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November 12, 2003

Project Number N4152

Mr. Franco LaGreca
Head, New England Restoration Management Branch,
EFA Northeast, Naval Facilities Engineering Command
10 Industrial Highway, Mail Stop 82
Lester, Pennsylvania 19113

Reference: CLEAN Contract No. N62467-94-D-0888
Contract Task Order No. 0833

Subject: Responsiveness Summary, Soil Removal Actions
Old Fire Fighting Training Area
Naval Station Newport, Newport Rhode Island

Dear Mr. LaGreca:

Enclosed for your records you will find four copies of the Responsiveness Summary for the project referenced above. The Responsiveness Summary is a summary of comments and responses on the Navy's proposal to conduct soil removal actions at the Old Fire Fighting Training Area as described in the "Fact Sheet for Soil Cleanup at the Old Fire Fighting Training Area" (July 2003), and as described at the Informational Open House on July 16, 2003 at the Oliphant School in Middletown.

The comments were received by the Navy from members of the Restoration Advisory Board and from the general public between July 16, 2003, and August 15, 2003.

If you have any questions regarding this material, please do not hesitate to contact me.

Very truly yours,

Stephen S. Parker, LSP
Project Manager

SSP/rp

attachment

c: C. Frye, EFANE (w/encl. – 1)
M Imbriglio, NSN (w/encl. – 4)
K. Keckler, USEPA (w/encl. - 3)
P. Kulpa, RIDEM (w/encl. - 4)
K. Marley, NSN (w/encl. - 4)
S. McFadden, TAG (w/encl. – 1)
C. Mueller, NSN (w/encl. - 2)
J. Stump, Gannet Flemming (w/encl. - 2)
J. Trepanowski/G. Glenn, TtNUS (w/encl. - 1)
File N4152-3.2 (w/o encl.), N4152-8.0 (w/encl. - 1)

RESPONSIVENESS SUMMARY
FACT SHEET FOR SOIL REMOVAL ACTION
OLD FIREFIGHTING TRAINING AREA
NAVSTA NEWPORT, NEWPORT, RHODE ISLAND

The purpose of the responsiveness summary is to document the Navy's responses to the comments and questions raised during the public comment period on the proposed removal action plan. The Navy considered all of the comments summarized in this section before selecting the remedy described in this Action Memorandum.

BACKGROUND ON COMMUNITY INVOLVEMENT AND CONCERNS

In 1996 the Navy established a citizen's advisory committee called a Restoration Advisory Board (RAB) to assist the Navy in addressing Installation Restoration (IR) program sites, such as the Old Fire Fighting Training Area (OFFTA). The RAB meets monthly at NAVSTA Newport to discuss planned and ongoing activities at the IR sites on the base. The cleanup alternatives for site soil were discussed at RAB meetings at various times during the development of the Feasibility Study (FS). Input provided by the RAB was considered during development of the FS, the Fact Sheet describing the proposed soil cleanup, and the Action Memorandum.

The FS for the OFFTA site was made available to the public in September and the Fact Sheet describing the proposed soil cleanup was made available in July 2003. They can be found in the information repositories maintained for the site at the Middletown, Newport, and Portsmouth, Rhode Island Public Libraries.

The notice of availability for the Fact Sheet describing the proposed soil cleanup was published in the Newport Daily News and the Providence Journal – East Bay Edition on July 8, 11, and 15, 2003. A public comment period on the proposed cleanup plan lasted from July 16, 2003 to August 15, 2003. An informational open house and meeting was held on July 16, 2003 to present the proposed soil cleanup plan to the public and to solicit comments on the plan. Representatives from the Navy, EPA, and the RIDEM were available at the meeting to discuss the public's questions and concerns about the site. A representative from the Navy was present at the hearing to record the public's formal comments and comment cards were available for people to provide formal written comments.

COMMENTS RECEIVED DURING THE PUBLIC COMMENT PERIOD AND THE NAVY'S RESPONSE TO THOSE COMMENTS

Formal comments on the proposed cleanup plan were received from eleven individuals or groups during the public comment period. The rest of this section presents the comments received and provides the Navy's responses to those comments.

Name:
Ms. Claudette Weissinger

Comment:
Highly support the offshore and on shore clean up be done at the same time. (for obvious reasons).

