMUs. Appendix C, Section 2.0(d) of the CD requires that historical background be provided for the hazardous waste and solid waste generation and management at the HWMF and each HWMU and SWMU within the HWMF, the full length of time hazardous waste and solid waste was generated and/or received and managed at each HWMU and SWMU, information regarding any releases, including spills of hazardous waste and solid waste, the last or most recent date when hazardous waste was generated or received at the site, and, if applicable, the date when all stored hazardous waste was removed from the facility. Please provide this information within the revised closure plan. If the information is unavailable please explain.	CD, Appendix C, 2.0(d)				Concur. Text added to Section 1.1 either providing or explaining why information is unavailable pertaining to historical background be provided for the hazardous waste and solid waste generation and management at the HWMF and each HWMU and SWMU within the HWMF, the full length of time hazardous waste and solid waste was generated and/or received and managed at each HWMU and SWMU, information regarding any releases, including spills of hazardous waste and solid waste, the last or most recent date when hazardous waste was generated or received at the site, and, if applicable, the date when all stored hazardous waste was removed from the facility.	While it is stated throughout the plan that no historical records are available for review, EPA has located records of waste received from NSB in 2017. Please see these attachments and review any records NSB has to add this historical background for waste on sites within Atqasuk. If NSB can provide updated information about waste shipments off site since then, this information should be compiled, analyzed, and added to the closure plan addendum.
2	4/25/2024	N/A	N/A	This closure plan has a lack of specific description for how each HWMU will meet closure requirements. Appendix C, Section 3.1 of the CD requires that there be a description of how each HWMU in the HWMF will meet the closure performance standard in 40 CFR § 265.111. This includes closure in a manner that controls minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground or surface waters or to the atmosphere. Please update the Closure Plan to provide more detailed explanations for the closures of each HWMU within the HWMF and how they will meet closure performance standards.	CD, Appendix C, 3.1; 40 CFR § 265.111				Concur. Sampling to confirm meeting the closure performance standards has been added to the section. A reference to section 1.6.2 has also been added to direct the reader to the closure performance standards details. Overall decontamination and waste removal processes are in Section 3. Closure performance standards are in Section 1.6. Details for each HWMU are within each appendix.	While closure performance standards have been added, the closure plan continues to lack an explanation for closure specific to each HWMU. Please see prior EPA comment and include closure details specific to each HWMU. NSB must provide an explanation for closure specific to each HWMU and provide this in the closure plan addendum. Manifest information from shipments off site from this unit could be used by NSB to fill in information gaps.
3	4/25/2024	N/A	1.6.2	40 CFR § 265.112(b)(4) requires the Closure Plan to contain a detailed description of steps needed to remove or decontaminate all hazardous waste residues. Methods for sampling and analysis are included in this steps. The Closure Plan text states that analytical methods will be specified in Table 4-1 of the QAPP, but there is no Table 4-1 in the QAPP. Please include a table in this section of the Closure Plan or in the QAPP specifying analytical methods to be used in all closure sampling. If the table is placed in the QAPP, please reference it in this section of the Closure Plan.	CD, Appendix C, 3.5; 40 CFR § 265.112(b)(4)				Concur. Tables 1-3 and 1-4 have been added in Section 1.6.2 and include the analytical method for each analyte. Similar tables have also been included in the QAPP.	NSB added Tables 1-3 and 1-4 listing analytical methods to be used for each analyte in addition to descriptions of decontamination processes. EPA's approval will require NSB to use the most current methodologies specified in the most updated EPA hazardous waste test method/ SW-846. The closure plan addendum will need to update methods in Table 1-3 from SW8270D to SW8270E and from SW8082 to SW8082A, and in Table 1-4 from SW6020 to SW6020B. Please make these updates to the corresponding tables in the QAPP. In addition, please make sure that the soil closure performance standard for chromium in Table 1-4 is speciated chromium (III) and (VI). Update the closure performance standards to match the 18 AAC 75 Method 2 chromium cleanup levels based on speciation. In addition, please check Tables 1-3 and 1-4 and update the closure plan addendum to include all hazardous substances under 18 AAC 75 or justify why these hazardous substances are not included in analyses.
