

## MINUTES OF MEETING

**SUBJECT:** A/E Services for Feasibility Study/Design  
Services for Remediation of Hazardous Waste Site  
NSY, Portsmouth, Kittery, Maine

Northern Division  
Naval Facilities Engineering Command  
Building 77L, U.S. Naval Base  
Philadelphia, PA 19112-504

Contract N<sup>o</sup>: N62472-86-C-1283  
HART Project N<sup>o</sup>: AL005-01

**PURPOSE:** A "Task A" meeting with Navy Representatives was called by the Northern Division Project Manager (L. Resta) to discuss necessary steps required to meet the RFI Report submittal and April 1991 schedule or revisions to the schedule, if necessary.

**LOCATION:** Admiralty Village Conference Room  
Portsmouth Naval Shipyard  
Kittery, Maine

**DATE:** June 13, 1990  
June 14, 1990 (morning)

**PREPARED BY:** Stephen J. Myers, Vice President  
HART Project Director  
July 11, 1990



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ATTENDEES:

U.S. Navy

Captain Thomas Hagge, USN, Portsmouth Naval Shipyard  
Ken Plaistad, Portsmouth Naval Shipyard  
Jim Tayon, Portsmouth Naval Shipyard  
Linda Resta, Northern Division Project Manager  
Franco LaGreca, Northern Division Civil Engineer

Hart Environmental Management Corporation

Stephen Myers--Project Director  
Edward Kochem--Technical Project Manager  
Stephen Urschel--Technical Team Leader

BACKGROUND:

As of the meeting date, the Navy has submitted a response checklist (April 27, 1990) to EPA to the comments on the RFI Proposal. The RFI Proposal itself was not revised and resubmitted to EPA because the Navy felt it was preferable to discuss the resolution of the comments with EPA to minimize the revision cycles to the document. To date, EPA has been unable to finalize the RFI Proposal with the Navy due to project management shortages and, therefore, the RFI Proposal cannot be revised by HART or submitted by the Navy for EPA final approval. The Navy awaits EPA action.

In order to keep the project moving, the Navy authorized HART to proceed with a portion of the field work in the fall of 1989. On June 1, 1990, HART delivered the final report on the field work performed last fall. All work performed was knowingly performed by the Navy without having an EPA approved RFI Proposal, but was done to show the Navy's resolve to investigate this problem and make progress.

With the first portion of the field work complete and significant delays expected at EPA in ultimately approving the RFI Proposal, the Navy was concerned that the HSWA Corrective Action Schedule would be in jeopardy. That schedule, agreed to by EPA and the Navy, indicates an expected RFI Report completion date of April 1991. Although not part of the HSWA permit and contingent on other previous milestones, the schedule and any delays could be used to add to recent negative publicity the shipyard has received lately. The subject meeting was called to develop strategy and action steps in light of present circumstances that could show progress and then present that action plan to EPA and the State of Maine environmental representatives at a meeting on the following day (June 14, 1990).

DISCUSSION:

The following represents topics and discussion that occurred among the parties at the subject meeting:

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Captain Hagge opened the meeting by discussing the background related to the recent shipyard publicity, the HSWA schedule, delays at EPA and need for an action plan and associated schedule. Captain Hagge's theme was to develop an action plan that could be accomplished on a compressed schedule, that was technically sound and that showed that the Navy was prepared to "do the right thing". If in implementing the plan the Navy had to lead EPA then that would be the case. However, the meeting with EPA and the State of Maine on the following day would attempt to obtain as much concurrence as possible from the agencies. The Captain wanted progress to be shown and the Navy to be viewed as taking charge of its responsibilities.

It was agreed that an RFI Report with the PHERE and the MPS for both on-shore and off-shore portions of the work could not be accomplished by April 1991.

It was agreed that an "RFI Report (on-shore)" exclusive of the PHERE and MPS could be submitted by April 1991. The PHERE and MPS for the on-shore portion could be completed by November 1991. A revised schedule was prepared as a result of the discussion and is attached. No subsequent milestone dates were discussed. (The schedule was transmitted to EPA by Captain Hagge on June 15, 1990).

Performance of tasks in accordance with the revised schedule would require field work by HART during the 1990-1991 winter to complete two seasons of field work prior to April 1991 (i.e. summer 1990 and fall-winter 1990-1991). HART agreed that this could be accomplished but would require contingencies and possible procedural changes to meet winter condition needs.

To expedite the implementation of the next round of field work, Captain Hagge agreed to contact the appropriate contracting representatives to determine if a "unilateral authorization" could be implemented to allow HART to commence work on the latest tasks and negotiate the amendment to the contract in parallel. This action could potentially save 4-6 weeks of the prime field work season. All parties agreed that no additional work could be performed until the contract was amended. If a unilateral was possible, work could tentatively commence as early as July 15, 1990 with field work starting August 1, 1990.