Navy's Response:
The Navy believes that the sediment data collected to date are inconclusive in demonstrating that an active remediation of the offshore sediment is warranted. The Navy believes that conducting an aggressive offshore sediment clean up would be more harmful to the marine habitat and marine life than taking no action. (There is no identified human health risk from the offshore sediments.) RIDEM and EPA disagree with the Navy's conclusions about the need for active remediation of the sediment, but have agreed to postpone the final offshore decision. The Navy will collect additional offshore data and further evaluate the extent of any additional actions needed for sediment. Rather than delay the soil cleanup until additional data are collected, evaluated and agreement is reached on the appropriate action for sediment, the Navy believes it is in the best interest of the public, and the environment, to move forward with the onshore soil removal action now.

Name:
Mr. Christopher Burnett
President,
Spinblade Energy LLC
Portsmouth, RI

Comment:

Has the Navy considered the merits of installing 2 to 3 wind turbines at the recovered site for the purpose of generating clean, carbon free renewable electric power for the use of Navy Station Newport. Such an initiative could help to take a negative toxic removal into a positive renewable energy projects. The U.S. Navy would not have to pay for such an initiative but could lease 3 locations (approximately 28 feet in diameter) to mount modern 1.5 mw turbines. Based on local onemometer data these turbines could generate 9.0 mwh of power annually. It could generate additional income to the Navy and reduce the base dependence on easily interrupted commercial power.

(The commenter attached) copies of relevant DOD directives on renewable energy. The proposed turbines would not preclude in any way the use of the land for recreational or other purposes. The State of RI can provide subsidy from RI Renewable Funds. Potential income - $50,000 to $75,000 per year for 4.5 mw. Excellent welfare and rec funds. Provide free power for streetlights for the Navy.

Navy's Response:

The installation of wind turbines falls outside the scope and jurisdiction of the Navy's Installation Restoration Program, under which waste site investigation and remediation are performed. The Public Works Officer for NAVSTA Newport is responsible for managing real estate property, and energy initiatives and conservation. The NAVSTA Environmental staff will bring to the attention of the Public Works Officer this concept for his awareness and future considerations on any area of NAVSTA property.

Name:
Ms. Mary Philcox
Aquidneck Island Citizens Advisory Board

Comments:

Soil Cleanup:

1. Storm Drain System – The existing storm drain system has been implicated as a potential source of PAH contaminants either through direct runoff or as a migration pathway. As the existing system is being removed during excavation, this is an opportunity to eliminate one of the variables associated with the sediment contamination. How does the Navy propose to address storm water conveyances and discharges at this site after the soil cleanup is completed?

Navy's Response:

The existing storm drainage system is currently being upgraded to include a contaminant capture system, and other upgrades will be considered as a part of the proposed construction clean-up for the site.

2. Truck Traffic – Request that the Navy minimize the impact of truck traffic on the local community as well as people along the routes to the disposal sites. For example, truck arrival and departure times could be limited to reduce noise and traffic during early morning and late evening hours, loads should be covered and weight restrictions should be observed.

Navy's Response:

The Navy will make efforts to minimize the impacts of truck traffic on the community through the means described above as well as others such as routing trucks to limit travel on small secondary roads to the extent possible. The design document for the soil cleanup will address these issues in detail.

3. The Navy, USEPA, and RIDEM have not yet reached an agreement on the proposed remedy for the sediments. As it is possible that a sediment cleanup could be conducted concurrently with the soil cleanup, this issue should be resolved as soon as possible. What is the process for reaching agreement? What type of time frame is anticipated?

Navy's Response:

The Navy is in the process of completing the Draft Work Plan for a supplemental monitoring to collect and evaluate additional data to determine the extent of any remedial actions needed for offshore sediment. USEPA and RIDEM must review and approve the draft work plan before the investigation is conducted. After the work plan is approved, the Navy will conduct the investigation and incorporate its findings into a revised Feasibility Study. USEPA and RIDEM will review the revised FS and provide comments or concurrence. The time frame for reaching agreement is dependent on the length of time it takes to prepare the draft documents, the length of time for all parties to review, comment and agree or reach consensus on each document discussed above. Our goal is to reach agreement on the monitoring work plan during the winter season so that sediment sampling may begin in the spring.

4. The Navy has indicated that it does not believe that there is a significant cost savings if soil removal and sediment removal actions occur concurrently. What is the estimated difference in cost between conducting the soil and sediment removal concurrently versus separately?

