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U S NAVY RESPONSES TO REGULATORY AGENCY COMMENTS ON THE REVISED
DRAFT PROPOSED PLAN FOR DECISION UNIT 1-1, DECISION UNIT 1-2, AND DECISION
UNIT 1-3 AT SITE 7 TANK FARM 1 OPERABLE UNIT 13 (OU 13) NS NEWPORT RI
2/26/2016
RESOLUTION CONSULTANTS

Navy Responses to Regulatory Agency Comments
EPA Comments, February 3, 2016
RIDEM Comments, February 11, 2016

Revised Draft Proposed Plan,
Decision Units 1-1, 1-1, and 1-3 at Site 7 – Tank Farm 1, Operable Unit 13
Naval Station (NAVSTA) Newport, Portsmouth, Rhode Island

February 26, 2016

EPA Specific Comments:

EPA Specific Comment 1: Pg 1, column 1, par 1 – In the first sentence insert “contaminated soils at” before “Decision Units.” Define “Decision Unit” here or in the glossary.

Response: The requested insertion has been added. A general definition for “Decision Unit” has been added to the glossary.

EPA Specific Comment 2: Pg 1, column 1, par 3 - In the first sentence insert “soils at” before “DU 1-1.” In the third sentence change “for the Site,” to “for contaminated soils within the operable unit,”

Response: The requested edits have been made.

EPA Specific Comment 3: Pg 1, column 2 – In the “Opportunity for Public Comment Box” insert a space after “June” the second time the date is cited. Is site information also accessible online? If so, add “or VISIT OUR WEBSITE: <http://www.rabnewportri.org/>”.

Response: The typo has been corrected and a text has been added to refer the reader to the Navy's public website where the Administrative Record can be accessed. Please note also that the text box on the last page of the Proposed Plan has been edited to add the Navy's public website and also provide some instructions to help direct the reader to how to access related documents.

EPA Specific Comment 4: Pg 2, column 1, par 2 – In the second sentence change “laws” to “legal requirements.”

Response: The requested edit has been made.

EPA Specific Comment 5: Pg 2, column 1, par 5 – Add the definition of DGA to the Glossary. It is indicated that more detailed information about the Site can be found in the 2010 SIRAR, DGA, FS, and related regulatory agency correspondence. EPA notes that the correspondence defined as U.S. Navy response to the U.S. EPA and RIDEM comments regarding the Draft FS Report for DU1-1, 1-2, and 1-2 is not accessible through the Administrative Record (instructions are provided to contact the local Public Affairs Officer to access this document). Please post this document to the web. Please ensure the Admin Record is up-to-date. In addition, please change the date of the DGA Report to 2014, and provide an FS Report date of 2015.

Response: The Data Gaps Assessment (DGA) has been added to the Glossary. The specific document noted in the second part of the comment had been miss-classified as containing sensitive information and therefore was not available for public viewing; however, this has been corrected and the document is now available for reviewing. We are working to make sure the Admin Record is up-to-date in advance of the public comment period. The edits requested in the last part of the comment have been made. Note that we have deleted the mention of the 2010 site investigation report, since that document is not available on Navy's public website and the relevant data from that report was incorporated into the DGA report, which is part of the Admin Record.

EPA Specific Comment 6: Pg 2, column 2, par 3 – These statements could be consistent with the language in the FS. "DU 1-1 is defined as soil associated with the Ethyl Blending Plant (EBP) (includes the EBP and associated previously designated Areas of Concern [AOCs] TF1-004, TF1-005 and TF1-018). DU 1-2 and DU 1-3 are defined as soils associated with Transformer Vault 2 (TV2) and Transformer Vault 3 (TV3), respectively." End the paragraph here.

Response: The requested edits have been made.

EPA Specific Comment 7: Pg 2, column 2, par 4 – Replace the text with: "The Navy is deferring the decision concerning site-wide groundwater until response actions are completed at the other AOCs within the tank farm and a determination is made as to whether groundwater impacts associated with any other CERCLA releases have been addressed."

Response: Since the path forward for Tank Farm 1 has continued to evolve, Resolution has replaced the subject paragraph and the subsequent paragraph referenced in EPA Comment 8 with the following text that is a slightly abbreviated version of what will be included in the forthcoming Draft ROD for the DUs:

"In addition to the three decision units that are the subject of this Proposed Plan, there are other areas and media within Tank Farm 1 that may require CERCLA decisions and response actions. These areas are:

- Five additional AOCs that were identified by RIDEM and listed in an April 2012 dispute resolution agreement as requiring investigation under RIDEM regulations.
- Potential impacts to groundwater from potential perfluorocarbons (PFCs) that may have been used in former fire suppression infrastructure located in western portion of Tank Farm 1, west of DU 1-1.
- Tank farm wide groundwater.