4	4/26/2024	3-5	Table 3-1	Footnote "a" in Table 3-1 cites Table 3-1, which appears to be a typo. Was this meant to cite Table 1-4 in the Closure Plan or QAPP Table B-2 for solids? This citation needs to be corrected with a reference to a QAPP Table B-1, other QAPP or Closure Plan table, or a regulatory list should be referenced for the unknown liquids.	N/A				N/A	Please correct footnote reference in Closure Plan Addendum.
5	4/26/2024	3-5	Table 3-1	Please update Table 3-1 to clarify what triggers testing waste materials for the analytes in QAPP Tables B-1 and B-2. Table 3-1 appears to cover some testing approaches but has no analytical testing for "spill cleanup liquids" and "mixed solvents", so all of the analytes in QAPP Table B-1 are excluded. Table 3-1 provides the 40 CFR § 261.24 list for "spill cleanup solids" which is again, a more abbreviated list than QAPP Table B-2.	N/A				N/A	Please update Table 3-1 in the Closure Plan Addendum to clarify what triggers testing waste materials for the analytes in QAPP Tables B-1 and B-2. Please also update any related language in the QAPP.
6	4/26/2024	3-5	Table 3-1	Text under the Waste column says "Methanol," however the abbreviation, flash point, and RCRA code F005 indicate methyl ethyl ketone (MEK) is being referenced. Replace "Methanol" with "Methyl Ethyl Ketone (MEK)" in Table 3-1. If this is incorrect, please update Table 3-1 for consistency with abbreviation, flash point, and RCRA code.	40 CFR § 261.31				N/A	Please update Table 3-1 in the Closure Plan Addendum to correct the "Methanol" to "Methyl Ethyl Ketone." Otherwise, correct the abbreviation, flash point, and RCRA code for "Methanol" in Table 3-1 in the Closure Plan Addendum.
7	4/25/2024	3-6	3.3.2.1	Text in box in Figure 3.1 states, "If odor indicates it may contain sulfides, it will be labeled and shipped as a reactive waste." This is not a safe method to characterize waste. There is no longer an approved reactivity test in Hazardous Waste Method SW-486, so operator knowledge must be used to determine reactivity. Please see EPA's RCRA Waste Sampling Draft Technical Guide (https://www.epa.gov/sites/default/files/2015-10/documents/rwsdrg_0.pdf)	40 CFR § 261.23	EPA RCRA Waste Sampling Technical Guide			Concur. Figure 3.1 was removed. Text added to detail waste characterization approach.	NSB must update the Closure Plan Addendum to follow the reactivity test in the First Step Hazard Categorization provided by EPA or an equivalent guidance approved by EPA. This is being shared for awareness of the methods EPA employs only, and there is still a training/capabilities question with whomever will be performing the tests. EPA does typically share these materials with EPA's HazMat team partners, but that is in conjunction with a provided 8-hour training. This guidance is not sufficient training for performing these tests and following it does not imply an endorsement. Section 3.3.2.1 does not provide enough information to indicate that NSB's field characterization will not present an unreasonable risk to human health and the environment.

8	4/25/2024	3-6	3.3.2.1	Text in box states, "integrated PID will be used to record volatile organic vapors emerging from the drum. Mixed materials with high VOC reading will have a flash test performed by transferring a small amount of material to a watch glass, and using a lit match to see if the liquid will flash or sustain a flame." and "if a flash or sustained flame is observed, the substance will be labeled and shipped as ignitable waste." These are not adequate uses and tests for ignitability. ASTM standards are some methods utilized for ignitability testing. If NSB is using an ASTM flash test method, then the selected method must be stated.	40 CFR § 261.21(a)(1) and (2)			Concur. Figure 3.1 was removed. Text added to detail waste characterization approach.	If NSB cannot determine the ignitability of waste by a method identified in 40 C.F.R. § 261.21, then NSB must update the Closure Plan Addendum to follow the flammability and oxidizer tests in the First Step Hazard Categorization provided by EPA or an equivalent guidance to determine ignitability characteristic waste approved by EPA. This is being shared for awareness of the methods EPA employs only, and there is still a training/capabilities question with whomever will be performing the tests. EPA does typically share these materials with EPA's HazMat team partners, but that is in conjunction with a provided 8-hour training. This guidance is not sufficient training for performing these tests and following it does not imply an endorsement. Section 3.3.2.1 does not provide enough information to indicate that NSB's field characterization will not present an unreasonable risk to human health and the environment.
