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LETTER AND COMMENTS ON BEHALF OF SEACOAST ANTI POLLUTION LEAGUE
REGARDING DRAFT FINAL PROPOSED PLAN FOR INTERIM ACTION AT OPERABLE UNIT
4 (OU 4) NSY PORTSMOUTH ME
10/13/1998
LEPAGE ENVIRONMENTAL SERVICES

Lepage Environmental Services, Inc.

P. O. Box 1195 • Auburn, Maine 04211-1195 • 207-777-1049 • Fax 207-777-1370

October 13, 1998

Peter Vandermark
Seacoast Anti-Pollution League
P. O. Box 1136
Portsmouth, New Hampshire 03802

Subject: Review of *Draft Final Proposed Plan for Interim Action at Operable Unit 4*

Dear Mr. Vandermark:

As you requested, we are transmitting comments to the Seacoast Anti-Pollution League (SAPL) concerning the September 1998 *Draft Final Proposed Plan for Interim Action at Operable Unit 4*. The Plan was prepared by Tetra Tech NUS, Inc. (formerly Brown and Root Environmental) and summarizes the Navy's proposed interim action for Operable Unit 4 (OU4) which covers the areas offshore Portsmouth Naval Shipyard potentially impacted by onshore shipyard sites. The Navy proposes conducting environmental monitoring in the offshore area until the Feasibility Study for OU4 is released and a final remedy is selected and implemented.

We had commented on the August 1998 version of the Plan in our letter to you dated September 9, 1998. Responses to most of our comments, as well as to those submitted by the U. S. Environmental Protection Agency (EPA) and the Maine Department of Environmental Protection (DEP), were satisfactory. SAPL will have another opportunity to submit written comments on the Plan to the Navy when the final version is released in a few weeks, as well as a chance to provide verbal input at the public meeting to be held later this fall. Our comments on the draft final version of the Plan are as follows:

- 1. Page 2, Site Background.** Part of our second comment in our September 9th letter (as well as DEP's first comment) focused on the April 1997 *Draft Final Estuarine Ecological Risk Assessment*. The Navy responded to part of our comment by adding the date of the document to the text, but did not revise the title to include "Draft Final". The Navy should include this information everywhere the title is cited in the text, not just in the reference list at the end of the Plan, so that the reader will be aware that the risk assessment has not been finalized.

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Draft Final Proposed Plan for Interim Action at OU4

2. Page 2, Site Background. In several places in the text, the reader is referred to page 9 for additional information concerning the Information Repositories. In the draft final version of the Plan, the section covering the Information Repositories is included on page 10, not page 9. We are uncertain if this is an error or if the Navy intends to combine the map on page 3 with the text on page 2 in the final version, which would result in the Information Repositories portion being on page 9, as stated in the text.

3. Page 5, Summary of Offshore Investigations. The Navy revised this portion of the text in response to several comments on the draft Plan. Based on the Navy's response to EPA's fifth comment, the second sentence in the left column was supposed to end "... from the vicinity of OU4". This revision is not reflected in the draft final Plan.

The next-to-last sentence in the left column is a bit misleading as it gives the reader the impression that the State of Maine has given the Shipyard a 'clean bill of health'. The DEP's September 30, 1998, letter to the Navy regarding Human Health Remedial Action Objectives (RAOs) clearly states that "...human health RAOs for the offshore environment at the Portsmouth Naval Shipyard are not necessary at this time [emphasis added]." The letter goes on to state that "...it is the State of Maine's intent to eventually open all shellfishing beds..." and that "...when the State of Maine reduces biological contamination in the river to the extent that it no longer endangers shellfishing, the Navy may need to address metal contamination in mussels around the Shipyard as part of an overall effort (by all contributors) to reduce contamination in the river." The Navy must revise the text to clearly reflect that the State has not let the Navy off the hook regarding this issue.

4. Page 8, Evaluation of the Proposed Interim Action. The first sentence in the first bulleted item should be amended to reflect that the interim monitoring would be protective of human health and the environment in the short-term, as stated in the last paragraph of the section.

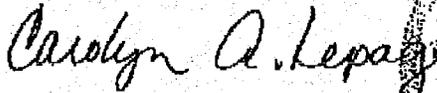
The first bulleted item in this section concludes with the sentence "For the protection of human health, chemical concentrations in the offshore are at acceptable levels." This is not correct. The State of Maine has issued Fish and Shellfish Consumption Advisories because of chemicals found in the environment and in fish and shellfish tissues. In addition, areas in the vicinity of the Shipyard remained closed to shellfishing. The Navy must revise the text to accurately describe the known human health concerns.

5. General Comment. We are still awaiting written responses to our comments on the Navy's proposed monitoring program, which was discussed at the August 20th technical meeting. Therefore, we may have additional comments and questions on the Navy's proposed interim action during the up-coming public comment period.

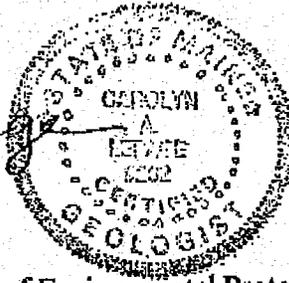
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If you have any questions regarding the comments above, please give me a call at 207-777-1049.

Sincerely,



Carolyn A. Lepage, C.G.
President



cc: Iver McLeod, Department of Environmental Protection
Meghan Cassidy, Environmental Protection Agency
Marty Raymond, Portsmouth Naval Shipyard

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