Navy's Response:

The costs for performing the soil and the sediment removal actions have been estimated separately, because different equipment is required, and logistics may require one be performed either before or after the other. However, it is believed that some of the administrative costs (contracting actions, project management, etc.) would be shared between the two actions if they were conducted together. Using the estimates recently published, sharing these tasks could result in a cost savings of approximately $58,000. It is also possible that some savings could be realized for waste disposal per ton, if both sediment and soils are removed together; however, this is unknown at this time. Basically, if both the soil and sediment removal actions are combined the administrative cost saving is minimal when compared to the overall project cost estimated in the FS.

5. Phase II pre-design sampling at sediment station SD-410 yielded results that were an order of magnitude lower than the results obtained during the Feasibility Study (FS) sampling. The FS sample result was above the preliminary remediation goal (PRG) but the Pre-design sample result was less than the PRG. What method will the Navy use to determine whether the contaminant levels in the sediment are safe if the results cannot be directly compared to the PRG due to variability? Does the Navy have an explanation for the variability in the test results? Does the Navy plan to conduct further studies of the behavior of the contaminants in the sediment? Will additional modeling of sediment stability and other physical, biological and chemical processes be performed? What is the timeframe for any planned studies and will the work be completed prior to the proposed soil removal?

Navy's Response:

The Navy is still evaluating the conditions at the site to determine the extent of any remedial actions needed for offshore sediment. These evaluations include reevaluation of existing data, as well as collection of new data before and after soil removal actions. The variability described above is one factor that contributed to Navy's conclusion that active remediation of the sediments is not warranted. Variability can be related to the nature of ocean sediments (moving with tides and storm events) and with what is known as heterogeneity. The continued monitoring effort will go on through 2004 and 2005 (contingent on work plan approval), while the soil removal is planned in two stages. The first stage is to remove the known soil mounds on site in 2004. For stage one, the exact amount of soil needing removal is evident since it is well known that the soil mounds were created when the original fire fighting training operation were terminated. The larger of the two removal actions, the second stage, will remove the subsurface soil contamination in 2005.

6. The Navy has proposed that the sediment be monitored after the soil removal action is completed to see if cleanup goals will eventually be reached as an alternative to concurrent soil and sediment removal. How does the Navy propose to determine whether cleanup goals have been met? What would be the scope of the sampling (frequency, locations, parameters)? What levels/trends would be considered to meet remediation goals?

Navy's Response:

Sediment results from current and past sampling efforts continue to be compared with remediation goals provided in the Feasibility Study Report (September 2002). Additionally, these results are shared with USEPA and RIDEM for continuing discussions on whether these sediments will require removal. The Sediment and Groundwater Monitoring Draft Work Plan soon to be released for this site will address the scope of the sampling efforts. The findings will be used to make a determination of what follow-on actions are necessary.

Name:
Mr. David W. Brown

Comments:

I appreciate the facts sheets, displays, briefings and study reports that the Navy has provided on OFFTA over the past two years. It is good that NSN intends to go ahead with this part of the OFFTA cleanup as soon as possible. But I have the following concerns:

1. In using just the three criteria and choosing Alt. 3 (removal and disposal) over Alt. 2 (removal, treatment, backfill), the Navy has ignored the negative long-term community and area effects ("external social costs").

   The Navy has chosen the cheapest way to meet cleanup standards from the standpoint of its own "out-of-pocket" costs, but it has not included indirect costs to the public, both tangible and

intangible. From the community externalities standpoint, Alt. 3 is likely to be worse than Alt. 2 in at least the following ways:

a) More exposure of people along the truck routes to dust, engine emissions, and noise from hauling more tons of contaminated stuff away.
b) More wear-and-tear on the roads and bridges that the trucks use.
c) Quicker fill-up of the landfills where the stuff is dumped, and needs for our region to find other, more costly ways to dispose of waste sooner.
d) Possible need eventually to clean up more OFFTA material at the dumping sites, if people-intensive land uses there are eventually sought.
e) Possible added human health and ecological risks near the dumping sites from having more OFFTA material there.

The only "social" pluses I can think of for Alt. 3 are that f) more work for local truckers and drivers will be generated and g) by having a few months' quicker access to OFFTA, NSN may generate a few more jobs sooner.

