

**RESTORATION ADVISORY BOARD MEETING
PORTSMOUTH NAVAL SHIPYARD
KITTERY TOWN HALL, KITTERY, MAINE
December 8, 2009**

Restoration Advisory Board (RAB) members at the meeting included the following:

- RAB community members – Doug Bogen, Peter Britz, Jon Carter, Diana McNabb, Onil Roy, and Roger Wells.
- Navy RAB members – Linda Cole, Naval Facilities Engineering Command (NAVFAC) Mid-Atlantic, and Lisa Joy, Portsmouth Naval Shipyard (PNS).
- Regulatory representatives – Matt Audet, United States Environmental Protection Agency (USEPA), and Iver McLeod, Maine Department of Environmental Protection (MEDEP).
- Community members Peter Britz, Alan Davis, Michele Dionne, and Jack McKenna were absent.

Guests at the RAB included:

- Matt Thyng and John Wyeth from PNS.
- Debbie Cohen and Tim Smith from Tetra Tech NUS, Inc. (TtNUS).
- Carolyn Lepage, Technical Assistance Grant (TAG) technical advisor to Seacoast Anti-Pollution League (SAPL).
- Carl Baxter from New Hampshire Department of Environmental Services (NHDES).
- Fred Poulin and Bill Deane from Shaw E&I
- Bryan Olson from USEPA

INTRODUCTION

The meeting was opened by Lisa Joy (RAB Navy Co-Chair). Ms. Joy welcomed everyone to the RAB meeting and requested that attendees introduce themselves. The attendees introduced themselves and stated the organizations they represented.

STATUS OF WORK AND REGULATOR UPDATES

Linda Cole of NAVFAC Mid-Atlantic provided an update on the status of work at Operable Unit (OU) 1, OU2, OU3, OU4, OU7, OU9, and Site 30. Ms. Cole provided a funding status indicating that approximately \$56 million have been spent to date on investigations and actions at PNS Installation Restoration Program (IRP) sites. Spending for Fiscal Year (FY) 2008 and FY2009 were \$2 million and \$2.5 million, respectively. Funding for FY2010 is projected at \$1.4 million, and the estimated cost to complete remedial actions is \$25 million. In answer to a question of what is the estimated date for completion, Ms. Cole indicated that the Navy has a goal of having remedies in place for all of PNS IRP sites by the end of FY2014. The Navy is working with USEPA and MEDEP to meet the goal of having final Record of Decisions (RODs) signed for all sites/OUs by this date. It was noted that one site is not currently projected to meet this date because it is a low priority, and remedial investigation (RI) has not been started at this site.

The following are highlights of the update on OUs:

- OU1 – The Navy is continuing to resolve comments on the draft Feasibility Study (FS) Report. A meeting was held with USEPA and MEDEP today to discuss final concerns, and the Navy believes there is a good understanding of the concerns and what actions are needed to address them. During the technical meeting, a schedule for final resolution was determined, and the Navy anticipates submitting the draft final FS Report by the end of January 2010. After the FS is finalized, a Proposed Remedial Action Plan (PRAP) and ROD will be prepared. The Navy and regulators are working hard to get the ROD signed in FY2010.
- OU2 – The Navy is resolving regulatory comments on the draft Supplemental RI Report. During today's technical meeting, the Navy and regulators determined a schedule for final resolution, and the Navy is anticipates submitting the draft final RI Report by the end of January 2010. After the RI and FS are finalized, a PRAP and ROD will be prepared. During the technical meeting, the Navy and regulators talked about a proposed pre-design investigation to support the remedial design including the collection of data to delineate the extent of soil contamination in an area west of the DRMO. The Navy is working on preparing the pre-design investigation work plan. The DRMO Impact Area Removal Action work is progressing. The Action Memorandum was signed in November 2009, and Shaw E&I will provide a presentation on the Removal Action Work Plan at this RAB meeting. The Navy is resolving MEDEP comments and expects to finalize the work plan in December 2009. An archeological survey will be conducted in spring 2010 before the removal action construction activities begin.

