

APPENDIX A

SCOPE OF WORK ("SOW")  
MILLS GAP ROAD GROUNDWATER CONTAMINATION SITE,  
NEAR SKYLAND, BUNCOMBE COUNTY, NORTH CAROLINA

I. General Provisions

1. Health and Safety Plan

Within forty-five (45) days after the Effective Date, Respondents shall submit for EPA review and comment a plan that ensures the protection of the public health and safety during performance of on-Site Work under the Order. This plan shall be prepared in accordance with EPA's Standard Operating Safety Guide (PUB 9285.1-03, PB 92 963414, June 1992). In addition, the plan shall comply with all currently applicable Occupational Safety and Health Administration ("OSHA") regulations found at 29 C.F.R. Part 1910. If EPA determines that it is appropriate, the plan shall also include contingency planning. Respondents shall incorporate all changes to the plan recommended by EPA and resubmit the plan for approval within twenty one (21) days of receipt of EPA's comments. Respondents shall implement the plan during the pendency of the removal action.

2. Quality Assurance Project Plan

Within forty-five (45) days of the Effective Date of the Order, Respondents shall submit a QAPP for conducting the sampling and analysis pursuant to this SOW. The QAPP shall be developed in accordance with "EPA Guidance for Quality Assurance Project Plans," EPA QA/G-5. All sampling and analyses performed pursuant to the Order and its Scope of Work shall conform to EPA's direction, approval, and guidance regarding sampling, quality assurance/quality control ("QA/QC"), data validation, and chain of custody procedures. Respondents shall ensure that the laboratory used to perform the analyses participates in a QA/QC program that complies with the appropriate EPA guidance. Respondents shall follow, as appropriate, "Quality Assurance/Quality Control Guidance for Removal Activities: Sampling QA/QC Plan and Data Validation Procedures" (OSWER Directive No. 9360.4-01, April 1, 1990); "Compendium of ERT Procedures," OSWER Directives Numbered 9360.4-04 through 9360.4-08; Environmental Investigations Standard Operating Procedures and Quality Assurance Manual," (U.S. Environmental Protection Agency, Region 4, August 2001), as guidance for QA/QC and sampling. Respondents shall only use laboratories that have a documented Quality System that complies with ANSI/ASQC E-4 1994, "Specifications and Guidelines for Quality Systems for Environmental Data Collection and Environmental Technology Programs" (American National

Standard, January 5, 1995), and "EPA Requirements for Quality Management Plans (QA/R-2) (EPA/240/B-01/002, March 2001)," or equivalent documentation as determined by EPA. EPA may consider laboratories accredited under the National Environmental Laboratory Accreditation Program ("NELAP") as meeting the Quality System requirements.

1. Upon request by EPA, Respondents shall (a) have such a laboratory analyze samples submitted by EPA for QA monitoring; and/or (b) provide to EPA the QA/QC procedures followed by all sampling teams and laboratories performing data collection and/or analysis.
2. Upon request by EPA, Respondents shall allow EPA or its authorized representatives to take split and/or duplicate samples. Respondents shall notify EPA not less than thirty (30) days in advance of any sample collection activity, unless shorter notice is agreed to by EPA. EPA shall have the right to take any additional samples that EPA deems necessary. Upon request, EPA shall allow Respondents to take split or duplicate samples of any samples it takes as part of its oversight of Respondents' implementation of the Work.
3. Off-Site Shipments
  1. Respondents shall, prior to any off-Site shipment of Waste Material from the Site to an out-of-state waste management facility, provide written notification of such shipment of Waste Material to an appropriate state environmental official in the receiving facility's state and to the On-Scene Coordinator. This notification requirement shall not apply to any off-Site shipments when the total volume of all such shipments will not exceed ten (10) cubic yards.
    - a. Respondents shall include in the written notification the following information: (i) the name and location of the facility to which the Waste Material is to be shipped; (ii) the type and quantity of the Waste Material to be shipped; (iii) the expected schedule for the shipment of the Waste Material; and (iv) the method of transportation. Respondents shall notify the state in which the planned receiving facility is located of major changes in the shipment plan, such as a decision to ship the Waste Material to another facility within the same state, or to a facility in another state.
    - b. The Respondents shall provide the information required by Paragraph C.1. as soon as practicable after the Effective Date, but

no later than one business day before the Waste Material is actually transported off-Site.

2. Before arranging for the transport of any Waste Material from the Site to an off-Site location, Respondents shall obtain EPA's certification that the proposed receiving facility is operating in compliance with the requirements of CERCLA Section 121(d)(3), 42 U.S.C. § 9621(d)(3), and 40 C.F.R. § 300.440. Respondents shall only arrange for the transport of Waste Material from the Site to an off-Site facility that complies with the requirements of the statutory provision and regulation cited in the preceding sentence.