These areas are currently being assessed and a determination of a need for a CERCLA response action is pending. If required, a site-wide Tank Farm 1 ROD will address any additional areas requiring a CERCLA response."

EPA Specific Comment 8: Pg 2, column 2, par 5 – Revise the last paragraph to state: "RIDEM identified additional AOCs that were specifically listed in an April 2012 dispute resolution as requiring investigation under RIDEM regulations. Also, consistent with the dispute resolution agreement, after investigations and/or response actions are completed for those AOCs, the results from that work will be evaluated by the Navy, EPA and RIDEM to determine

whether actions are required to address remaining contamination at these, and any other AOCs identified, in accordance with CERCLA or state regulations. If a CERCLA regulatory decision is required for those AOCs, a CERCLA decision document will be prepared."

Response: Please see the response to EPA Specific Comment 7 above.

EPA Specific Comment 9: Pg 3, column 2, par 5 – It is important to expand upon the discussion of DLA closure activities. Please do so.

Response: The following text has been added: "DLA's closure activities are currently anticipated to include soil remediation in the vicinity of certain tanks, followed by permanent closure of the USTs that are no longer being used in accordance with RIDEM UST and remediation regulations. Permanent closure would include demolition of the USTs, removal of fuel distribution piping and associated structures (assumed to include the EBP, TV2, and TV3), and backfill and seeding."

EPA Specific Comment 10: Pg 6, column 1 - EPA recommends changing the dates to finalization dates for the SIRAR and DGA.

Response: The DGA date has been changed to 2014. The date for the previous site investigation is the report date, so no change was made.

EPA Specific Comment 11: Pg 6, column 1, par 1 below the box – Change the second sentence to: "The results of the groundwater sampling is not discussed here because this Proposed Plan only addresses contaminated soil within the DUs."

Response: The text has been revised to read: "The groundwater sampling results are not discussed here because this Proposed Plan only addresses contaminated soil within the DUs."

EPA Specific Comment 12: Pg 6, column 2, par 1 – Replace the last sentence with: "A pre-design investigation at DU 1-1, 1-2, and 1-3 (see Summary of Soil Alternatives on page 10) is proposed to refine the horizontal extent of surface soil impacts that exceed PRGs. The investigation will also include sampling for hexavalent chromium at a few DU 1-1 surface soil locations, to confirm that hexavalent chromium is not present and eliminate hexavalent chromium as a COC."

Response: The requested change has been made.

EPA Specific Comment 13: Pg 7, column 2, par 1 – In the first sentence it states that access is only restricted by "partial fencing" but on page 3, column 2, par 5 it states "Public access to the site is restricted by a security fence along the perimeter of the property."

Response: The referenced sentence on page 3 has been modified to indicate that it is partial fencing that is present.

EPA Specific Comment 14: Pg 7, column 2, par 1 – Please explain how the proposed remedy is consistent with recent proposals for possible mixed use of the Site, including residential use, after property transfer which is scheduled to occur in the near future.

Response: Consistent with the text, there is no planned residential or unrestricted recreational use of the Tank Farm 1 site. Project future use for Tank Farms 1 and 2 includes office space, light industrial and boat storage space, and multi-modal parking uses and access roads. Although not relevant to this site, a solar array is also being considered at Tank Farm 2. No change is proposed to the text.

EPA Specific Comment 15: Pg 9, column 1, par 2 – In the second sentence insert “statutes and” before “regulations.”

Response: The requested change has been made.

EPA Specific Comment 16: Pg 10, column 1, par 3 – Place “Navy’s Preferred Alternative” in boldface.

Response: The Navy’s Preferred Alternative is called out in a text box following the summary and comparison of alternatives evaluated in the FS.

EPA Specific Comment 17: Pg 10, column 2, bullet 2 and pg 11, column 2, bullet 4 – After “PRGs would be removed,” replace the remaining text with: “Short-term LUCs will be established to prevent any exposure to potential PCB-contaminated material under or within the transformer vaults, until such time as the vaults are removed. The demolition/disposal will meet TSCA protectiveness standards so as not to create a threat of release to the environment, and the underlying soil would be assessed and remediated, if necessary, to meet the Residential PRG.”

Response: The referenced bullets have been modified to add wording regarding future demolition that was agreed to with EPA and incorporated into the Final FS, rather than the language proposed above, which is not consistent with the Final FS.

Specifically, the last bullet under Alternative S-2 has been revised to read:

“For DU 1-2 and 1-3, although all accessible soil exceeding PRGs would be removed, land use controls would be required for the TV2 and TV3 structure footprints to prevent access to soil below the buildings, since it has not been assessed. If and when TV2 and/or TV3 are demolished in the future, the demolition will meet TSCA protectiveness standards so as not to create a threat of release to the environment. If TV2 and/or TV3 are demolished, soil beneath the buildings would be assessed and remediated, if necessary, to meet the PRG for PCBs.”

