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EMAIL REGARDING REGULATORY COMMENTS ON DRAFT FINAL TECHNICAL
MEMORANDUM FOR SUPPLEMENTAL REMEDIAL INVESTIGATION NETC NEWPORT RI
6/16/2011
RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Ropp, Jim

From: Gary Jablonski <gary.jablonski@DEM.RI.GOV>
Sent: Thursday, June 16, 2011 3:38 PM
To: Maritza.Montegross@Navy.Mil
Cc: Matthew Destefano; Pamela Crump; Lombardo.Ginny@epamail.epa.gov; deborah.j.moore@navy.mil; Ropp, Jim; Kenneth_Munney@fws.gov
Subject: NUSC, Draft Final Technical Memorandum SRI
Categories: Newport

Maritza,

After a review of the “*Draft Final Technical Memorandum Supplemental Remedial Investigation*” and “*The Navy’s responses to RIDEM’s comments*” received 17 May 2011 for NUSC Site 08, this Office has the following comments in regards to the response to comments and the new Navy language placed in this document:

- In response to RIDEM’s comment 12, the Navy placed new language in the document on page 4-2. Please delete the following Navy updated underlined language in the text and update Tables 6-1 through 6-5: “*RIDEM’s DEC’s for residential soil and “GA” objectives for groundwater are also presented for informational purposes, but were not used to select COPCs in this CERCLA risk evaluation.* Pursuant to CERCLA (section 300.430) and the FFA, the State Site Remediation Regulations are ARARs which shall be fully integrated with the site characterization activities of the remedial investigations and developed and modified throughout the RI/FS phase of the project. In addition, since the Navy for this Site has already presented a FS to the Agencies for review and comment and as the Navy has stated throughout the Navy’s response to comments that this Supplemental RI is including steps from the FS to expedite the FS process, please delete this above underlined text from the draft final document and reevaluate the selection of COPCs throughout the document using RIDEM’s Criteria;
- In response to RIDEM’s comment 14, the Navy placed new language in the document on page 4-6. Please delete the following Navy updated underlined language in the text: “*Similarly, cumulative ILCRs greater than 1×10^{-5} are generally considered to be “unacceptable” by the state of Rhode Island; remediation may or may not be necessary when the cumulative ILRC exceeds 1×10^{-5} .* Under the State Remediation Regulation a contaminated site can not exceed this cumulative risk;
- In response to RIDEM’s comments 11 and 21, the Navy provided Attachment A in regards to eliminating Arsenic in type “Se” soil. After review of the Navy’s response to comments and Attachment A, this Office does not concur with the Navy’s proposal to eliminate Arsenic in type “Se” soil onsite. Please update the text in this draft final document to keep Arsenic as a COC in both types of soil for this site.; and
- In regards to moving forward to the Feasibility Study process, please be advised that according to RIDEM’s Remediation Regulations each carcinogenic substance can not exceed a 1×10^{-6} excess lifetime cancer risk level and the cumulative excess lifetime cancer risk posed by the Contaminated-Site can not exceed 1×10^{-5} . In addition, each non-carcinogenic substance can not exceed a Hazard Index of 1 and the cumulative Hazard Index posed by the Contaminated-Site can not exceed 1 for any target organ for each carcinogenic. Pursuant to the FFA and CERCLA, if any carcinogenic and/or non-carcinogenic substance concentration exceeds RIDEM’s risk levels, than that substance will be considered a contaminant of concern and a preliminary remediation goal will need to be developed in the Feasibility Study process.

Please resubmit the changed pages requested above to the *Draft Final Technical Memorandum Supplemental Remedial Investigation* to RIDEM for review. Also, please confirm, in writing, that the Navy concurs with the 4th bullet above in regards to moving forward in the FS process for this site.

Regards,

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