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LETTER FROM U S NAVY REGARDING DRAFT SAMPLING AND ANALYSIS PLAN SITE 7
TANK FARM 1 NS NEWPORT RI
3/2/2012
NAVAL FACILITIES ENGINEERING COMMAND



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND, MID-ATLANTIC
9742 MARYLAND AVENUE
NORFOLK, VA 23511-3095

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OPTE3/18/RPP
2 Mar 2012

Ms. Kymberlee Keckler
United States Environmental Protection Agency Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

Ms. Pamela Crump
Office of Waste Management
Rhode Island Department of Environmental Management
235 Promenade Street
Providence, RI 02908-5767

Dear Ms. Keckler and Ms. Crump:

Subj: DRAFT SAMPLING AND ANALYSIS PLAN (SAP) FOR SITE 7 (TANK FARM 1), NAVAL STATION NEWPORT, RHODE ISLAND

On April 21, 2011 the Navy issued the subject document for regulatory review. The Navy received review comments from the Environmental Protection Agency (EPA) and the Rhode Island Department of Environmental Management (RIDEM) on June 3, 2011 and June 6, 2011, respectively. The Navy responded to both EPA and RIDEM comments on July 28, 2011. Additional comments from the EPA and RIDEM were received August 16, 2011 and October 13, 2011. The Navy addressed these additional comments from EPA and RIDEM on November 2, 2011 and November 15, 2011, respectively.

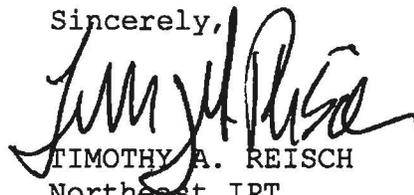
During a discussion at the November 16, 2011 project managers meeting, EPA stated that Navy's latest responses to their comments satisfactorily addressed their concerns, and no additional comments on the subject document would be forthcoming.

In responding to RIDEM's October 13, 2011 comment number 11, the Navy deferred responding to the portion of the comment relating to the use of RIDEM criteria in the risk assessment process pending the conclusion to the Formal Dispute Resolution process initiated by RIDEM on October 5, 2011. In accordance with the dispute resolution agreement dated January 12, 2012, the Navy as lead agency has discretion on the use of screening criteria in the risk assessment process. The dispute resolution agreement was discussed at the January 18, 2012 project manager's meeting, as was the status of documents impacted by the dispute, including the Sampling and Analysis Plan (SAP) for Site 7 (Tank Farm 1).

The Navy did not receive comments on the November 15, 2011 responses related to non-dispute issues prior to the resolution of the dispute on January 12, 2012. Additionally, no comments have been received for 45-days following the January 18, 2012 project managers meeting at which the dispute resolution agreement was discussed. Therefore, pursuant to the Federal Facility Agreement (FFA) section 7.6(e)(3), the Navy is issuing the draft final Site 7 SAP under separate cover. Per FFA section 7.6(e)(4), upon receipt of the draft final Site 7 SAP, you have 30 days to concur or dispute; this 30-day period concludes on April 2, 2012.

If you have any questions, please contact Mr. Roberto Pagtalunan at (757) 341-2010.

Sincerely,



TIMOTHY A. REISCH
Northeast IPT
Environmental Business Line
Team Leader
By direction of the
Commanding Officer

Copy to (e-mail):
EPA Region 1 (Bryan Olson)
RIDEM (Matthew DeStefano)
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