



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
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BOSTON, MASSACHUSETTS 02114-2023

N62661 AR 001459
NAVSTA NEWPORT RI
5090 3a

August 23, 2001

James Shafer, Remedial Project Manager
U.S. Department of the Navy
Naval Facilities Engineering Command
Northern Division
10 Industrial Highway
Code 1823, Mail Stop 82
Lester, PA 19113-2090

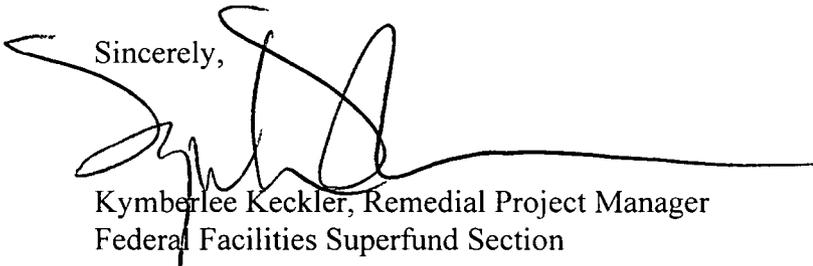
Re: Response to Comments on the Feasibility Study for the Old Fire Fighting Training Area
at the Naval Station Newport, RI

Dear Mr. Shafer:

EPA reviewed the Navy response to comments on the *Feasibility Study for Soil and Marine Sediment for Old Fire Fighting Training Area, Naval Station Newport, Newport, Rhode Island* dated April 2001 for completeness, technical accuracy and consistency. General and Specific comments requiring further action are provided in Attachment A. The numbering system used in the Navy's responses is retained.

I look forward to working with you and the Rhode Island Department of Environmental Management toward the cleanup of the Old Fire Fighting Training Area. Please do not hesitate to contact me at (617) 918-1385 should you have any questions.

Sincerely,



Kimberlee Keckler, Remedial Project Manager
Federal Facilities Superfund Section

Attachment

cc: Paul Kulpa, RIDEM, Providence, RI
Melissa Griffin, NETC, Newport, RI
David Peterson, USEPA, Boston, MA
Chau Vu, USEPA, Boston, MA
Jennifer Stump, Gannet Fleming, Harrisburg, PA
Mary Philcox, URI, Portsmouth, RI
David Egan, TAG recipient, East Greenwich, RI

ATTACHMENT A

GENERAL COMMENTS

No. Comment

5. The issues raised by EPA's earlier comment are likely to affect the cost of the remediation. The FS should explain how significant the cost impacts could be. Although none of the issues is likely to prevent implementation of the remediation, the allowable scale of the operations could be significantly reduced if issues three and four are problematic. The proposed discussion should be detailed enough to describe the issues and adequately identify potential cost impacts.

10. EPA requested further investigation of site groundwater based on potential human health risk. The Navy response proposes completion of a risk assessment using residential receptors exposure to groundwater and requests that input parameters be reviewed before completion of the risk assessment. Review of the exposure parameters has been completed and resolution of comments is pending.

In addition, the response to this comment and subsequent others, proposes that a comparison of detected constituents to MCLs be dependent on the identification of an unacceptable risk level. As discussed during our August 2, 2001 conference call, this approach is not acceptable to EPA. As per OSWER Directive #9355.0-30, EPA may require remedial action when chemical specific standards are exceeded. Therefore, a comparison of detected groundwater concentrations to MCLs is appropriate regardless of the determined risk levels. For compounds that have the maximum detected concentrations exceeding MCLs, it is necessary to quantitatively evaluate risk using site-specific exposure assumptions. Please note that EPA has not adopted Rhode Island's Comprehensive Ground Water Protection Program (CSGWPP), therefore RI's GB classification of the area is not applicable to the CERCLA remedy (and is not an ARAR) and MCLs must be used. In any case, the GB standard is equal or less stringent than MCLs and therefore would not be included as an ARAR for monitoring and establishment of boundaries for institutional controls.

The response indicates that the groundwater to sediment pathway will be evaluated, but does not indicate how this evaluation will be done. The FS must include information that supports the assertion that groundwater is not contaminating sediments and will not recontaminate sediments after a sediment remedial action. As discussed in the August 2, 2001 conference call, a comparison of contaminants detected in the sediments to contaminants detected in the groundwater should be added to the FS.

Groundwater and sediment monitoring will be required if soil remediation only addresses vadose zone soil and leaves soil contamination in place at the site that could impact site groundwater and sediment. The FS should be completed with provisions for groundwater restrictions and groundwater and sediment monitoring. This monitoring should be long-term unless adequate justification can be provided in the FS for limited term monitoring.