- OU3 – The post-remedial operation, maintenance, and monitoring (OM&M) program continues. Round 8 sampling and landfill inspection was conducted in October 2009, and Round 9 is scheduled for April/May 2010. The timing for Round 10 will be dependent on the results of the evaluation of Rounds 1 to 9 data. The Navy is resolving regulatory comments on the draft revised Land Use Control Remedial Design (LUCRD). In addition, the Navy updated the OM&M Plan and is resolving regulatory comments on the draft August 2009 update.
- OU4 – The Interim Offshore Monitoring Program continues. The draft Rounds 1 through 10 Report was submitted in July 2009, and the Navy is resolving regulatory comments. Work on the OU4 FS has begun, and it is anticipated that the draft FS Report will be submitted in January 2010. The draft update to the Interim Offshore Monitoring Program is scheduled for submittal in April 2010.
- OU7 – The Navy is preparing the draft RI Report, which is currently scheduled for submittal in January 2010; however, the submittal may be delayed because of commitments to complete the OU1 FS, PRAP, and ROD.
- OU9 – The final RI Sampling and Analysis Plan (SAP) was approved in July 2009, and field activities were conducted in August 2009. Laboratory data are available and the Navy has begun preparing the draft RI Report, which is scheduled for submitted in spring 2010.
- Site 30 – The Navy is anticipating submitting a draft Engineering Evaluation/Cost Analysis (EE/CA) and Action Memorandum in April 2010. The Navy anticipates awarding funding for the Removal Action Work Plan in January 2010.

REGULATOR UPDATE

USEPA --- Matt Audet indicated that USEPA recently moved offices, and he has a new mailing address. His e-mail address remains the same.

MEDEP --- Iver McLeod indicated that MEDEP has mostly been reviewing the OU2 Removal Action Work Plan and that discussion during today's technical meeting helped resolve MEDEP concerns. He also mentioned that the Navy and MEDEP have resolved MEDEP concerns with the LUCRD.

OU2 DRMO IMPACT AREA REMOVAL ACTION WORK PLAN

Mr. Poulin and Mr. Deane of Shaw E&I provided a presentation on the OU2 DRMO Impact Area Removal Action Work Plan. The work plan was prepared based on the Action Memorandum and EE/CA for the removal action. The removal action involves removal of contaminated soil in the vicinity of Quarters S

and N, north of the DRMO Storage Area. Past snow removal activities may have spread contamination from the DRMO into the backyards of Quarters S and N.

Removal action activities include the following:

- Investigative sampling of soil to establish excavation limits in portions of the backyards that do not have sampling data.
- Installation of erosion and sediment control and clearing and grubbing of vegetation in the excavation area.
- Excavation of contaminated soil to depths between 0 to 2 feet below ground surface (bgs). Based on the estimated excavation area, an estimated 4,200 cubic yards of soil will be excavated. Field conditions and field sampling may increase or decrease the volume of soil. Although the estimated depth is 2 feet bgs, bedrock may be much shallower, which could decrease the volume of soil. Confirmation and investigative samples may require larger areas of excavation, which could increase the volume of soil. Where bedrock is not found within 2 feet bgs, if confirmation samples show contamination extends deeper than 2 feet, then additional excavation will be conducted.
- Confirmation sampling to ensure that the Removal Action Objectives have been met. Additional excavation will be conducted if confirmation samples show that the Removal Action Objectives have not been met.
- Offsite transportation and disposal of excavated materials. Prior to transportation, excavated soil will be sampled and analyzed in accordance with disposal facility requirements. The excavated material will be stored in a stockpile before offsite disposal. Based on the estimated soil volume, up to 200 truck loads of soil will be removed from the facility. The transportation plan includes timing of trucks entering and leaving the Shipyard during off-peak times. The trucks will not enter and leave at the same time. The trucks will be loaded, weighed, and manifested before leaving the facility, which will result in staggering of trucks leaving the facility.
- Site restoration including backfilling with clean fill, placement of topsoil, and planting with native grasses and trees. The imported fill will be tested before backfilling.
- Preparation of a project closeout report to document all field activities and results of laboratory analyses.

The work plan will be finalized in December 2009. The archeological survey is scheduled for late winter 2010; however, the specific timing will be based on when there is no snow covering the area for the survey. Investigative sampling is also scheduled for late winter 2010.