Concern was raised by Linda Resta regarding the affect that EPA responding to the comment checklist would have on this program. All parties concurred that EPA's response would have to be taken into consideration, possibly revising the program. In addition, the time necessary to revise the RFI Proposal to include EPA comments could exceed the proposed 45 days (possibly as long as 90 days) if field work were underway. Agreement was also reached that field work that had been performed at the time the RFI Proposal was finalized for resubmittal would not be included in the document. This would avoid on-going iterations of the RFI Proposal. All field work efforts would be included in the RFI Report.

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Navy and HART representatives discussed Phase II field work. As a result of the meeting, the Navy finalized the scope of work for Amendment #6 to Appendix A of the contract. An RFP for Amendment #6 was issued on June 22, 1990.

Phase III field work was discussed and will be performed in the fall-winter of 1990-1991 to support preparation of the RFI Report (on-shore).

The schedule for Phases II and III were finalized and resulted in the schedule transmitted in the letter to EPA by Captain Hagge previously discussed.

All parties agreed that the bimonthly reports for field work will commence with the next phase of field work and be a bullet synopsis of the facts. Monthly frequency was agreed to in the February 27, 1990 Navy meeting (see minutes). Every other report will be a two-month synopsis for distribution to EPA.

HART agreed to collect all off-shore samples proposed in the workplan during the next phase of field work since equipment will already be available and mobilized. Reporting of results of analyses will not be done until the balance of the off-shore portion of the work is performed.

The Navy and HART discussed the cracked well collars from the field work performed in the fall of 1989. The Navy is of the opinion that the cracking is excessive even for the conditions that existed in the cold weather and should be HART's responsibility to repair. HART agreed to evaluate the situation during the next phase of field work and implement a repair plan acceptable to the Navy.

HART will evaluate locking flush-mounted well covers and the possibility of retrofitting existing wells.

cc: Attendees (5 copies to Northern Division Project Manager)

J. Balentine--HART  
M. Barbara--HART  
D. Anné--HART  
J. Greenberg--HART  
File--AL005-01

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DEPARTMENT OF THE NAVY  
PORTSMOUTH NAVAL SHIPYARD  
PORTSMOUTH, N. H. 03804-5000



IN REPLY REFER TO:  
9510  
SER 400/183

15 JUN 1990

Mary Jane O'Donnell  
U.S. Environmental Protection Agency  
Region I  
Waste Management Section  
J. F. Kennedy Federal Building  
Boston, MA 02203-2211

Dear Ms. O'Donnell:

Confirming our discussions here today with you, a representative from Maine DEP, representatives from Northern Division Naval Facilities Engineering Command, Hart Environmental Management Corporation and myself, our RCRA HSWA Permit "Corrective Action Schedule" requires revision/refinement. Attached is a revised schedule we are submitting for the RFI, PHERS, and MPS. In addition, the scope of our plan will be forwarded by Linda Renta by early next week.

As explained in our meeting, unless you object the Navy intends to proceed on with the second phase of field work this summer/fall in the absence of an approved RFI Proposal. Although there is some risk in proceeding, we interpret the phrase on Page 54 of the permit, "The absence of the EPA Project Coordinator shall not be cause for stoppage of work by the facility", to require us to proceed. Further, we have the contractual mechanisms in place and are strongly motivated to get on with the work.

Finally, because events beyond our control have forced the revision to the original schedule, we recommend you, EPA, announce and chair a public hearing in Kittery this summer to explain the project's status and progress. Alternatively, a press release from EPA explaining status/progress might suffice. Our objective is to insure the public is informed that the Navy is complying with the laws; and Maine DEP, EPA and Navy are fully cooperating.

Sincerely,

THOMAS M. HAGGE  
Captain, CEC, USN  
Public Works Officer  
By direction of the Commander

Copy to:  
Main DEP, Pamela Parker

06. 15. 90

07:40 AM

\*NAVSHIPYDPTSMHX1600

P06

NSWA CORRECTIVE ACTION SCHEDULE

(REVISED 14 JUNE 1990)



- \* SUBMITTAL TO EPA APRIL 90
- \* EPA COMMENTS ON SUBMITTAL ?
- \* REVISE RFI PROPOSAL ?
- \* PHASE I REPORT SUBMITTAL JUNE 90
- \* PHASE II FIELDWORK AWARD JULY 90 -
- \* 1ST ROUND GRDWTR SAMPLING AUGUST 90
- \* PHASE II REPORT SUBMITTAL OCTOBER 90
- \* 2ND ROUND GRDWTR SAMPLING DECEMBER 90
- \* PHASE III FIELDWORK AWARD DECEMBER 90 -
- \* 3RD ROUND GRDWTR SAMPLING APRIL 91
- \* RFI REPORT (ON-SHORE) SUBMITTAL APRIL 91
- \* BEGIN PHERE & MPS (ON-SHORE) APRIL 91
- \* 4TH ROUND GRDWTR SAMPLING AUGUST 91
- \* 5TH ROUND GRDWTR SAMPLING NOVEMBER 91
- \* FINAL RFI REPORT (ON-SHORE) WITH NOVEMBER 91  
PHERE/MPS SUBMITTAL