



AEROJET GENERAL CORP. SUPERFUND SITE Rancho Cordova, CA



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY • REGION 9
STATE OF CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY • SEPTEMBER 2001

Government agencies seek public comment on changes in legal agreement

CONSENT DECREE MODIFICATION WOULD SPEED CLEANUP, ALLOW EASIER DEVELOPMENT OF SOME PROPERTY

Aerojet has been negotiating with several government agencies on changing the legal agreement, called the Partial Consent Decree or Decree, that covers the study of pollution at the Aerojet General Corp. Superfund site. This fact sheet describes the proposed changes to the Decree and addresses some of the issues raised.

You can **express your views** on the proposed changes to the Decree during the public comment period during October 2001 (see Meetings and Public Comment on page 6 for details).

CHANGES TO THE CONSENT DECREE

The modified Decree for the Aerojet site would:

- divide the site into different areas, called operable units or OUs, to speed up cleanup;
- provide an alternative water supply for the area covered by the Western Groundwater Operable Unit, described in EPA's fact sheets of November 2000;
- provide for Aerojet's parent company, GenCorp, to pay for cleanup costs if necessary;
- require Aerojet to submit an annual list of cleanup projects for agency approval;
- redefine the boundaries of the site subject to the Decree to remove some surface areas where no contamination has been found;
- require use restrictions on the land that will be removed from the site definition in the Decree;
- require Aerojet to pay certain fees and judgements against State agencies resulting from future lawsuits regarding the property that will be removed from the Decree;
- specify that Aerojet remains responsible for investigating groundwater contamination and associated contaminated media under the removed land.

Regulating Agencies

U.S. Department of Justice
U.S. Environmental Protection Agency
State of California Attorney General's Office
Central Valley Regional Water Quality Control Board
State of California Department of Toxic Substances Control

PUBLIC COMMENT PERIOD OCTOBER 2001



AEROJET SITE BOUNDARIES

Aerojet's ability to develop its property depends partly on what property is within the boundaries of the Superfund site. The first legal agreement between Aerojet and the regulating agencies used the Aerojet property boundaries for the initial studies of the site. This Decree placed conditions on land transfers within those boundaries.

However, a Superfund site is defined as "any site or area where a hazardous substance has ... come to be located". Therefore, the Aerojet site includes groundwater pollution from the Aerojet property that has moved outside of the property boundaries. Nevertheless, investigation of the surface *above* the groundwater pollution indicates that some of the surface areas were never contaminated. The modified Decree clarifies that these surface areas are not part of the site or subject to the Decree. This will make it easier to re-use this land for the benefit of the community. The excluded areas of uncontaminated soil (see the map on page 3) are known as "carve-out lands".

DEVELOPMENT OF THE CARVE-OUT LANDS

Under the modified Decree, Aerojet could transfer or develop carve-out lands with some limited EPA and State review. This would be consistent with EPA's commitment to return Superfund sites to productive re-use as soon as it is safe to do so, while protecting the public's health. However, any development proposal would

have to pass through the normal local planning and review process, including input from the public.

People who might live or work in future developments would not be affected by pollution, since the contamination is underground. Restrictions on the use of the carve-out lands would prevent contact with the polluted groundwater and subsurface soil vapor.

WATER FOR CARVE-OUT LAND DEVELOPMENT

New development in the carve-out lands would require a source of drinking water. Aerojet could furnish the carve-out lands with surplus water from its plant operations. But if development requires more water than Aerojet has available, Aerojet would have to find new supplies. Possible sources of that water are:

- new water supply wells,
- contracts with near-by water purveyors, or
- reuse of water discharged from the Aerojet treatment plants.

If the California Department of Health Services approves, Aerojet could reuse treated groundwater directly to supply drinking water for new development. Or, Aerojet could discharge treated water to surface waterways, and eventually to the American River or Lake Natoma. Aerojet could then withdraw up to the discharged amount from the American River or Folsom South Canal below the discharge point and use this water for new development.

FUNDING THE CLEANUP

Currently, Aerojet is doing the work at the site and paying the regulating agencies' costs to oversee the cleanup, and the Department of Defense is reimbursing Aerojet for a large part of their cleanup costs under an agreement. Under the new Decree, Aerojet would agree to provide financial information each year to show that they can fund cleanup work for the year. Aerojet's parent, GenCorp, would also agree to pay cleanup costs of up to \$10 million per year up to a total of \$75 million, should Aerojet become unable to fund the cleanup.

BENEFITS FROM CHANGING THE DECREE

The public could benefit in several ways from the new agreement.

- faster site cleanup from dividing the site into operable units
- new legal guarantee of cleanup funding
- beneficial re-use of properties, subject to the local planning process, potentially increasing housing, jobs, and the local tax base
- new interim water supply contingency plan, which currently proposes a new well in Rossmoor Bar Park

