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LETTER AND THE U S EPA REGION I RESPONSES TO COMMENTS REGARDING THE
DRAFT FIVE YEAR REVIEW NS NEWPORT RI (PUBLIC DOCUMENT)
10/02/2014
U S EPA REGION I BOSTON MA



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION I

5 Post Office Square, Suite 100
Boston, MA 02109-3912

October 2, 2014

Mr. James Gravette
Remedial Project Manager
Environmental Restoration
NAVFAC MIDLANT OPNEEV
Bldg. Z-144
9742 Maryland Avenue
Norfolk, VA 23511-3095

Re: Responses to EPA's Comments on the Draft Five-Year Review

Dear Mr. Gravette:

Thank you for the opportunity to review the September 19, 2014 responses to EPA's July 11, 2014 comments on the Draft Five-Year Review dated June 13, 2014. The Five-Year Review assesses sites where remedial actions are underway or completed and summarizes sites where remedial decisions have either not been made or were only recently completed. Detailed comments are provided in Attachment A.

While I appreciate the Navy's commitment to completing this important milestone, EPA is concerned that the draft final will be issued within one week of this letter. It is inappropriate for the Navy to assume that its responses to EPA's July 11, 2014 comments have been adequately and appropriately addressed. Some of the responses defer to changes in the text that EPA has not yet reviewed. EPA expects more timely communication throughout the process when developing future documents. This is essential to avert potential disputes on draft final primary documents pursuant Section 13.3 of the FFA.

I look forward to working with you and the Rhode Island Department of Environmental Management toward the cleanup of remaining areas of the base. Please contact me at (617) 918-1385 with any questions.

Sincerely,

Kymerlee Keckler, Remedial Project Manager
Federal Facilities Superfund Section

Attachment

cc: William Lovely, USEPA, Boston, MA
David Peterson, USEPA, Boston, MA
Pam Crump, RIDEM, Providence, RI
Darlene Ward, NETC, Newport, RI
Mark Kaufman, Resolution, Chelmsford, MA

ATTACHMENT A

<u>Page</u>	<u>Comment</u>
GC2	Regarding the second paragraph of the response: For OUs where RODs have been signed and LUCs established before the completion of the RA, the text should describe the status of the LUCs and identify any compliance issues. For example, "...The OU XX ROD requires the implementation of LUCs before the completion of RA, specifically XX (e.g., the asbestos restrictions at Derektor On-Shore, posting of shellfishing restrictions at Gould Island and Derektor Offshore, and/or revisions to base instructions for groundwater restrictions at the Tank Farms, Gould Island, or Derektor On-shore). These LUCs are in place and currently address short-term risks. Once the remedy is fully implemented, all site risks will be addressed...." This comment also affects SC2, SC10, SC12, SC14, SC20, and SC81.
SC3	EPA agrees with the response provided the ESD is finalized before the FYR and the FYR describes the changes to the remedy made by the ESD.
SC5	Discuss the status of the interim groundwater remedy for Tanks 53 and 56 and that a final decision document is still required. Until a final decision document is completed, the site should be discussed in the FYR even if the treatment system has been decommissioned. The response did not address the second half of EPA's comment requesting additional language regarding DU 5-1.
SC8	Please supplement the proposed revision to include the following: "The Navy developed a Long-Term Management Plan to monitor near-shore sediment to evaluate whether contamination from the soil and groundwater does not migrate and adversely impact the sediment."
SC11	See response to GC 2, above. EPA agreed that sites with RODs – but no construction – did not require a detailed analysis in the FYR with a protectiveness statement. However, EPA continues to maintain that the sites should be discussed in the FYR and agreed to the approach described in the response to GC2. At Gould Island and Derektor Offshore the remedies include interim measures of signs to warn against shellfishing. For Derektor Onshore, the Navy established restrictions to prevent exposure to asbestos in the North Waterfront. To the extent these LUCs are in place and are protective of site risks in the short-term, EPA believes that they should be discussed in the FYR.
SC31	Please correct the conclusion in the first bullet as it does accurately reflect the 2009 FYR conclusion regarding trend. It is not clear what revisions have been made. The response states that the conclusions have been revised considering the 2013 data, but it also states the review of the 2013 data is on-going making it unclear how the 2013 data would have been used to revise the conclusions.
SC39	The most current LUC documents need to be included in the FYR Appendix (up to December 2014), not solely those in effect in September 2014.
SC40	There is no recent change in toxicity values for PAHs, PCBs, and copper that would result in changes in risks or hazards from these contaminants. Please remove proposed language regarding this issue.

- SC52 The Navy's response concerning groundwater use by the golf course and discussions with the golf course owner should be incorporated into the FYR.
- SC53 The selected remedy description in Section 2.12.2.4 of the ROD describes the groundwater LUC as: "Prevent use of the groundwater at the property for any consumptive purpose, including for household use, drinking water supply, irrigation, or industrial use." Remove the phrase "for human consumption."
- SC56 Describe whether the base instruction has been revised (and cite the most recent version) to include the restrictions required under the ROD.
- SC71 Groundwater is monitored upgradient of the waste management area because of tidal influence and outside the limits of the waste management area. Because the land use controls are also set at the limits of the waste management area, they are not protective of groundwater exposures outside the waste management area. Therefore, the remedy would not be protective if PFCs are present in groundwater outside the limits of the waste management area. Consequently, the response needs to be edited and a recommendation to sample for PFOA/PFOS is required before the next FYR unless the Navy can definitively document that AFFF was never used at the site.
- There is no basis for stating that the remedy is currently protective for PFCs because no sampling for PFCs has ever been conducted. Therefore, both current and future protectiveness should be classified as TBD.
- SC90 See responses to GC2 and SC11, above.
- SC92 Discuss any LUCs that have been established (*i.e.*, base instruction, posting of shellfishing warnings) in this section.
- SC93 See responses to GC2 and SC11, above.
- SC 97 Discuss any LUCs that have been established (*i.e.*, base instruction for asbestos risks, posting of shellfishing warnings) in this section.