



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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

RE: Tank Farm # 4, Naval Education and Training Center, Newport, Rhode Island

Dear Mr. Shaffer,

As you are aware there have been a number of discussions concerning the demolition of the underground storage tanks at Tank Farm # 4. Based upon the content of these discussions, the Office feels that it is necessary to document the Office's involvement in the project.

The Navy previously petitioned the State for a waiver from the UST closure requirements. The Navy requested that they be allowed to reballast the tanks with water as opposed to demolishing the tanks in place. The Navy indicated that demolition of said tanks would be costly and would involve monies that could be spent on other projects. In addition, the Navy argued that destroying the tanks prior to the completion of the remedial investigation may compound the environmental problems at the farms. In that, an upgradient plume might contaminate the clean fill placed in the tanks, and the partially destroyed tanks would hinder contamination migration. Both processes would potentially increase the remediation time and cost associated with any remedial activity conducted at the site. In subsequent meetings and discussions the Navy reiterate its position that demolition of the tanks was not warranted and would potentially interfere with any remedial action conducted at the site. Based upon these technical arguments, the State, in December of 1993, granted the Navy a waiver from normal tank closure requirements. This waiver bestowed permanent closure of the reballasted tanks. Subsequently, all of the tanks in Tank Farm # 5 were cleaned and reballasted with water.

During a meeting held early in 1996 the Navy indicated that it planned to demolish the underground storage tanks at Tank Farm # 4. This represented a significant deviation from the Navy's previous position concerning the deposition of these tanks. At this meeting this Office questioned the technical merit of the Navy's position, citing the Navy's own previous technical concerns. In addition, this Office indicated that demolition of the tanks might limit the Navy's ability to excise the land, in that this action might prolong or hinder remedial activities at the site. Furthermore, it was noted that if the tanks and or soil/groundwater at the site were not clean the area would still be subject to the State's Remediation and Underground Storage Tanks Regulations.

On 12 June 1996 the Navy submitted a Cleaning Work Plan for the remediation of the interior of the tanks in the tank farm. The Cleaning Work Plan did not include a plan for the demolition of the tanks. Conditional approval of this plan was granted on 24 July 1996, pending submission of a demolition plan. At that time the Office indicated that should the Navy elect to demolish the tanks, sampling of the interior of these structures would be required. Throughout the cleaning process the Office requested that the Navy submit the interior sampling plan so that the project could stay on schedule. To meet this goal, the State took other actions similar to that taken at Tank Farm # 5, such as allowing work to continue without a submitted Work Plan, (this action normally would have resulted in a cessation of activities at the site), expediting the wetland review of the project, reducing the notification requirements for inspections, conducting inspections under hazardous conditions, (improper ventilation, flooded tanks, tanks containing caustic solutions), etc. In addition, at several occasions the group of State inspectors arrived at the site at the appointed time and were unable to perform the inspections as the tanks were not ready. As you are aware, throughout this time period the State also continued to raise concerns with respect to the demolishing of the tanks, and the affects that this action would have on any soil or groundwater investigation and or remediation.

On 7 November 1996 DEM reminded the Navy in writing that they had not submitted a demolition plan and that interior sampling of the tanks would be required. On 24 December 1996, after a number of the tanks had been cleaned, the Navy submitted a Work Plan for the demolition of the tanks. The State immediately raised aforementioned concerns with respect to the effects of said plan. In addition to the previous concerns, the Plan raised new issues as it called for the use of soil, which potentially contained sludge pits, as backfill for the demolished structures. The State held a series of meetings with the Navy in an attempt to resolve outstanding technical issues. In a draft letter release to the Navy on 4 February 1997, (see Attachment) the State expressed these concerns in writing. In an effort to resolve the problem the State continued to work with the Navy on sampling technical issues. To this end the State took such measures as researching the appropriate sampling collection techniques and analytic requirements. The Navy and the State have worked together and has resolved the last of the remaining sampling technical issues. Accordingly the final Sampling Work Plan was submitted on 29 May 1997, Office approval of this plan was granted on 4 June 1997.

As previously stated, during the meeting held early in 1996 the State raised concerns with respect to the potential effects that demolition of the tanks would have on soil/groundwater remediation at this site. In subsequent meetings and telephone discussions the Office repeatedly r it rated its concerns. Specifically, the Office feels that, in order to avoid aforementioned environmental problems the tanks should be reballasted with water or sand until all of the remedial investigations had been completed at the site. At that point demolition could proceed if the results from the remedial investigations/feasibility studies indicated that such an action would not interfere with remediation in the area.

The Office is aware that the Navy intends to demolish the tanks at Tank Farm # 4. As stated, the Office feels that all investigations should be completed prior to the demolition of the tanks. Please be advised that should the Navy proceed with the demolition of the tanks, prior to the completion of all of the investigations, the Navy will bear all responsibility and risk associated with this action. In that any complications, or increased cost associated with the remedial investigation and any remedial actions at the site due to the demolition of the tanks will have to be addressed by the Navy. The Navy will not be able to use technical impracticability, economic cost analysis, or other factors to relinquish itself from any remedial investigation or remedial activity. In addition, the Office will not support the reallocations of funds from other sites at this

base to cover increase aforementioned cost associated with actions at the tank farm. To this end the Office recommends that the Navy take the appropriate budgetary actions. Furthermore, the Office request that the Navy acknowledge in writing that they bear full responsibility for this action and will not use technical impracticability, economic cost, etc associated with this action to avoid or reduce their remedial obligations at this site or adversely affect funding at other sites. Finally, be advised that demolition of the tanks will not relieve the Navy of any regulatory requirements under the UST/LUST and Site Remediation regulations. In addition, actions taken at this site cannot serve as precedent for the other tank farms.

Please contact this office at 401-277-3872 ext. 7111 if you have any questions concerning this matter.

Sincerely,



Paul Kulpa, Project Manager
Office of Waste Management

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