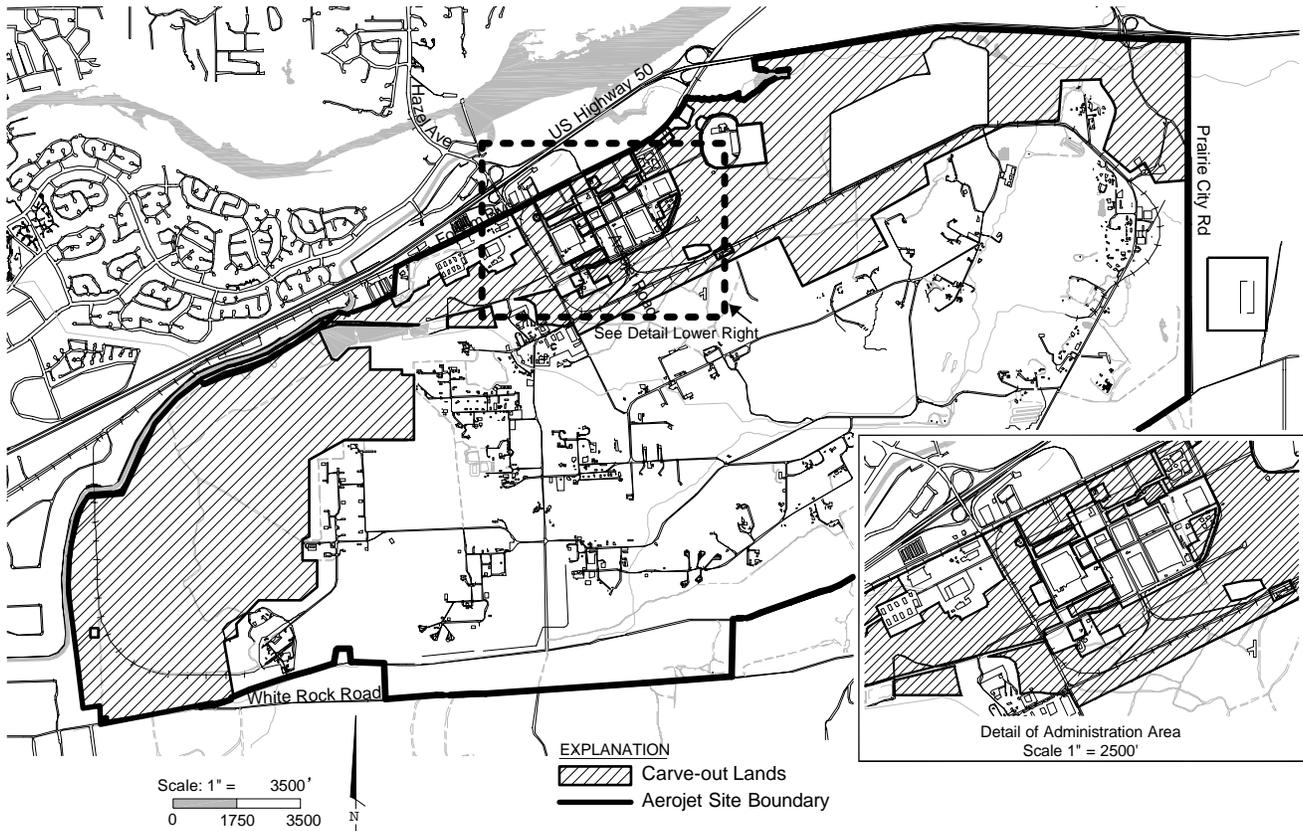


Figure 1: Aerojet General Superfund Site, showing "carve-out" lands

MEETINGS

The community, the Regional Water Quality Control Board and the EPA will be holding meetings to discuss the modified legal framework for the Aerojet site.

- Aerojet Community Advisory Group
Tuesday, October 23, 2001, 7:00 PM
Sacramento County Sheriff's East Division
Substation
10361 Rockingham Blvd.
Sacramento, CA
- Water Board hearing for public
comment
early in November, 2001* 7:00 PM
Mills Middle School
10243 Coloma Road
Rancho Cordova, CA

*for exact date, call 916-255-3000

PUBLIC COMMENT

The U.S. Department of Justice and the State of California Regional Water Quality Control Board will accept written comments on the Consent Decree for thirty days, from the end of September to the end of October. Send comments simultaneously to:

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice
PO Box 7611
Ben Franklin Station
Washington, DC 20044
DOJ Ref. No. 90-7-1-74

Alex MacDonald
Central Valley RWQCB
3443 Routier Road
Sacramento, CA 94822

IF YOU HAVE QUESTIONS

For **overview** information and site **documents**, visit the Region 9 Superfund Site Information web page: <http://www.epa.gov/region09/waste/sfund/npl/siteinfo.htm>

For **technical** information:

Alex MacDonald

Regional Water Quality Control Board
(916) 255-3025

Charles Berrey

EPA Project Manager
(415) 744-2223

For **legal** information:

Thelma Estrada

EPA Office of Regional Counsel
(415) 744-2223

For information on **how you can get involved**:

Janis Heple, Chair

Community Advisory Group on Aerojet Superfund Issues
916-739-6361 (after October 11, 2001)

Don Hodge, EPA Community Involvement Coordinator
(415) 744-2427

Community Involvement toll-free number
(800) 231-3075

INFORMATION REPOSITORIES

Documents pertaining to this issue, including the original 1989 Partial Consent Decree, the July 2000 Site Assessment Report for Candidate Carve-out Lands, and the proposed modified Partial Consent Decree, are available at the document repositories for the Aerojet site.

Superfund Records Center

95 Hawthorne Street, Suite 403S
San Francisco, CA 94105-3901
415-536-2000

California State University – Sacramento Library

2000 State University Drive East
Sacramento, CA 95899-6039
916-278-5672



 United States Environmental Protection Agency
Region 9
75 Hawthorne Street (SFD-3)
San Francisco, CA 94105
Attn: Don Hodge

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