

File: 1703-3.1

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DEPARTMENT OF THE NAVY

NORTHERN DIVISION  
NAVAL FACILITIES ENGINEERING COMMAND  
10 INDUSTRIAL HIGHWAY  
MAIL STOP, #82  
LESTER, PA 19113-2090

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Ser 2446/1823/DEC

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HALLIBURTON NUS  
ENVIRONMENTAL CORPORATION  
WILMINGTON, MA 01887

Ms. Kymberlee Keckler  
Remedial Project Manager  
U.S. Environmental Protection Agency  
Region I  
JFK Federal Building  
Boston, MA 02203-2211

Mr. Paul Kulpa  
State of Rhode Island and Providence Plantations  
Department of Environmental Management  
Division of Site Remediation  
291 Promenade Street  
Providence, RI 02908-5767

Re: STUDY AREA SCREENING EVALUATION OF DERECKTOR SHIPYARD  
UNDER THE FEDERAL FACILITIES AGREEMENT FOR THE NAVAL  
EDUCATION AND TRAINING CENTER (NETC) NEWPORT, RI

Dear Ms. Keckler and Mr. Kulpa:

Section 31 of the NETC Newport Federal Facility Agreement (FFA) includes the provision and procedures for adding a study area to the FFA after the effective date of the agreement. The initial steps outlined in Paragraphs 31.2 and 31.3 which allow a Party to propose a new study area and a time period for concurrence have occurred through correspondence between EPA Region I and the Navy. Enclosures (1) and (2) provide the letters which add the "Derecktor Shipyard" site to the NETC Newport FFA.

Paragraphs 31.5 and 31.6 of the FFA then outline the procedures for initiating the Study Area Screening Evaluation (SASE) for the new site, Derecktor Shipyard, which consists of the Navy submitting a SASE Work Plan and a timetable for the completion of the workplan.

Investigations for Derecktor Shipyard will be separated into two separate studies. The first study is an "On-Shore" Study Area Screening Evaluation which will concentrate activities on the land based aspects of Derecktor Shipyard to determine the existence or absence of a threat, or potential threat, to human health and the environment. The "On-Shore" SASE Work Plan was developed from the findings in the Preliminary Site Assessment (May 1993) as well as current conditions. The second study is an Ecological Risk Assessment for the Coddington Cove area which will assess impacts on the marine environment from Derecktor Shipyard.

Enclosed are four copies of the "On-Shore" SASE Work Plan for review in accordance with Paragraph 7.3 of the FFA. A timetable for completion of the workplan is provided in Attachment A.

The Ecological Risk Assessment Work Plan was submitted on March 24, 1995 and is entitled "Draft Final Work/Quality Assurance Project Plan - Narragansett Bay Ecorisk and Monitoring for Navy Sites" with Addendum B the plan for the offshore ecological risk assessment for Derektor Shipyard. A timetable for the completion of this workplan is provided in Attachment B.

Upon acceptance of the timetables provided in Attachments A and B in accordance with Paragraph 31.6, the finalized schedules can be incorporated into the agreement and the deadlines published by EPA.

If there are any questions, please feel free to contact me at (610) 595-0567 extension 147.

Sincerely,

*Deborah Carlson*

D. E. CARLSON  
Remedial Project Manager  
By direction of the Commanding Officer

Encls: (1) Letter from USEPA Region I to Northern Division dated October 22, 1992  
(2) Letter from Northern Division to USEPA Region I dated November 30, 1992 entitled "Addition of Derektor Shipyard as a Study Area under the Federal Facilities Agreement (FFA) for Naval Education and Training Center (NETC) Newport RI"

Copy to:  
NETC Newport, (B. Wheeler) (4 copies)  
NOAA (K. Finkelstein) (1 copy)  
USFW (T. Prior) (1 copy)

Internal Copies to:

Code 182

Code 1823

Code 1823/DC

Code 1822/TB

Code 09C/KH

Team C1/DJ

**ATTACHMENT A**

**DERECKTOR SHIPYARD "ON-SHORE" SASE SCHEDULE  
AS OF APRIL 3, 1995**

<b>ACTIONS</b>	<b>DURATION (DAYS)</b>	<b>SCHEDULED START DATE</b>	<b>SCHEDULED FINISH DATE</b>
Submit Draft SASE Work Plan	0	05-Apr-95	05-Apr-95
Regulatory Review and Comment	45	05-Apr-95	20-May-95
Navy Response to Comments	45	20-May-95	04-Jul-95
Submit Draft Final SASE Work Plan	45	04-Jul-95	18-Aug-95
Ltr of Concurrence/Dispute Resolution	30	18-Aug-95	17-Sep-95
Submit Final SASE Work Plan	30	17-Sep-95	17-Oct-95
Fieldwork / Analysis / Report Prep	150	17-Oct-95	15-Mar-96
Submit Draft SASE Report	0	15-Mar-96	15-Mar-96
Regulatory Review and Comment	45	15-Mar-96	29-Apr-96
Navy Response to Comments	45	29-Apr-96	13-Jun-96
Submit Draft Final SASE Report	45	13-Jun-96	28-Jul-96
Ltr of Concurrence/Dispute Resolution	30	28-Jul-96	27-Aug-96
Submit Final SASE Report	30	27-Aug-96	26-Sep-96

**ATTACHMENT B**

**DERECKTOR SHIPYARD ECOLOGICAL RISK ASSESSMENT SCHEDULE  
AS OF APRIL 3, 1995**

<b>ACTIONS</b>	<b>DURATION (DAYS)</b>	<b>SCHEDULED START DATE</b>	<b>SCHEDULED FINISH DATE</b>
Submit Draft ERA Field Sampling Plan (Addenda B of Master Work Plan)	0	29-Mar-95	29-Mar-95
Regulatory Review and Comment	45	29-Mar-95	13-May-95
Navy Response to Comments	45	13-May-95	27-Jun-95
Submit Draft Final ERA Field Sampling Plan	45	27-Jun-95	11-Aug-95
Ltr of Concurrence/Dispute Resolution	30	11-Aug-95	10-Sep-95
Submit Final ERA Field Sampling Plan	30	10-Sep-95	10-Oct-95
Fieldwork / Analysis / Report Prep	150	10-Oct-95	08-Mar-96
Submit Draft ERA Report	0	08-Mar-96	08-Mar-96
Regulatory Review and Comment	45	08-Mar-96	22-Apr-96
Navy Response to Comments	45	22-Apr-96	06-Jun-96
Submit Draft Final ERA Report	45	06-Jun-96	21-Jul-96
Ltr of Concurrence/Dispute Resolution	30	21-Jul-96	20-Aug-96
Submit Final ERA Report	30	20-Aug-96	19-Sep-96



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NORTHERN DIVISION  
NAVAL FACILITIES ENGINEERING COMMAND  
10 INDUSTRIAL HIGHWAY  
MAIL STOP, #82  
LESTER, PA 19113-2090

IN REPLY REFER TO

*Send Federal Agreement*

5090  
Ser. 1771/1823/FL

NOV 30 1992

Ms Carol A. Keating (HAN-CAN1)  
Remedial Project Manager  
U.S. EPA Region I  
JFK Federal Building  
Boston, MA. 02203-2211

Re: ADDITION OF DERECKTOR SHIPYARD AS A STUDY AREA UNDER THE  
FEDERAL FACILITIES AGREEMENT (FFA) FOR NAVAL EDUCATION  
TRAINING CENTER (NETC), NEWPORT RI

Dear Ms. Keating:

On October 28, 1992 the Navy received your notification letter dated October 22, 1992 proposing that the area known as the "Derecktor shipyard" be added to the Federal Facilities Agreement as a study area.

The Navy leased 41.35 acres of land and improvements to the Rhode Island Port Authority (RIPA) at NETC Newport. RIPA in turn subleased the site to Robert E. Derecktor for a shipbuilding facility. Derecktor filed suit for Chapter 11 bankruptcy in January 1992. The lease with RIPA has been modified; the area reduced to 17 acres, the termination date is 30 April 1994. The remainder of the property, which was formerly subleased to Derecktor (24.35 acres), will be taken back by the Navy.