An argument that you have used "standard procedures" won't hold. As good environmental economics and benefit-cost references will tell you, sound comparisons will "internalize" such externalities into the analysis. Or at least, a tradeoff framework should be used to weight the Navy's costs and benefits against these other important society-wide considerations.

To put it another way, I don't think that citizens here want to be party to messing up the life qualities, safety and environment of people elsewhere, just to clean up our own backyard the cheapest way. So I am calling for the above kinds of "external" issues and concerns to be given full consideration by the Navy, regulatory agencies and others involved before choosing Alt. 3.

Navy's Response:

The Navy considers these types of indirect "social" costs to the extent possible in evaluating remedial options. The Navy agrees that the external social cost concerns mentioned above are valid for any removal action project that removes contaminated soil from a site and transports it to a permitted landfill disposal facility, and as such are taken into consideration when doing comparisons. However, fiscal reality dictates that it must also give great weight to the bottom line "out-of-pocket" costs in order to maximize the environmental cleanup benefits across all of the Navy sites. The Navy has a finite budget to divide among the many needed investigation and remediation projects under its jurisdiction. Therefore every extra dollar spent on one project is a dollar diverted from another project. The social costs of alternative 3 identified above must be weighed not simply against the direct and indirect costs of alternative 2, but also against the human and environmental costs of not using the $5,000,000 cost difference to fund the cleanup of another site.

2. Why have the estimated cost and time advantages of Alt. 3 become greater than before?

Earlier drafts of remedial alternatives talked in terms of $8 million for Alt. 3 vs. $12 million for Alt. 2. Now it's $9 million vs. $14 million. And even more striking, while it was formerly 4-6 months vs. 6-8 months, now it's 6 months vs. 2 years. What justified these big comparative changes from earlier estimates?

Navy's Response:

The alternatives and associated estimates provided in the Draft Feasibility Study were revised based on review of the draft document. This is not uncommon, and indeed the purpose of the peer review of the documents is to assure that all the efforts associated with the projects have been properly thought out.

Several factors contributed to the increased cost estimates. Costs for both alternatives increased because the conversion factor for the number of tons per cubic yard of soil to be removed was revised

from approximately 1.2 to 1.5, increasing the estimated tonnage to be removed and increasing all costs estimated on unit-tons (transport costs, disposal costs, backfill costs, etc.). Additionally, estimated sampling costs increased for both alternatives because the number of confirmation samples to be collected after excavation was increased, and the frequency of testing soil to be disposed of was increased. For alternative 2, additional costs were included for more post-treatment confirmation analysis, and pilot testing of the treatment process.

The schedules for both Alternatives 2 and 3 were revised to be more complete. Both schedules were revised to include time for mobilization and demobilization, instead of only including the earthmoving operations. The schedule for Alternative 2 was revised to include pilot testing efforts, and to increase the time for treatment on site because the treatment time in the draft schedule was judged to be too short to achieve the cleanup goals.

3. If you go ahead with Alt. 3,
   a) Can you demonstrate that the Navy is taking precautions to minimize negative social (community and area) impacts? E.g. why not barge the stuff away instead of trucking it?
   b) If there some social damages (like medical problems from truck pollution or ruined roads), is the Navy prepared to compensate for the damages without hassle or delay?

Navy's Response:

During the design of the soil cleanup, the Navy will evaluate various means of minimizing potential impacts to the surrounding community and environment. Alternate transportation methods, transportation routes, hauling schedules, use of covered and sealed hauling containers, dust control methods; and air monitoring will be evaluated to develop an implementable, cost effective plan that minimizes negative impacts to the community and environment.

The Navy has conducted remedial actions of this scale at Naval Station Newport and other bases taking appropriate precautions to not damage people's health or the local infrastructure. The Navy anticipates that the proposed cleanup can be carried out in a safe manner and with minimal disruptive activities to the surrounding community. If the Navy causes any damage as a result of the cleanup, the Navy will work with the community to remedy the damage.

4. Re the off-shore sediment, I'm disappointed that the Navy isn't going ahead with the off-shore cleanup now. But it's heartening to learn that the Navy wants to reach agreement with EPA and RIDEM in coming months. What are the remaining issues, who will take the next negotiating step, and when?

