



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

3 August 2010

Winoma Johnson, P.E.  
NAVFAC MIDLANT (Code OPTE3)  
Environmental Restoration  
Building Z-144, Room 109  
9742 Maryland Avenue  
Norfolk, VA 23511-3095

RE: Technical Memorandum-Monitored Natural Recovery at Site 19, Former Derecktor Shipyard, Naval Station Newport, Newport, Rhode Island

Dear Ms. Johnson:

The Office of Waste Management at the Rhode Island Department of Environmental Management has conducted a review of the *Technical Memorandum-Monitored Natural Recovery at Site 19*, dated 16 June 2010 for the Marine Portions of the Former Derecktor Shipyard, Naval Station Newport, located in Newport, Rhode Island. As a result of this review, this Office has generated the attached comments on the *Technical Memorandum-Monitored Natural Recovery at Site 19*.

Please be advised that this Office has serious concerns with this memorandum in its current form. It includes numerous misleading or unsubstantiated statements this Office regards as a thinly veiled attempt to evade any site condition not conducive to MNR. This Office hopes our comments contained here in will spur a more inclusive and candid look at what site conditions are and what data gaps we have. Until that is accomplished, this Office will continue to have reservations with this course of action.

If you have any questions, in regards to this letter, please contact me at (401) 222-2797, extension 7148 or by e-mail at [gary.jablonski@dem.ri.gov](mailto:gary.jablonski@dem.ri.gov).

Sincerely,

Gary Jablonski, Principal Engineer  
Office of Waste Management

cc: Matthew DeStefano, RIDEM  
Richard Gottlieb, RIDEM  
Kymberlee Keckler, USEPA Region I  
Cornelia Mueller, NETC, Newport, RI  
Stephen Parker, Tetra Tech

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NAVSTA Newport, Newport, RI

**Office of Waste Management's Comments:**

**1. Page 1, Section 1. Introduction; bullet 1.**

*"MNR is the remedy that is most protective of human health and environment at this site."*

MNR has not been fully and properly characterized for this Site. Please remove the above sentence from the memorandum, as it has very little basis.

**2. Page 1, Section 1. Introduction; bullet 2.**

*"The low-level contamination, ...poses little or no human health or environmental risk at Site 19.*

As stated in the Ecological Risk Assessment performed for Site 19, there are also high risk locations and intermediate risk locations. In regards to human health risk, the level of the benzo(a)pyrene was found at levels up to eighty seven times the hazard quotient. Please correct the sentence above or delete from the memorandum.

**3. Page 1, Section 2 MNR – The Most Protective Option; 1<sup>st</sup> and 2<sup>nd</sup> paragraphs.**

The Navy states in this section that MNR has been noted in the record for some time by giving 3 examples of review comments made from NOAA and EPA. However, the Navy fails to state that this alternative has never been described in any detail nor discussed in any length with any of the regulators during any meetings with supporting meeting notes or in any one of the Draft FSs prepared for this Site. Please remove the first and second paragraph from this memorandum.

**4. Page 2, Section 2 MNR – The Most Protective Option; last paragraph.**

This Office disagrees with the conclusion of the ineffectiveness of dredging at sites with low-level contamination. Please refer to Comment 2 mentioned above in regards to the "low-level of contamination" at this Site. Also, there are many success stories of dredging contamination in sediments at Sites which have been properly characterized and dredged. McAllister Point Landfill, located on this same Navy Base, was considered a successful dredging project and the contamination found in the sediment at this Site are similar in many respects to those at McAllister. Please delete the 3<sup>rd</sup> paragraph from this memorandum.

**5. Page 3, Section 3 Site 19 – A Low-Risk Site; 1<sup>st</sup> sentence.**

*"The risk assessment ...poses little or no risk to human health or environment:"*

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Please refer to Comment 2 mentioned above.

**6. Page 3, Section 3 Site 19 – A Low-Risk Site; 1<sup>st</sup> bullet.**

*“The primary chemical contributing to exposure to shellfish and sediment is arsenic, which is attributed to high levels in natural soils in the area, not to site activities.”*

As you are aware of, arsenic was historically used in wood preservatives, agricultural pesticides, and found in residuals from burning of fossil fuels. All three of these activities were performed at this Navy Station at some time during its operation. Further more, arsenic was not the primary risk driver at the Site, benzo(a)pyrene was. Please delete the following statement from the memorandum, *“which is attributed to high levels in natural soils in the area”*. This statement is not backed up with sufficient data to make such a leap.

**7. Page 3, Section 3 Site 19 – A Low-Risk Site; last sentence.**

*“Conversely, dredging is likely to be highly disruptive event at this site, disturbing years or decades of burial and other processes that have led to the current low-risk scenario.”*

Please refer to Comment 2 mentioned above in regards to the low-risk scenario. Also, given the fact that the Navy just moved the Aircraft Carrier Forrestal at Pier 1 and the use of Pier 2 for other large Navy vessels like the Seay, which was just located at Pier 1 and left a month later, are considered by this Office as highly disruptive events that have just occurred. Please revise the language *“disturbing years or decades of burial”* in the text in the memorandum.

**8. Page 3, Section 4 Indicators of MNR at Site 19; 2<sup>nd</sup> paragraph.**

Please refer to Comments 2 and 7 mentioned above.

**9. Page 5, Section 4.0 EPA’s Eight Key Points for considering MNR; 1<sup>st</sup> bullet.**

*“It is the Navy’s belief that source control for site 19 CERCLA contaminants is complete.”*

Pursuant to the Management Meeting held on 21 July 2010, both EPA and RIDEM do not agree with this statement. In order to avoid any confusion in the future to any outside readers, please delete the above sentence from the memorandum.

**10. Page 5, Section 4.0 EPA’s Eight Key Points for considering MNR; 3<sup>rd</sup> bullet.**

*“Site specific data have been collected over a period of 9 years...shows a decrease in contamination concentration...”*

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At many sediment sampling stations only one round of analysis was conducted for a particular group of analytes and at other stations two rounds were collected. It is not possible to establish any trends on one or two data points therefore please revise the above sentence from the memorandum.

**11. Page 6, Section 4.0 EPA's Eight Key Points for considering MNR; last bullet.**

*Source control is considered by the Navy to be achieved at this site. Experience at other sites indicates that active sediment remediation such as dredging is best suited for true hot spots of sediment contamination, which have not been found at this site to date."*

Please refer to Comments 2, 7, and 9 mentioned above.