The Navy is in agreement that the "Derecktor shipyard" be added as a study area to NETC FFA based on the fact that Derecktor has been cited for past violations of environmental rules and regulations.

The Navy being concerned that past operations at Derecktor shipyard may pose a potential risk to human health and the environment will award in December 1992 a contract for the performance of an environmental site assessment. The results of this investigation will be used to assess the need to perform further environmental investigation at the site. A report will be prepared which will include an interpretation of the past and present environmental conditions of the property and recommendations if required for further sampling and analysis of specific areas within the site. The draft site assessment report



is planned to be completed by February 1993. The recommendations from this report will be used to prepare a detailed sampling and analysis study area work plan, if required.

If you have any questions or concerns, please feel free to contact me at (215) 595-0567.

Sincerely,



for F. A. LA GRECA  
Remedial Project Manager  
By direction of the Commanding Officer

Copy to:

Ms. Rachel Marino, NETC Newport  
Mr. Paul Kulpa, RIDEM

Internal copy:

1823  
1822TB  
CDR Doherty, MA/RI/CT Team Leader C1



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

J.F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203-2211

October 22, 1992

Received  
10-28-92

Francisco LaGreca  
U.S. Department of the Navy  
Northern Division  
10 Industrial Highway  
Code 1823 - Mail Stop 82  
Lester, PA 19113-2090

Dear Mr. LaGreca:

Pursuant to Section 31.2 of the Naval Education and Training Center (NETC Newport) Federal Facility Agreement (FFA), EPA has determined that the area known as the "Derecktor shipyard" should be added to the FFA as a study area for the reasons discussed below.

According to a May 11, 1992 letter from Capt. A.T. Pringle of NETC Newport to Thomas Getz of the Rhode Island Department of Environmental Management (RIDEM), the Navy leases a portion of NETC Newport to the Rhode Island Port Authority and Economic Development Corporation (RIPA). The RIPA subleases the property to Robert E. Derecktor of Rhode Island, Inc. (Derecktor), who has reportedly operated a shipyard on the property for the past 14 years. EPA has recently learned that the sublease with Derecktor has been terminated by the RIPA and that the Navy will be reclaiming the 41 acres vacated by the shipyard's departure. As stated in Captain Pringle's above mentioned letter, this subleased property is part of the NETC "Superfund" site which is covered by the FFA for NETC Newport. Based on results of RCRA inspections that have been conducted over the past several years by the State of Rhode Island and EPA and Mr. Derecktor's history of noncompliance with environmental protection rules and regulations, it is believed that releases of hazardous substances have occurred in the shipyard area which pose a potential risk to human health and the environment.

Per my telephone conversation with Rachel Marino of NETC, the Commanding Officer of NETC requested that an "environmental baseline assessment" be conducted of the shipyard area to determine the presence and nature of contamination, to assess the presence of any hazardous substances, to determine the nature of any materials disposed, and to evaluate the potential for releases of contamination in the future. Although EPA originally intended to refrain from rendering any decision with regard to the addition of this site as a Study Area under the FFA until the completion of an environmental assessment, further review of RCRA site inspection reports and discussions with EPA's Massachusetts and Rhode Island Waste Regulation Section suggest that a Study Area Screening Evaluation (SASE) should be conducted as soon as possible to determine whether the shipyard area does in fact present a threat to human health and the environment.



Pursuant to Section 31.3 of the FFA, the Navy, RIDEM, and EPA shall have thirty (30) days from the date of receipt of this notification to agree whether this site shall be addressed under the FFA as a study area. In the event that an agreement as to whether this area should be addressed under the Agreement cannot be reached within the thirty day timeframe, the issue shall be elevated for dispute resolution.

Should you have any questions in regard to the above, please do not hesitate to contact me.

Sincerely,

*Carol A. Keating*

Carol A. Keating  
Remedial Project Manager  
Federal Facilities Superfund Section

cc: Mr. Paul Kulpa, RIDEM  
Ms. Rachel Marino, NETC Newport  
Mr. Bob DiBiccaro, EPA ORC