9	4/25/2024	3-6	3.3.2.1	Text in box states, "if findings indicate reactivity, an oxidizer test or organic peroxide test will be performed." Please describe what test this is in the Closure Plan.	40 CFR §§ 261.21 and 261.23			Figure 3.1 was removed. Text added to detail waste characterization approach.	If NSB cannot determine the ignitability of waste by a method identified in 40 C.F.R. § 261.21, then NSB must update the Closure Plan Addendum to follow the flammability and oxidizer tests in the First Step Hazard Categorization provided by EPA or an equivalent guidance to determine ignitability characteristic waste approved by EPA. This is being shared for awareness of the methods EPA employs only, and there is still a training/capabilities question with whomever will be performing the tests. EPA does typically share these materials with EPA's HazMat team partners, but that is in conjunction with a provided 8-hour training. This guidance is not sufficient training for performing these tests and following it does not imply an endorsement. Section 3.3.2.1 does not provide enough information to indicate that NSB's field characterization will not present an unreasonable risk to human health and the environment.
10	4/25/2024	3-8	3.3.2.4	Text refers to an exemption for manifesting intact spent lead-acid batteries for disposal at a reclamation facility. Please add more information to the Closure Plan on how this waste will be managed according to the exemption.	40 CFR § 266.80			Concur. Clarifying language has been added to this section along with a statement that a bill of lading will be used as the shipping paper for this waste stream.	While text clarifies that a bill of lading will be used under this exemption, it does not provide specific information on management. Please see prior EPA comment and provide additional information. NSB must update the addendum to include what exemption it applies for in the table under 40 CFR § 266.80 or that NSB chooses to manage its spent lead-acid batteries under the "Universal Waste" rule in 40 CFR Part 273.
11	4/25/2024	3-15	3.3.5.1	Only PCBs are discussed in wipe sampling. A prior version of the closure plan also discussed wipe sampling for semi-volatile organics and metals. Please explain why there was removal of semi-volatile organics and metals in this procedure.	CD, Appendix C, 3.5			Concur. Text was updated in wipe sampling section to reflect only PCBs for use on non-porous surfaces. SVOCs and metals will be analyzed by a certified laboratory. Refer to QAPP for details.	EPA's approval will require wipe samples to be analyzed for SVOCs, metals, and PCBs. Some analytes were removed from the procedure for wipe sampling. This topic was discussed at an April 22, 2024, meeting with EPA. This will be addressed in the closure plan addendum.
12	4/25/2024	3-18	3.3.5.3	First paragraph: text states, "The size of each grid cell will be determined by the size of the storage area..." 40 CFR § 265.112(b)(4) requires detailed descriptions of sampling and testing. How will the grid sizing be calculated/determined? Please provide details of how grid sizing will be calculated or determined in this section of the Closure Plan.	40 CFR § 265.112(b)(4)			Section 3.3.5.3. notes that the grid size will be evaluated for each area once the containers are removed and each grid cell size will not to exceed 6 feet wide by 6 feet long. No change has been made to the text.	No action is required to address this item in the addendum. Details have not been provided on how grid sizing will be calculated or determined. EPA's conditional approval requires that NSB certifies that the samples taken are representative. Site conditions may require the use of a smaller grid. It is NSB's responsibility to demonstrate that the grid is representative or it risks remedialization.