11. Please refer to the comment on the response to General Comment 10. As a point of clarification, EPA does not concur with the Navy's second paragraph of the Response. Since EPA has not adopted Rhode Island groundwater classification system, it is not applicable to CERCLA remedies (*see also* number 10 above).

SPECIFIC COMMENTS

<u>No.</u>	<u>Comment</u>
4, 11, 17, 74, 85, 90	Please refer to the comment on the Navy's response to General Comment No. 10. EPA agrees that limited groundwater alternatives could be evaluated in conjunction with soil remediation alternatives. However, it is important to note that it is possible (perhaps even likely) that enforceable groundwater use restrictions could extend beyond the area of soil remediation.
13	The response specifies that chemicals will be screened versus background concentrations before screening versus risk-based concentrations. This is in direct conflict with agreements reached earlier in the OFFTA RI process that chemicals would be first screened versus risk-based concentrations in accordance with EPA guidance. Only after the risk-based screening would chemicals be compared to background concentrations in the COPC selection process. Please correct the proposed text to reflect the agreed upon COPC selection process.
16	As a matter of policy, EPA generally does not require cleanup to levels below background concentrations. According to EPA guidance, PRGs must be calculated based on target risk levels (<i>i.e.</i> , target excess individual lifetime cancer risk of 10^{-6} and target non-cancer hazard index of 1) and site-specific exposure parameters. If the risk-based PRG for a contaminant is below background, usually the background level is selected as the cleanup level, taking into consideration the cost-effectiveness and the potential for recontamination. This decision, however, should be reserved for risk management and the report should be revised to reflect this.

24. Additional fishing restrictions were discussed in the context of Derecktor Shipyard. EPA assumes that the Navy can restrict access to its shoreline (whether it be for National Defense or any other purpose - in this case to ensure the protectiveness of the Navy's proposed CERCLA remedy at the Site). Please provide a specific citation to the State's prohibition noted in the Navy's response.
- 37 EPA was unable to find language within the FFA supporting the Navy's response. Section 120(a)(2) of CERCLA, 42 U.S.C. §9620(a)(2) gives EPA the authority to determine the applicability of requirements to CERCLA actions at federal facilities.
- 55 The results of the pre-design investigation must be reviewed before it could be determined that monitoring alone would be a sufficient remedy for contaminated eelgrass.
56. While the State may be consulted as to optimum dredging periods, any such requirement is *not* an ARAR and the Navy is not required to follow it in implementing its CERCLA remedy.
- 63 The proposed change in the text still indicates that sediment will be remediated via natural attenuation, although the words "natural attenuation" will not be used. The results of the pre-design investigation must be reviewed before it could be determined that monitoring alone would be a sufficient remedy for contaminated eelgrass. Additional information may also be required. Stating that the sediment "may meet ARARs over time" is not sufficient to satisfy CERCLA - the ARARs must either be met or waived.
- 68 The response to Specific Comment 82 and Tables 4-3 through 4-9 identify the requirement as "Relevant and Appropriate." If the synopsis is acceptable, the status change is required too (*see also* response 37).
- 69 The two requirements cited in the comment were presented in Table 2-1 but not in subsequent Section 4 tables. The Oil Contaminated Soil Policy should be removed because CERCLA specifically does not apply to petroleum.
92. Please clarify what the Navy means when it says that the Table will be revised according to EPA's comment "as appropriate." EPA's requests that the modification will be made to the Table. See EPA's response to Navy response 37.

97. Until the Navy can show that Alternative 3 will meet ARARs it should be noted as “Potentially” or some other term to more accurately describe its indefinite status.
- 117 EPA identified an error in the calculation of the arsenic PRG for sediment. The response provided corrected PRG values, but also included rationale for not using the new PRG value in remedial efforts. As per the August 2, 2001 conference call, the calculated PRG of 5.48 mg/kg should be used as a starting point and the Navy should propose an arsenic PRG for sediment for EPA’s review.
- 119 The response is adequate if page 3-3 is revised to state, “if a data distribution for a given parameter was undefined, the distribution was assumed to be lognormally distributed and the 95% UCL of mean for the lognormal distribution was calculated.” According to the Step 4 description on page 3-3, the maximum porewater concentration was to be selected when the distribution for a given parameter was undefined.

Reference:

OSWER Directive #9355.0-30, *Role of the Baseline Risk Assessment in Superfund Remedy Selection Decisions*, April 22, 1991.