The following summarizes the questions and answers during the presentation:

- What is the goal of confirmatory sampling? The goal is for the confirmatory samples to have lead concentrations of 400 mg/kg or less and copper concentrations of 3,100 mg/kg or less. The samples will be collected from the excavation sidewalls and floor. The Navy is determining the frequency of sampling based on resolution of MEDEP comments. The goals are based on USEPA residential regional screening levels. Mr. McLeod mentioned that MEDEP has draft remedial screening levels that may be lower than USEPA screening levels for copper. However, lead concentrations define the extent of contamination; therefore, removal based on lead will ensure that copper contamination is also removed.
- Are there any concerns for wind-blown distribution of excavated soil? A daily cover will be placed over the excavated soil, and other measures will also be conducted to prevent disturbance of the soil. If there are very dry conditions, the soil could be wet down to prevent wind blowing of contaminated soil.
- Do you have the analytical results for the clean fill that will be used as backfill? The source of the backfill material has not been identified yet. Shaw will use a local vendor and will require a letter of certification that the soil is from a non-impacted source. The soil will also be tested for the chemicals of concern (lead and copper) and standard analytical requirements for backfill soil.
- Has the facility for disposal of the excavated soil been identified? No, the specific facility will depend on the analytical results of the excavated soil. Excavated soil will be tested to determine whether the soil needs to go to a hazardous waste or solid waste disposal facility. The facility will be determined based on the results of the testing.
- Why was the sample in the eastern portion of the DRMO Impact Area (east of Quarters N) that has a lead concentration of approximately 900 mg/kg not included in the excavation area? The sample was collected on a slope away from DRMO operations and based on the distribution of lead concentrations at OU2; it was determined not to be associated with OU2 operations. The concentration is within the range of facility background concentrations and was detected along a road.

MS-01 SEDIMENT RESULTS

Ms. Cohen of TtNUS provided an update on the preliminary results of sediment sampling in the offshore area (MS-01) of OU9 (Site 34 – Former Oil Gasification Plant). The general sampling program was discussed at the September 2009 RAB meeting. Field work to support the RI for OU9 was conducted in August 2009 and included installation of soil borings, collection of soil samples, and collection of sediment samples. Laboratory analysis of soil samples will provide data to evaluate residual contaminant concentrations in soil at the site after the 2006 Site 34 Removal Action conducted to remove ash mixed with soil. The ash was generated as part of past site operations and deposited on the ground around the Former Oil Gasification Plant (Building 62). Sediment samples were collected to determine the extent of sediment impacted by past migration of contaminants in the ash to the offshore area. The sediment data will be used to support the OU4 FS Report, and the soil data will be used to support the Site 34 evaluation.

Based on previous offshore investigations, sediment offshore of OU9 is contaminated with polycyclic aromatic hydrocarbons (PAHs) that apparently eroded from the contaminated material (ash and contaminated soil) at OU9. Ms. Cohen reviewed figures showing the extent of PAH-contaminated sediment, indicating that the 2009 sampling results delineated the extent of contamination.

Questions and discussions during the presentation included the following:

- Did the Navy reconnect the onshore and offshore areas for remedial activities? For administrative reasons, the onshore and offshore areas were kept separate.
- Will the sediment remedial action be addressed in the offshore or onshore documents? The sediment remedial action will be handled in the OU4 (offshore) documents.
- Do the data suggest an increasing or decreasing concentration trend after the 2006 removal action? The FS to be developed does not include a trend analysis because there are not enough data to perform such an analysis. The purpose of the 2009 data collection was to determine the extent of contamination and not to determine concentration trends.
- Does the contamination found in the sediment match the source contamination? The analytical results indicate that the sediment contamination is likely related to the former onshore site contamination.
- Based on the available data, does it appear as if there will be some type of remedy needed for this area? The Navy is looking at the data and evaluating remedial options; however, the MS-1 contaminated area would not likely be a no further action site.

OTHER ISSUES

Upon completion of presentations, Ms. Joy asked if there were any other issues that needed to be discussed. A question was asked about the construction being conducted adjacent to OU7 (Site 32). Ms. Cole explained that the work is part of a construction project at the Shipyard and that a portion of the construction will extend into OU7. The Shipyard and IRP are working together to share data to ensure that the appropriate health and safety requirements are being met. There were no other issues or topics raised.

FUTURE MEETINGS

The RAB discussed the date for the next meeting. The Navy proposed Tuesday, March 16, 2010, for the next RAB meeting. The meeting will be held in the meeting room at Kittery Town Hall, 200 Rogers Road, Kittery, Maine. Various documents will be submitted over the next few months, and the next RAB meeting will include presentations on these documents. The likely topics include the draft OU1 PRAP, draft OU4 FS Report, and update on the OU2 removal action. The draft OU7 RI Report and draft Site 30 EE/CA could also be on the agenda.

ATTACHMENTS

AGENDA AND DECEMBER 8, 2009 PRESENTATIONS