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LETTER AND RESPONSE FROM U S EPA REGION I REGARDING REDLINE DRAFT FNAL  
FEASIBILITY STUDY FOR DERECKTOR SHIPYARD NS NEWPORT RI  
4/17/2014  
U S EPA REGION I



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION I

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April 17, 2014

Mr. Dominic O'Connor  
Remedial Project Manager  
Environmental Restoration  
NAVFAC MIDLANT OPNEEV  
Bldg. Z-144  
9742 Maryland Avenue  
Norfolk, VA 23511-3095

Re: Redline Draft Final Feasibility Study for the Former Derecktor Shipyard Marine Sediment

Dear Mr. O'Connor:

Thank you for the opportunity to review the *Redline Draft Final Feasibility Study for Derecktor Shipyard*, dated April 7, 2014 (FS). The FS develops and evaluates remedial alternatives to mitigate human health and ecological risk associated with off-shore sediment. Detailed comments are provided in Attachment A.

Please check the strikeouts. Some of the words meant to be deleted are still included.

I look forward to working with you and the Rhode Island Department of Environmental Management to select a final remedy for Derecktor Shipyard. Please contact me at (617) 918-1385 with any questions.

Sincerely,

  
Kymberlee Keckler, Remedial Project Manager  
Federal Facilities Superfund Section

Attachment

cc: Pam Crump, RIDEM, Providence, RI  
Darlene Ward, NETC, Newport, RI  
Steven Parker, Tetra Tech-NUS, Wilmington, MA

## ATTACHMENT A

<u>Page</u>	<u>Comment</u>
p. E-6-7, last sentence	Change “In response to regulatory concerns regarding potential asbestos exposure,...” to “To address the potential for a future risk from exposure to asbestos in the marine sediments during the implementation of the proposed remedy and future dredging of Site 19,,” This is text used on p. 3-9. Make this change wherever this phrase is used in the document – page E-7, ¶2; page E-7, ¶3; page E-8, ¶2; page 4-2, ¶1 page 4-7, ¶2; page 4-11, ¶2; page 4-15, ¶5; and page 4-20, ¶2.
p. E-7, ¶3	Make the following changes to this sentence: “Additionally, based on <del>regulatory request</del> <b>sediment contamination left beneath the backfilled cover</b> , in open water areas where dredging and backfilling would be conducted, confirmation sampling after dredging and backfilling activities, <del>and LTM of the backfill</del> , and LUCs to <b>restrict activities that would disturb the backfilled cover</b> will be conducted to ensure RAOs continue to be met.
p. E-9, Table	For the Alternative 2-3 line, consider spitting them because Alternative 2 only potentially meets RAOs based on the NCP criteria analysis because it is unclear that the thin layer cover will be protective over the long-term.
p. 2-13, last bullet	Delete the closing quotation mark at the end of the last RAO.
p. 2-14, §2.4	Please delete the word “an” from the last bullet.
p. 3-1, §3.1	In section 3.3 “Enhanced Natural Recovery” is included with the “Administrative Action.” Consider calling the GRA “Limited Action” rather than “Administrative Action.”
p. 3-7, §3.3.2.1	Add text concerning how LUCs would apply to the piers.
p. 3-9, §3.3.2.1	In the first paragraph remove the last two sentences since the asbestos restrictions are a component of the CERCLA remedy and the asbestos LUC needs to be enforceable under CERCLA. Otherwise the remedy does not meet the last RAO. Make this change also on page 4-7, ¶2.  Edit the text to read: “... where longevity of information is needed, it <u>is</u> appropriate to document ....” Make this same correct elsewhere in the FS where this language is used.
p. 3-12, §3.3.4	The added text refers to the thin layer cover that is no longer addressed in this section. Please correct the text and the paragraph numbering.
p. 3-23, §3.3.6.3	Add text that states that the dredged sediment will be managed as asbestos-contaminated material, unless testing shows that asbestos is not present above actionable level.
p. 3-27, §3.3.8	Make changes to the table consistent with the responses to the comments on Sections 3.1 and 3.3.

- p. 3-29, §3.5 The edits should state that the precautionary measures would be described in the LUCs.
- p. 3-30, §3.5 The partial sentence at the top of the page should read: “..reviews for all remediated areas per....”
- SC18 requested including LUCs, LTM, and Five-year reviews for areas beneath Piers 1 and 2. On April 16, 2014 we discussed including this in the LUC RD.
- p. 4-1, §4.0, ¶5 SC20b requested including LUCs, LTM, and Five-year reviews for areas beneath Piers 1 and 2. On April 16, 2014 we discussed including this in the LUC RD.
- p. 4-2, bullet 4 Remove “By regulatory request” and start sentence with “Implement.”
- p. 4-2, §4.0 EPA appreciates that the paragraph added to this section acknowledges that LUCs would describe the precautionary measures required for asbestos in sediment (SC21). Please ensure that this commitment is described consistently throughout the FS. Note the comment for page E-6-7. After “alternatives above” insert “, except the No Action Alternative.”
- p. 4-2, §4.1 In the descriptions of all of the Alternatives except No Action, add text concerning how LUCs apply to the piers.
- p. 4-7, ¶2 See EPA comment for page 3-9, §3.3.2.1
- p. 4-11, ¶2 See EPA comment for page 3-9, §3.3.2.1
- p. 4-15, ¶2 Remove “, at regulatory request,”.
- p. 4-15, ¶5 See EPA comment for page 3-9, §3.3.2.1
- p. 4-18, ¶2 Remove “, at regulatory request,”.
- p. 4-20, ¶2 See EPA comment for page 3-9, §3.3.2.1
- p. 4-28, §4.3 For all of the alternatives, except No Action, add text concerning how LUCs for each alternative will apply to the piers.
- p. 4-30, §4.3.2 In the first sentence for Overall Protection, change “would” to “may.”
- p. 4-32, §4.3.2 Please change the text per SC42 regarding short-term and long-term ARAR compliance.
- p. 4-32, §4.3.2, ¶3 Please change the text regarding TSCA compliance as agreed on April 16, 2014. Make the same change for all alternatives. See also page 4-37, ¶2 and page 4-42, ¶4.
- p. 4-40, ¶3 Remove “, per regulatory request.”
- p. 4-41, ¶4 Remove “Per regulatory request.”
- p. 4-42, ¶5 Remove “at regulatory request.”

- p. 4-45, ¶1 Replace the last sentence with the standard language used throughout the rest of the document: "The Navy will prevent exposure to potential asbestos in shipyard sediment through development of precautionary measures and safe work practices, which would be described in the LUC documentation established for other COCs remaining at the site.
- p. 4-46, §4.3.5, ¶4 Please correct the sentence that discusses VWAC. It not changed in accordance with the responses or as requested by SC60.
- p. 4-50, ¶2 After "all remedial alternatives" insert ", except the No Action Alternative."
- p. 4-52, §4.4, ¶3 Change the last sentence to refer to all five alternatives for Five-year reviews.
- p. 4-52, §4.4, ¶4 Please change the text as requested by SC69 to refer to Piers 1 and 2 regarding asbestos.
- Table 1-5 This table was not provided to show corrections requested by SC72.
- Table 4-15, p. 2 In the action column for 33 CFR Part 165, please refer to Piers 1 and 2 as was done for Alternative 5.
- Table 4-16 Change to "Yes" for Five-year reviews for Alternative 1.