#### 4. Monthly Reporting

Respondents shall submit written, monthly progress reports to EPA concerning the Work in accordance with requirements specified in this SOW, unless otherwise directed in writing by the OSC. These reports shall describe all significant developments during the preceding period, including the actions performed and any problems encountered, analytical data received during the reporting period, and the developments anticipated during the next reporting period, including a schedule of actions to be performed, anticipated problems, and planned resolutions of past or anticipated problems.

#### E. Final Report

Respondents shall submit a final report of the various phases of the removal as specified in this SOW. Within thirty (30) days after completion of all Work, Respondents shall submit for EPA review and approval an overall final report summarizing the Work. The final report shall conform, at a minimum, with the requirements set forth in Section 300.165 of the NCP entitled "OSC Reports." The final report shall include a good faith estimate of total costs or a statement of actual costs incurred in completing the Work, a listing of quantities and types of materials removed off-Site or handled on-Site, a discussion of removal and disposal options considered for those materials, a listing of the ultimate destination(s) of those materials, a presentation of the analytical results of all sampling and analyses performed, and accompanying appendices containing all relevant documentation generated during the removal action (*e.g.*, manifests, invoices, bills, contracts, and permits). The final report shall also include the following certification signed by a person who supervised or directed the preparation of that report:

Under penalty of law, I certify that to the best of my knowledge, after appropriate inquiries of all relevant persons

involved in the preparation of the report, the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

F. Copies of Reports and Plans.

Respondents shall submit to EPA three (3) copies of all plans, reports or other submissions required by this SOW or any approved work plan. Upon request by EPA, Respondents shall submit such documents in electronic format.

**II. Site Characterization and Scope and Extent of Contamination**

A. A Sampling and Analysis Plan (SAP) shall be submitted to the EPA OSC for review and comment within sixty (60) calendar days of the date of Effective Date. The SAP shall be subject to approval by the EPA OSC.

1. The SAP shall conform to the standards of the approved site-specific Quality Assurance Project Plan (QAPP) and the EPA Region 4 Environmental Investigations Standard Operating Procedures and Quality Assurance Manual (November 2001).
2. The SAP shall, at a minimum, address and/or contain the following:
  - a. Contain a summary and evaluation of previous investigation work conducted at the Site. This summary shall, at a minimum, include:
    - i. Contaminant delineation map.
    - ii. Tabulated analytical results.
    - iii. Location of four (4) impacted springs.
    - iv. Location of eight (8) previously identified off-Site water wells.
  - a. Describe those activities proposed for determining the scope and extent of hazardous substance and petroleum substance contamination within the unsaturated zone beneath the former plant building and adjacent area.
  - c. Describe those activities proposed for determining the presence or absence and, as appropriate, the scope and extent of hazardous or petroleum substance contamination in the vicinity of the TCE tank cradle and associated underground piping.

- d. Describe those activities proposed for determining the presence or absence and, as appropriate, of hazardous or petroleum substances within all on-site storage containers, including but not limited to above ground and underground storage tanks.
  - e. Describe those activities proposed to investigate potentially suspect areas, if identified.
  - f. Describe those activities proposed to identify potable water wells and springs, in addition to those previously identified, that have been or might be reasonably expected to be affected by contaminant releases from the Site.
  - g. Contain a proposed schedule of prompt implementation.
- B. Implementation of the SAP shall begin within thirty (30) days of receipt of approval from the EPA.
- C. A final report shall be submitted to the EPA OSC within thirty (30) of completion of the SAP. This final report is subject to EPA review and approval.

### **III. Removal Action Pilot Study and Removal Action Plan**

#### **A. Removal Action Pilot Study Plan**

- 1. Respondents shall submit a proposed Removal Action Pilot Study Plan (RAPSP) to the EPA OSC for review and comment within forty-five (45) days of the Effective Date. The RAPSP shall at a minimum:
  - a. Evaluate whether there is a reasonable potential that any of the eight potable water wells serving residents living at the locations listed on Attachment I might be expected to be affected by releases from the Site.
  - b. Describe the proposed system for assessing the feasibility of removing and/or treating hazardous substances and petroleum substances from the unsaturated zone beneath the plant building and adjacent area, should Respondents intend to propose a method other than excavation to accomplish that goal.
  - c. Evaluate the feasibility of various removal/containment techniques to capture surface water discharging from the four (4) springs located near the properties identified in Attachment II.

2. The RAPSP shall contain a proposed schedule for prompt implementation of the RAPSP.
3. Implementation of the RAPSP shall begin within thirty (30) days of EPA's approval of the RAPSP.
4. A report of the results RAPSP shall be submitted to the EPA OSC within thirty (30) days of completion of the RAPSP.