13	4/25/2024	3-19	3.3.5.3	Last bullet: text states, "soil samples will be submitted for analytical testing of SVOCs, PCBs, and metals..." Will they be referenced for VOCs as well? Please add VOC testing or provide a detailed rationale why it is not necessary to include VOC testing. Also, the text says the methods are specified in Table 4-1 of the QAPP, but there is no Table 4-1 in the QAPP as noted in comment 30. Please update the Closure Plan to include these items.	40 CFR § 265.112(b)(4)			Concur. Tables 1-3 and 1-4 have been added in Section 1.6.2 and include the analytical method for each analyte. Similar tables have also been included in the QAPP. This included adding VOC testing. See response to comment 30.	VOCs were added to the text as requested, however, the reference to Table 4-1 in QAPP remains. Please see prior EPA comment and address this. Additionally, VOCs were not included in the last bullet on page 3-18 for concrete sampling. This topic was discussed at an April 22, 2024, meeting with EPA. This will be addressed in need to be addressed in the Closure Plan Addendum.
14	4/25/2024	3-19	3.3.5.4	Text states that groundwater sampling will only be conducted if soil confirmation sample results are above DEC migration to groundwater levels. 40 CFR § 265.112(5) requires a detailed description of activities necessary to ensure that all partial closures and final closure satisfy the Closure Performance Standards, including but not limited to groundwater monitoring, leachate collection, and run-on and run-off control. Please add groundwater monitoring at HWMUs to the Closure Plan where there are potential impacts to groundwater. If it is not thought to be necessary, please explain in detail why.	CD, Appendix C, 3.5; 40 CFR § 265.112(b)(5)			Concur. The summer 2024 closure activities include waste removal, decontamination, and soil and decontamination water sampling. Once data is received and reviewed, the need for groundwater well installation and sampling will be made, if soil closure performance standards cannot be attained, an amendment to the closure plan will be made to address groundwater sampling.	This plan does not address groundwater monitoring protocols nor a detailed explanation as to why it is not thought to be necessary at this time. This topic was discussed at an April 22, 2024, meeting with EPA. EPA will require a post-closure plan if groundwater performance is determined to be impacted. If a post-closure plan is required, EPA will provide additional opportunities for public comment.
15	4/26/2024	3-25	3.6.4	The main analytical piece missing is consistently stating what triggers testing waste materials for the analytes in QAPP Tables B-1 and B-2. Section 3.6.4 states what triggers testing waste for the analytes in QAPP Tables B-1 (for liquids and solvents) and B-2 (for soil/solid waste). The list of analytes tested according to Section 3.6.4 aligns with 40 C.F.R. § 261.24, which is a more abbreviated list than QAPP Tables B-1 and B-2.				N/A	Please update Section 3.6.4 in the Closure Plan Addendum to state what triggers testing waste materials for the analytes in QAPP Tables B-1 and B-2.
16	4/25/2024	3-27	3.7	In accordance with 40 CFR § 265.112(b)(3) and CD Appendix C, Section 3.4 of the Closure Plan requires a detailed description of the methods to be used during closure including but not limited to methods for removing, transporting, treating, storing or disposing of all hazardous wastes. The Closure Plan notes that the Borough does not currently have a contract in place for transportation and disposal, and therefore it does not describe in detail how transportation and disposal will occur. The same regulatory requirements will apply to all contractors, so procedures for transportation and disposal may be reasonably predicted. Please provide a detailed description of transportation and disposal procedures anticipated to be taken.	CD, Appendix C, 3.4; 40 CFR § 265.112(b)(3) and 40 CFR Part 263			Concur. Text in this section has been updated to include detailed description of transportation and disposal procedures anticipated to be taken.	No action is required to address this item in the addendum. This plan still states that no contract is in place to handle waste. There is a brief description of expected transportation and reference to disposing at a TSDF outside of Alaska but this is not detailed. This topic was discussed at an April 22, 2024, meeting with EPA. Irrespective of whether or not a contract is in place, EPA's conditional approval will require that all wastes be managed in accordance with applicable RCRA regulations.

17	4/25/2024	N/A	5	The closure schedule provided in this closure plan is not specific to HWMFs and does not address the time required to close each HWMU. Appendix C, Section 3.6 of the CD requires that a schedule for closure of the HWMF be provided in accordance with 40 CFR § 265.112(b)(6) and must include, at a minimum, the total time required to close each HWMU and the time required for intervening closure activities. Please update the Closure Plan to provide a more detailed closure schedule which describes the total time required for each HWMU and any other closure activities.	CD, Appendix C, 3.6; 40 CFR § 265.112(b)(6)			Concur. Dates for each HWMU have been added to the schedule in Table 5.2.	The schedule provided was updated to include a date range for facility closure, however, it does not address the time needed to close each unit nor does it describe the time for other intervening closure activities. This topic was discussed at an April 22, 2024, meeting with EPA. This will be addressed in closure addendum.