The last bullet under Alternative S-3 has been revised to read:

“Short-term land use controls would likely also be required for the TV2 and TV3 structure footprints within DU 1-2 and 1-3 to prevent access to soil beneath the buildings, since it has not been assessed. When TV2 and TV3 are demolished in the future, the demolition will meet TSCA protectiveness standards so as not to create a threat of release to the environment. When TV2 and TV3 are demolished in the future, soil beneath the buildings would be assessed and remediated, if needed, to meet the PRG for PCBs.”

EPA Specific Comment 18: Pg 10, column 2, par 4 – It appears from review of information contained in bullet 4 of column 1 on page 11 that short-term land use controls would also be applied to the TV structures. Please clarify.

Response: The title of Alternative S-3 has been updated to "Soil Excavation with Short-Term Land Use Controls."

EPA Specific Comment 19: Page 10, column 2 and Page 11 columns 1 & 2 – In the paragraphs after the cost summaries in the first sentence after "structures" add "nor any cost to demolish and dispose of the structures."

Response: The following sentence has been added for each alternative: "Costs for demolition/disposal of the structures are not included because demolition is not part of the remedial alternative."

EPA Specific Comment 20: Pg 11, column 1, bullet 4 – Replace the text with "Short-term LUCs will be established to prevent any exposure to potential PCB-contaminated material under or within the transformer vaults, until such time as the vaults are removed. The demolition/disposal will meet TSCA protectiveness standards so as not to create a threat of release to the environment, and the underlying soil would be assessed and remediated, if necessary, to meet the Residential PRG."

Response: The referenced bullet has been modified to add wording regarding future demolition that was agreed to with EPA and incorporated into the Final FS, rather than the language proposed above, which is not consistent with the Final FS.

Specifically, the last bullet under Alternative S-4 has been revised to read:

"For DU 1-2 and 1-3, although all accessible soil exceeding PRGs would be removed, land use controls would be required for the TV2 and TV3 structure footprints to prevent access to soil below the buildings, since it has not been assessed. If and when TV2 and/or TV3 are demolished in the future, the demolition will meet TSCA protectiveness standards so as not to create a threat of release to the environment. If TV2 and/or TV3 are demolished, soil beneath the buildings would be assessed and remediated, if necessary, to meet the PRG for PCBs."

EPA Specific Comment 21: Pg 11, column 1, bullets 3 and 4 and column 2, bullets 4 and 5 – Please clarify by stating that "contaminated" soil would be remediated.

Response: On Pg 11, column 1, bullet 3 and column 2, bullet 4, the current language is correct as intended (i.e. soil may or may not be present beneath the EBP). In column 1, bullet 4 and column 2, bullet 5, the soil that is referred to may or may not be contaminated above cleanup levels, so referring to the soil as "contaminated" doesn't seem appropriate. No change is proposed.

EPA Specific Comment 22: Pg 12, column 2 – Shade the Preferred Remedial Alternative text box gray or light blue. Please explain how the proposed remedy is consistent with recent proposals for possible mixed use of the Site, including residential use, after property transfer which is scheduled to occur in the near future. Please explain why the Navy's current development plans are cited if the property is scheduled for transfer in the near future.

Response: The text box has been shaded as requested. The text stating the “residential development is not included...” is accurate and therefore, no change is proposed. Refer to the response to EPA Specific Comment 14 for explanation.

EPA Specific Comment 23: Pg 13, column 1, par 3 - Part of this paragraph seems redundant, already said see "Understanding the Formal Comment" in the text box. Maybe just repeat meeting date and location here.

Response: The mention of dates for the public comment period has been removed, since that is covered in the previous paragraph. The reference to the Understanding the Formal Comment Process section in the previous paragraph is unrelated to this paragraph.

EPA Specific Comment 24: Pg 13, column 2, par 5 - Insert "faxed or emailed" as well as mailed to.

Response: The requested change has been made.

EPA Specific Comment 25: Pg 13, column 2, par 6 – Add that: "For written comments, a comment sheet is attached at the back of this proposed plan."

Response: The requested change has been made.

EPA Specific Comment 26: Pg 14, column 1, par 3 – After "environmental laws" insert "/regulations and state facility siting laws/regulations."

Response: The requested change has been made.

EPA Specific Comment 27: Pg 14, Glossary of Terms – Suggest adding definitions for "AOC", "DU", and "EEQ" Ecological Effects Quotient; NCP, Inset the abbreviations "OU", "ROD", "RI".

Response: The requested definitions and abbreviations have been added, with the exception of EEQ, since that term is described in the text box “Understanding Ecological Risk Assessments”.

RIDEM Specific Comments:

RIDEM Specific Comment 1. p. 2, Scope and Role of the Response Action – Please define the first instance of the acronym EBP.

