



**STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**



**BUREAU OF WATER MANAGEMENT  
PERMITTING, ENFORCEMENT & REMEDIATION DIVISION  
FEDERAL REMEDIATION PROGRAM**

October 17, 1997

Mr. Mark Evans  
U.S. Department of the Navy  
Northern Division, Naval Facilities Engineering Command, Code 1823  
10 Industrial Way, Mail Stop 82  
Lester, PA 19113-2090

Re: State Comments Regarding Proposed Plan for Site 6- Defense Reutilization and Marketing Office, Naval Submarine Base New London, Groton, Connecticut

Dear Mr. Evans:

The Department has received and reviewed the Proposed Plan for the Defense Reutilization and Marketing Office at the Naval Submarine Base New London in Groton. The Proposed Plan was dated September 1997.

The preferred alternative being presented by the Navy in the Proposed Plan for the Defense Reutilization and Marketing Office consists of five elements: 1) Continued maintenance of the existing cap 2) Land use restrictions that would limit future development 3) Fencing and notices posted on the site perimeter, 4) Long- term monitoring of contaminants in groundwater, and if required, in surface water and sediment , and 5) Five- year reviews. The State supports the Proposed Plan as presented.

The State offers the following comments.

While the State believes the proposed remedy will satisfy the requirements of the Remediation Standard Regulations, we would prefer a more permanent remedy involving excavation of contaminated materials. Polluted soil with substances exceeding the pollutant mobility and direct exposure criteria remains on the site. The numeric direct exposure and pollutant mobility criteria, which are contained in Appendices A and B, respectively, of the Regulations, do not apply to these soils, by virtue of the location of the soils with respect to permanent structures, pavement, and the water table at the site, as described below.

**Direct Exposure Criteria**

The numeric direct exposure criteria (Appendix A to the Regulations) do not apply to soils that are inaccessible, as defined in the Regulations. Inaccessible soil is defined in the Regulations as

**DRMO Proposed Plan State Comments**

**Page 2 of 3**

**October 17, 1997**

“polluted soil which is (A) more than four feet below the ground surface; (B) more than two feet below a paved surface comprised of a minimum of three inches of bituminous concrete or concrete, which two feet may include the depth of any material used as sub-base for the pavement; or (C)(i) beneath an existing building or (ii) beneath another existing permanent structure provided written notice that such structure will be used to prevent human contact with such soil has been provided to the Commissioner.” Section 22a-133k-2(b)(3) of the Regulations states in part that the direct exposure criteria do not apply to “inaccessible soil at a release area provided that if such inaccessible soil is less than 15 feet below the ground surface an environmental land use restriction is in effect with respect to the subject parcel or to the portion of such parcel containing such release area, which environmental land use restriction ensures that such soils will not be exposed as a result of excavation, demolition or other activities and that *any pavement which is necessary to render such soil inaccessible is maintained in good condition* unless and until such restriction is released in accordance with said section 22a-133q-1” (emphasis added).

To fully comply with the intent of the Regulations, the remedy must include institutional controls, and an inspection and maintenance program to ensure the continued integrity of the pavement that renders the soil inaccessible.

Since all of the remaining contaminated soil is either beneath the cap (a permanent structure designed to prevent human contact) or beneath pavement, this exemption is applicable, provided a regular inspection and maintenance program is put in place to ensure that the pavement and cap remain in good condition and institutional controls prevent damage to the cap which will prevent human contact with soil contaminated at levels exceeding the direct exposure criteria.

**Pollutant Mobility Criteria**

Section 22a-133k-2(c)(1) and (2) of the Regulations specifies that in an area with a ground water classification of GB, the pollutant mobility criteria apply to “soil above the seasonal high water table”. Because the soil with contaminants at levels exceeding the pollutant mobility criteria is located below the seasonal high water table, the numeric pollutant mobility criteria found in Appendix B to the Regulations do not apply.

**Interim Remedy**

The Navy, EPA, and the State previously agreed that this will be considered an interim status remedy since compliance with all ARARs has not yet been demonstrated. Further action may be required depending on the results of ground water monitoring. The Proposed Plan does not clearly identify the fact that this is an interim remedy. This fact should be clearly spelled out in the Record of Decision.

***DRMO Proposed Plan State Comments***

***Page 3 of 3***

***October 17, 1997***

It should also be stated clearly that the purpose of the ground water monitoring program is to evaluate the effectiveness of the interim remedy (cap) being selected and to provide data to determine whether contaminants migrating from the site pose an unacceptable threat to human health and the environment. If the monitoring program identifies such unacceptable threats, future actions to address those threats should not be limited only to the additional monitoring described in the proposed plan. We anticipate that the final Record of Decision for the DRMO will depend heavily on the results of ground water monitoring performed under the interim Record of Decision, and upon ground water investigations performed under the base wide ground water Operable Unit.

If you have any questions regarding this letter, please contact me at (860) 424-3768.

Sincerely,



Mark R. Lewis  
Senior Environmental Analyst  
Federal Remediation Program  
Permitting, Enforcement & Remediation Division  
Bureau of Water Management

cc: Kimberlee Keckler, US EPA New England, Federal Facilities Section  
Andy Stackpole, NSBNL Environmental Department  
Jack Looney, CT Attorney General's Office