18	4/25/2024	N/A	5	40 C.F.R. § 265.112(b)(6) and Section 3.6, Appendix C of the CD, requires providing a schedule for closure of the HWMF. Section 5 of the Closure Plan must include the expected dates that field work associated with closure is expected to occur based on weather conditions and the availability of transport to ship the waste. NSB must provide additional options to remove the waste in a timely manner in the event there are changes to the expected transport method.	CD, Appendix C, 3.6; 40 CFR § 265.112(b)(6)			Concur. Dates for each HWMU have been added to the schedule in Table 5.2.	There are no options provided in the plan to remove waste if there are changes to the expected transport method. This topic was discussed at an April 22, 2024, meeting with EPA. Update the Closure Plan Addendum to provide a contingency to remove waste if there are changes to the expected transport method.
19	4/25/2024	7-1	7	Section 7 describes a trust agreement submitted to EPA with no breakdown of costs for HWMUs closure. Section 1.1.1 states that Section 7.0 provides documentation demonstrating that financial assurance for closure has been established for each HWMU within the HWMF. In accordance with 40 CFR §§ 265.140, 265.143, and 270.14(b)(15), CD Appendix C, Section 6.0 requires documentation to be provided that demonstrates that financial assurance for closure has been established for each HWMU within the HWMF. Please provide or describe this documentation in the Closure Plan.	CD, Appendix C, 6.0; 40 CFR §§ 265.140, 265.143, and 270.14(b)(15)			Concur. Updated text in this section to state that there is \$3,296,244.67 allocated in the Trust Fund for the Atqasuk closures. Documentation has been added to Appendix G.	Sufficient- updated and included first page as attachment. EPA noticed that "\$15,201.004" is written in Section 7 instead of "\$15,201,004" cited in Appendix H. It is fine but wanted to make you aware of this typo. EPA will correct this in the approval.
20	4/26/2024			Comments on the QAPP are being managed separately but concurrently with EPA's review of closure plans.	N/A			N/A	N/A

North Slope Borough Atqasuk Closure Plan Addendum Proposed Modifications - Appendix A

Comment ID	Comment Date	Page #	Section #	EPA Comment or Edit	Applicable RCRA Regulation and/or CD Requirement	NSB Response to Comment	EPA RESPONSE TO NSB COMMENT
21	4/25/2024	A-4	3	Table 3A. Closure Procedures for each HWMU - The table shows that equipment in HWMU-1 will be decontaminated. However, the table indicates that there will be no decontamination of equipment in HWMU-2 and HWMU-3. Decontamination of equipment is required in all HWMUs, and in accordance with 40 CFR § 265.112(b)(4) the Closure Plan must provide a detailed description of the steps needed to decontaminate equipment to the extent necessary to satisfy the Closure Performance Standard required in 40 CFR § 265.111. Please revise the table to include decontamination of equipment at HWMU-2 and HWMU-3, or clearly explain in Section 3.3 of Appendix A why equipment decontamination is not needed at HWMUs -2 and -3 to meet the Closure Performance Standard.	CD, Appendix C, 3.5; 40 CFR § 265.112(b)(4); 40 CFR § 265.111	Concur. Table 3A and Section 3.3 of Appendix A have been updated to detail where decontamination is required for each HWMU. If decontamination is not required for a HWMU, text has been added to detail the justification.	Table 3A continues to indicate that equipment decontamination will not be required for HWMU-2 and -3 and fails to provide sound reasoning as to why. This topic was discussed at an April 22, 2024, meeting with EPA. This will be addressed in the closure plan addendum.