B. Removal Action Plan

Based on the results of the SAP and RAPSP, and comments from EPA, the Respondent shall develop a Removal Action Plan (RAP). The RAP shall be submitted to the EPA OSC within sixty (60) days of EPA's approval of the RAPSP. The RAP shall at a minimum:

1. Address contacting residents deriving potable water from wells determined to have a reasonable potential of being impacted by releases from the Site and which have access to an alternate potable water supply, shall be contacted by the Respondents, and contingent upon the owner's approval, provide these residents with an opportunity for an alternative water supply connection through the Asheville Public Water Authority.
2. Address providing alternative water supply connection for potable uses, as appropriate, to any other resident identified under this SOW, Section II.A.2.f with access to a connection through the Asheville Public Water Authority.
3. Contain a detailed removal action design that addresses removal and/or treatment and/or disposal, as appropriate, of hazardous substances and petroleum substance contamination within the unsaturated zone beneath the former plant building and surrounding area that: a) pose a current or potential threat to on-site persons under current and future land use scenarios; b) pose a current or potential threat to nearby human populations and the environment; and c) that pose a current or potential threat to groundwater.
4. Contain proposed removal standards that are protective of public health and the environment based on current and future land use scenarios.
5. Contain a proposed methodology for determining when the proposed removal standards have been met.
6. Contingent upon the owners' approval, address posting and/or access

control, as appropriate, of the springs located near the addresses given in Attachment II.

7. Include a description of all personnel and equipment proposed for implementation of planned removal activities.
8. Include a description of all permits required for any and all removal activities.
9. Contain a proposed schedule for prompt implementation of the removal, including a projection of the total time necessary for completion of removal activities and the beginning and ending dates of significant milestones.
10. Include an off-Site shipment plan, as specified in SOW Section I.C.

#### **IV. Implementation of Removal Activities, and Removal Progress**

- A. Respondents shall begin implementation of the RAP within thirty (30) days of receipt of approval of the RAP by the EPA.
- B. The Respondent shall provide an overall Removal Report to the EPA OSC within thirty (30) calendar days of completion of the construction phase of implementation of the RAP. This report shall, at a minimum, include the following:
  1. The period of record (i.e. the time interval covered by the progress report).
  2. Work accomplished.
  3. As-built diagrams of the removal system.
  4. Boring logs and as-built diagrams of recovery and/or monitoring wells.
  5. Proposed schedule of the system's operation and maintenance details.
- C. Respondents shall summarize for the EPA any removal activities (e.g. operation and maintenance of a treatment system) that continue after completion of the construction phase of the RAP in the monthly progress reports required under SOW Section I.D. These reports shall, at a minimum, include the following:
  1. The period of record (i.e. the time interval covered by the progress report).
  2. Work accomplished.

3. Monitoring results (if conducted monthly).
4. Total volume and/or mass of VOCs removed from the affected soils during the period of record (if monthly monitoring is conducted).
5. Cumulative total volume and/or mass of VOCs removed from the affected soils to date.
6. Work stoppages or slowdowns, causes and corrective measures implemented.
7. Projected activities during the next reporting period.

**V. Post-Removal Site Control**

In accordance with the RAP schedule, as set forth in SOW Section III.B, or as otherwise directed by EPA, Respondents shall submit a proposal for post-removal Site control consistent with Section 300.415(l) of the NCP and OSWER Directive No. 9360.2-02. Upon EPA's approval, Respondents shall implement such controls and shall provide EPA with documentation of all post-removal Site control arrangements. EPA acknowledges that Respondents may enter into arrangements with the State to address possible post-removal arrangements, including those related to post-removal Site control, so long as such arrangements are not materially inconsistent with the requirements of Section 300.415(l) of the NCP and OSWER Directive No. 9360.2-02.

**VI. Summary of Deliverables and Due Dates Specified in SOW**

<u>DELIVERABLE</u>	<u>DUE DATE</u>
A. Health and Safety Plan (H&SP)	Submit within 45 days of Effective Date.
B. Quality Assurance Project Plan (QAPP)	Submit within 45 days of Effective Date.



<b>C. Monthly Reports</b>	Submit monthly.
<b>D. Sampling and Analysis Plan (SAP)</b>	Submit within 60 calendar days of Effective Date.
1. Implement SAP	Begin within 30 days of EPA's approval of SAP.
2. Final Report of SAP	Submit within 30 days of completion of "activities".
<b>E. Removal Action Pilot Study Plan (RAPSP)</b>	Submit within 45 days of Effective Date.
1. Implement RAPSP	Begin within 30 days of EPA's approval of RAPSP.
2. RAPSP Report	Submit within 30 days of pilot study.
<b>F. Removal Action Plan (RAP)</b>	Submit within 60 days of EPA's approval of pilot study report.
1. Implement RAP	Begin within 30 days of EPA's approval of RAP.
2. RAP Report	Submit within 30 days of completion of construction phase.
<b>G. Final Report</b>	Submit within 30 days of completion of Work.