Response: The requested edit has been made.

RIDEM Specific Comment 2. p. 3, Site Background and Characteristics, 1st column, 3^d paragraph – Please correct the penultimate sentence (“These DUs are each ~~are~~ approximately 0.014 acres, and are located in the central portion of Site 7 – Tank Farm 1.”) Also, please correct “DU-2” to “DU 1-2” in the last sentence.

Response: The requested edits have been made.

RIDEM Specific Comment 3. P. 3, Site Background and Characteristics, 2nd column – Please define the first instance of the acronyms PCB.

Response: The requested edit has been made.

RIDEM Specific Comment 4. p. 6, What contaminants are present at DU 1-1, 1-2, and 1-3 and where are they located? – This section presents a discussion of the chemicals of concern (COCs) determined during the risk assessment process, rather than a presentation of the type of contaminants present and their locations as determined during investigation activities as indicated by the section header. Please revise the text to provide a summary of the particular contaminants found and their locations, or revise the header to indicate identification of COCs. Note that manganese is not a DU 1-1 surface soil COC.

Response: This section presents a discussion of COCs for which cleanup goals were developed either because they were risk drivers or exceeded ARAR standards (i.e. RIDEM remediation standards for soil). Manganese was included for surface soil at DU 1-1 because it exceeded RIDEM standards. For clarity, the section heading has been revised to state "What chemicals of concern are present..."

RIDEM Specific Comment 5. p. 7, Understanding Human Health Risk Screening Evaluations (text box) – Please include reference to Incremental Lifetime Carcinogenic Risk for consistency with the subsequent human health risk discussion.

Response: The second paragraph of the text box has been edited to add "(referred to as Incremental Lifetime Carcinogenic Risks)" after the words "risk estimates".

RIDEM Specific Comment 6. p. 7, Step 4 – Characterize the Risk, 1st paragraph, 2nd sentence – Please change "...are explained in the text box, Understanding Human..." to "...are explained in the text box on this page entitled Understanding Human..."

Response: The requested change has been made.

RIDEM Specific Comment 7. p. 7, Summary of the Human Health Risk Screening Evaluation – Please change "...target risk range of 10⁻⁴ to 10⁻⁶..." to "target risk range of 1x10⁻⁴ to 1x10⁻⁶..." Additionally, the page reference to the text box is incorrect. Please change the last sentence of this section to "Refer also to the text box on this page..."

Response: USEPA's target risk range is actually 10⁻⁴ to 10⁻⁶ rather than 1x10⁻⁴ to 1x10⁻⁶ (refer to USEPA OSWER Directive 9355.0-30, Role of the Baseline Risk Assessment in Superfund Remedy Selection Decisions, April 22, 1991). Therefore, we have retained that target risk range in the text, but edited the range as shown in the text box Understanding Human Health Risk Screening Evaluations for consistency. The last sentence of the section has been edited as requested.

RIDEM Specific Comment 8. p. 8, Table 1 Receptors and Calculated Risks – Please include a footnote that indicates the significance of the highlighted data (surface soil Total ILCR at DU 1-1).

Response: The following note has been added to Table 1: "The calculated risk highlighted in yellow exceeds USEPA's target risk range for cancer risks."

RIDEM Specific Comment 9. p. 8, Understanding Ecological Risk Assessments (text box) – Please define EPC in the text box.

Response: The text has been revised to spell out "exposure point concentration" rather than use an acronym.

RIDEM Specific Comment 10. p. 8, Step 3 – Risk Characterization – In the first paragraph, please change the sentence from "...for DU 1-1, 1-2 and 1-3." To "...for DU 1-1, 1-2, and 1-3. The results are summarized below."

Response: The request change has been made.

RIDEM Specific Comment 11. p. 9, Table 2 Cleanup Goals for Surface Soil at DU 1-1 – Please note the missing parentheses after "(mg/kg".

Response: The missing parenthesis has been added.

RIDEM Specific Comment 12. p. 10, Alternative S-2: Limited Soil Excavation with Land Use Controls – In the first sentence, please define the acronym LUCs.

Response: The text has been revised to spell out "land use controls" rather than use the acronym to be consistent with the rest of the document.

RIDEM Specific Comment 13. p. 11, Alternative S-4: Limited Soil Excavation with Soil Cover and Land Use Controls, 3rd bullet – The soil cover for DU 1-1 that is provided in the Final FS is 5,200 square feet, versus the 5,500 square feet indicated in this bullet. Please verify the area and revise as necessary.

Response: The square footage has been revised to 5,200, consistent with the Final FS.

RIDEM Specific Comment 14. p. 14, Glossary of Terms – Under "Record of Decision", please change in the first sentence "give" to "given".

Response: The requested change has been made.