North Slope Borough Atqasuk Closure Plan Addendum Proposed Modifications - Appendix B

Comment ID	Comment Date	Page #	Section #	EPA Comment or Edit	Applicable RCRA Regulation and/or CD Requirement	NSB Response to Comment	EPA RESPONSE TO NSB COMMENT
22	4/25/2024	N/A	1.1	<p>40 CFR § 265.112(b)(4) requires the Closure Plan to provide a detailed description of the steps needed to remove or decontaminate all hazardous waste residues and systems, including the methods for sampling and testing surrounding soils and criteria for determining the extent of decontamination necessary to meet the Closure Performance Standard. 40 CFR § 265.112(b)(5) requires a detailed description of other activities necessary to ensure that Closure Performance Standards are met.</p> <p>The first paragraph in 1.1 states that the fence contains 14.46 acres of landfill area, but only a portion in the southwest area with unburied waste is considered to be part of the HWMU. Be advised that a municipal landfill (a State Tier III landfill) should be identified as a SWMU by definition. The wastes described in the Closure Plan intimate that at least some of the wastes may need to be disposed of as PCB wastes under TSCA. Please clarify in this section the rationale for considering only a portion in the southwest to be part of the HWMU.</p>	CD, Appendix C, 2.0(c),(d) and (f); 40 CFR § 265.112(b)(4)	<p>A note has been added to table 1.2:</p> <p>“Landfills within Borough communities are permitted and regulated by ADEC under 18 AAC 60 (ADEC 2022). Borough landfills are not permitted to dispose of hazardous waste. In the event a hazardous waste accumulation area is located within the landfill boundaries, the area will be designated as an HWSU and included in the HWMU Closure Plans. This landfill does not contain an HWMU and is not subject to the HWMU Closure Plan requirements. In the future, the Borough will follow ADEC Site Closure in accordance with 18 AAC 60.395 for Class I or II landfills and 18 AAC 60.395 for Class III landfills.”</p>	<p>It is unclear what the comment added in "Response to Comment" means and how it addresses the comment originally made by EPA. This topic was discussed at an April 22, 2024, meeting with EPA. This will be addressed in the closure plan addendum.</p>
23	4/25/2024	N/A	1	<p>Table 1-2 of the main text of this closure plan notes that this HWMF contains a SWMU, however, there is a lack of discussion regarding SWMUs within the HWMF. Appendix C, 2.0(a)(b)(c)(d) of the consent decree requires that information be provided on SWMUs as they would be for HWMUs. Please provide necessary information for relevant SWMUs including location within the HWMF, figures, maps, and photographs, the dimensions and layouts of the unit, and historical background on the unit including information such as waste generation and management, and any spills that occurred.</p>	CD, Appendix C, 2.0	<p>Concur. Locations of SWMUs within the HWMF are shown on figures, maps and photographs in the appendices. Layouts on the units are shown on figures in the appendices. Dimensions are shown in tables associated with the appendices. Text was added to each appendix detailing information associated waste generation and management, and any spills that occurred on SWMUs within HWMFs.</p> <p>Concur. SWMU locations within the HWMF are shown on the figures within each appendix, and the dimensions and layouts of the unit, and historical background of the unit (including information such as waste generation and management, and any spills that occurred) is included in each appendix</p>	<p>No change is needed to the closure plan addendum. Information on the SWMU within this HWMF is missing in both the text and in figure ATQ-2B.</p>

North Slope Borough Atqasuk Closure Plan Addendum Proposed Modifications - Appendix C

Comment ID	Comment Date	Page #	Section #	EPA Comment or Edit	Applicable RCRA Regulation and/or CD Requirement	NSB Response to Comment	EPA RESPONSE TO NSB COMMENT