Navy's Response:

The Navy does not believe that remedial action is warranted for the offshore sediment because the current data does not consistently show a connection between the contaminants in the sediment and the contaminants on the site. The sediment contaminants appear to be more closely related to urban runoff and storm water pollutants than the oils that are present in the soil at the site. RIDEM and EPA disagree with the Navy's conclusions about the need for active remediation of the sediment, but have agreed to postpone the final offshore decision. The Navy will collect additional offshore data and further evaluate the extent of any additional actions needed for sediment. The Navy is scheduling meetings with the regulators to continue to discuss the technical differences. The next steps are completing and reaching agreement on future monitoring efforts.

5. Re the groundwater, can't the Navy do better than just monitor before/after outflows? Why not make improvements in surface and subsurface drainage for that whole part of the Island as an integral part of the soil cleanup (e.g., drainage from the new "temporary" parking lot on part of OFFTA)?

Navy's Response:

The Navy has installed upgrades including pollutant capture system to the storm drain system that discharges to the north portion of the site. Additional improvements are being considered for the second storm drain system at the site, and would be included in the second stage soil removal action.

Name:
Ms. Nathaya Johnson

Comment:
This is an issue that shouldn't even be talked about anymore! This project should have started and been in the works a long time ago. Now they're talking about more delays? More delays to begin to right the wrong to the environment? Delays such as that tend to contradict the very standards which certain organizations were set up for originally. These organizations were set up to take action, not bog down and delay. That having been said, let me just say that we'd better start the cleanup of this project in order to better the environment.

Navy's Response:
The Navy supports starting the cleanups this fiscal year. With that in mind the Navy scheduled the soil removal action in two stages. The first stage is the soil mound removals in 2004 and the second stage is the removal of the contaminated subsurface soil in 2005.

Name:
Mr. Michael Anderson

Comment:
I say why spend more money on further testing. Enough testing has already been done! They know there are "hot spots". We all know about "hot spots". They won't go away no matter how long we delay this thing, obviously. So waiting any longer is definitely not the answer. Let's let the Navy do what they propose. Their proposal is right and just. Their intent mean this important work will start soon.

Navy's Response:
Your comment has been added to the responsiveness summary, thank you.

Name:
Mr. Erasmo Garcia

Comment:
I think the Navy's ideas about cleaning up this site is definitely a good proposal and the right thing to do rather than waste further time on doing nothing. The longer this is allowed to go on for, the more time is ultimately wasted resulting in the environment being unimproved longer. Let's stop all the red tape and start cleaning up this land!

Navy's Response:
Your comment has been added to the responsiveness summary, thank you.

Name:
Mr. John Anderson

Comment:
The Navy should be allowed to begin a cleanup project without much further ado. These considerations have been going on way too long and too much government money is being wasted as it is! The Navy's proposal would mean an environmental improvement ultimately, therefore, there should be no entity getting in the way of that mission. There is no good sound reason not to begin hands-on work to rectify this problem that has apparently been allowed to go on long enough!

Navy's Response:
Your comment has been added to the responsiveness summary, thank you.

Name:
Mr. William Weikert

Comment:
Plain and simple. Let's begin the work and solve any problems that may come up as we go along. We know what we're in for here. Every project has potential problems unforeseen that may arise. That's no excuse to not clean up the environment. We as taxpayers deserve to see our hard-earned tax money spent on solving problems, cleaning up the planet, and good causes as such. So let's get to it and do it. Wasting our money on red-taped delays is not the way to solve issues. We need to take action, begin the work, get it done and move on to the many other important issues that concern us all in our daily lives.

Navy's Response:
The Navy supports starting the cleanups this fiscal year. With that in mind the Navy scheduled the soil removal action in two stages. The first stage is the soil mound removals in 2004 and the second stage is the removal of the contaminated subsurface soil in 2005.

Name:
Mr. Manual Marquis

Comment:
I am well aware of this proposal through my attendance at the rab meetings. I am very much in favor of the Navy's proposal for remediation to commence as soon as possible.

Navy's Response:
Your comment has been added to the responsiveness summary, thank you.

Name:
Mr. Victor Peabody

Comment:
The way I see it is, why wait any longer, why spend more money than we have to, why procrastinate the cleanup of this problem? Let's stop dilly-dallying and start taking action. No action is not better than taking physical steps to rectify the situation here. We could begin the work and then, if we ran into a problem, solve the problems as we go along instead of anticipating a problem that may not exist therefore delaying the important work in the meantime.

Navy's Response:
Your comment has been added to the responsiveness summary, thank you.