24	4/25/2024	C-3	3	<p>Table 3C. Closure Procedures for each HWMU shows that no equipment in HWMU-1 and HWMU-2 will be decontaminated. Decontamination of equipment is required in all HWMUs, and in accordance with 40 CFR § 265.112(b)(4) the Closure Plan must provide a detailed description of the steps needed to decontaminate equipment to the extent necessary to satisfy the Closure Performance Standard required in 40 CFR § 265.111. Please revise the table to include decontamination of equipment at HWMU-1 and HWMU-2, or clearly explain in section 3.3 of Appendix C why equipment decontamination is not needed at HWMUs -1 and -2 to meet the Closure Performance Standard.</p>	<p>CD, Appendix C, 3.5; 40 CFR § 265.112(b)(4); 40 CFR § 265.111</p>	<p>Concur. Text added to Section 3.3 to detail why decontamination of equipment is not required.</p>	<p>Table 3C continues to indicate that equipment decontamination will not be required for HWMU 1 and 2 and fails to provide sound reasoning as to why. This topic was discussed at an April 22, 2024, meeting with EPA. This will be addressed in the closure plan addendum.</p>

North Slope Borough Atqasuk Closure Plan Addendum Proposed Modifications - Appendix D

Comment ID	Comment Date	Page #	Section #	EPA Comment or Edit	Applicable RCRA Regulation and/or CD Requirement	NSB Response to Comment	EPA RESPONSE TO NSB COMMENT
25	4/25/2024	N/A	ATQ-2D	The appendices lack schematics demonstrating where waste has been generated/stored/spilled in each HWMU, as well as the location of each SWMU. Appendix C, Section 2.0(b) of the CD requires that the closure plan have figures, maps, and photographs of the HWMFs, HWMUs, and SWMUs that illustrate boundaries and locations. Additionally, Appendix C, Section 2.0(c) of the CD requires that the layout of each HWMU and SWMU be provided. Please include figures that clearly provide this information. Please add the schematic figures from the NSB Hazardous Waste Facility Inventory to the Closure Plan appendices (updated versions, if necessary).	CD, Appendix C, 2.0(b) and (c)	Concur. Schematics added to HWMU interior storage areas to represent waste locations. Maps have been rectified to include all HWMUs and SWMUs.	No change is required for the closure plan addendum. We note that Figure ATQ-2D still does not indicate where waste accumulation is present, but it is not necessary to process this closure plan. Keeping track of satellite accumulation areas is a critical piece of an Environmental Management System, which EPA knows that NSB is working on.

North Slope Borough Atqasuk Closure Plan Addendum Proposed Modifications - Appendix E

Comment ID	Comment Date	Page #	Section #	EPA Comment or Edit	Applicable RCRA Regulation and/or CD Requirement	NSB Response to Comment	EPA RESPONSE TO NSB COMMENT
26	4/25/2024	N/A	1	<p>This closure plan does not provide any hazardous waste codes for waste managed at this HWMW/HWMF. Appendix C, Section 2.0(e) of the CD requires all hazardous waste codes for the hazardous waste managed (past and present) at each HWMU. Please provide hazardous waste codes for all waste managed in the HWMUs.</p> <p>Additionally, Appendix C, Section 2.0(f)(i) requires that a description of how hazardous wastes assigned to each waste code were accumulated or stored be provided. Please provide this information in additional to the waste codes.</p>	CD, Appendix C, 2.0(e), (f)(i)	Concur. Applicable waste codes have been added to Section 1.2 along with information that generator's knowledge and some analytical data has been used for characterization.	There are no hazardous waste codes provided in this appendix. Please see prior EPA comment and add this information.
27	4/25/2024	E-4	3	<p>Table 3E, Closure Procedures for each HWMU, shows that no equipment in HWMU-1 and HWMU-3 will be decontaminated. Decontamination of equipment is required in all HWMUs, and in accordance with 40 CFR § 265.112(b)(4), the Closure Plan must provide a detailed description of the steps needed to decontaminate equipment to the extent necessary to satisfy the Closure Performance Standard required in 40 CFR § 265.111. Please revise the table to include decontamination of equipment at HWMU-1 and HWMU-3, or clearly explain in Section 3.3 of Appendix E why equipment decontamination is not needed at HWMUs -1 and -3 to meet the Closure Performance Standard.</p>	CD, Appendix C, 3.5; 40 CFR § 265.112(b)(4); 40 CFR § 265.111	Concur. Table has been revised.	Table 3E continues to indicate that equipment decontamination will not be required for HWMU 1 and fails to provide sound reasoning as to why. This topic was discussed at an April 22, 2024, meeting with EPA. This will be addressed in the closure plan addendum.