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LETTER REGARDING SEACOAST ANTI-POLLUTION LEAGUE REVIEW COMMENTS ON
RESPONSES ON DRAFT OPERABLE UNIT 3 (OU 3) PHASE 1 DOCUMENTS NSY
PORTSMOUTH ME
6/11/2002
LEPAGE ENVIRONMENTAL SERVICES

Lepage Environmental Services, Inc.

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

June 11, 2002

Portsmouth Naval Shipyard
Code 106.3R, Bldg. 44
Attn: Ms. Marty Raymond
Portsmouth, New Hampshire 03804-5000

Subject: Review of June 2002 Responses to Comments on March 2002 Draft Final Operable Unit 3 Phase 1 Documents

Dear Ms. Raymond:

We are transmitting comments by Lepage Environmental Services, Inc. (Lepage), and Summit Environmental Consultants, Inc. (Summit) on behalf of the Seacoast Anti-Pollution League (SAPL) regarding the Navy's June 2002 Responses to Comments on March 2002 Draft Final Operable Unit 3 Phase 1 Documents. Comments are as follows:

- 1. General Comment.** As noted in its April 29, 2002 comment letter, SAPL made a general comment in support of the Maine Department of Environmental Protection's (MEDEP's) comment letter dated April 29, 2002, and chose not to duplicate comments already made in the agency's letter. The Navy's June 2002 responses address the majority of SAPL's concerns. SAPL also concurs with the comments expressed in the MEDEP's June 11, 2002 letter, and will not duplicate most of the specific comments in MEDEP's June comment letter.
- 2. Failure of the Constructed Wetland.** SAPL had relayed input from several members of the public regarding the Navy's proposed Phase 1 salt marsh construction in comment letters dated February 14, and April 29, 2002. The Navy's responses to those comments address most of the public's concerns. The Navy's plan will be explained in the Explanation of Significant Differences and implemented in the Operations and Maintenance Plan. A monitoring plan will be developed that includes performance criteria based on a salt marsh and/or wetland outcome. This monitoring plan will be submitted to the regulatory agencies and the Restoration Advisory Board (RAB) for review and comment. The salt marsh planting will be covered in the Phase II Work Plan. However, the Navy also responded that, if planting fails to establish a self-sustaining salt marsh, the Navy will allow the area to revert to a tidal mudflat habitat. The Navy has asked for input from the regulatory agencies and the community if they see something in the design that effects the constructed salt marsh. While SAPL is not aware of any fatal flaws in the Navy's design at this point, the monitoring and maintenance activities will be important for a successful

outcome. As noted in SAPL's April 2002 comment letter, the public's preference seemed to be to view the wetland as a long-run maintenance project requiring a little bit of replanting here and there as the years go by. SAPL will provide additional input when the documents for monitoring (including the performance criteria) and maintenance are issued.

3. Testing Fill Material for Contamination. In response to SAPL's previous comments, the Navy has provided information in FWENC Attachment 18 regarding the chemical testing that will be performed to ensure that the material used to backfill in the excavated area is not contaminated. The text in Attachment 18 states that the results of the chemical analyses will be compared with standards provided by EFANE. However, it is not clear what the standards are based on. The basis for the standards should be added to Attachment 18.

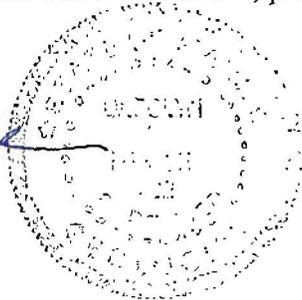
4. Recycling Plan Excavation Effort for Options (2) and (3). SAPL had commented previously on the Navy's plans for recycling materials, including material contaminated by waste. The Navy's response includes reference to FWENC Attachment 4, which contains revisions to Section 5.7 of the Work Plan. The last paragraph in the revised Section 5.7 states that any intact container wastes will be given to the PNS Hazardous Waste Transfer Facility for management and disposal. This section should also address wastes in non-intact containers. This comment applies to the revised Section 5.8 in Attachment 4 as well.

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



Enc. (Summit Environmental 6/10/02 comment letter)

cc: James Horrigan, SAPL
Iver McLeod, MEDEP
Meghan Cassidy, USEPA
James Bouquet, P.E., Summit

PN: 3528

June 10, 2002

SECRET

Carolyn A. Lepage, C.G.
Lepage Environmental Services, Inc.
P.O. Box 1195
Auburn, Maine 04211-1195

RE: Operational Unit 3 Phase I
Remedial Design and Construction
Portsmouth Naval Shipyard
Kittery, Maine

Dear Ms. Lepage:

Summit Environmental Consultants, Inc. (Summit) conducted a review of documents submitted under cover letter from the Department of the Navy Engineering Field Activity, Northeast (EFANE) dated May 31, 2002 for the project referenced above. These documents consisted of:

- Responses to Comments on the draft final Operable Unit 3 Phase I Remedial Design Specifications;
- Responses to Comments draft final Operable Unit 3 Phase I Remedial Design Drawings;
- Responses to Comments on the draft final Technical Memorandum, Operable Unit 3, Evaluation Of Jamaica Cove Options; and,
- Responses to Comments on the draft final Phase I Remedial Design Work Plan For Jamaica Island Landfill, Phase I Waste Consolidation & Dredge Spoil Placement.

Our comments on the Responses to Comments include the following:

Page 2, Comment 5

1. EFANE needs to provide SAPL with the current status and final determination of the Maine Coastal Zone Determination submittal to the Maine State Planning Office.

Page 7, Comment 5

2. EFANE needs to provide SAPL with findings of the "random, unscheduled field inspections" of Foster Wheeler Environmental Corporation (FWENC) work during Phases I and II. These findings should be provided within one week of each field inspection.

Page 15, Comment 38

3. A current Submittal Register should be provided to SAPL following each update.

FWENC Attachment 3

4. FWENC should discuss how the two storm drain outfalls in the restored Jamaica Cove shoreline will "enhance the quality of stormwater discharged from the surface of the Jamaica Island Landfill". Enhancement of stormwater typically occurs at the source or along the flow path, not the outfall.

FWENC Attachment 6, Stormwater Management Plan/Soil Erosion and Sediment Control Plan

5. The title of the referenced document needs to be revised to indicate that this Plan applies only to Phase I; a subsequent plan will need to be developed for Phase II.
6. While overall the Plan appears comprehensive, we take exception to Section 4.2, Proposed Peak Flows. With completion of stockpiling in October 2002 (FWENC Schedule) and subsequent placement of temporary grass seed, we doubt that a "Meadowland Land Use" type vegetative cover will be established prior to winter. These calculations and the conclusions in Section 5.0, Drainage Area Comparison (Existing Versus Proposed Peak Flows), should be revised using a worst-case cover scenario. This worst case should consider a variable cover of bare soil, weak vegetative cover, mulch and Soil-Sement®. FWENC specification of a soil stabilization product is reflective of their concern over the establishment of temporary grass cover.
7. FWENC should reconsider the statement in Section 6.4, Silt Fence, indicating that silt fence is the "primary erosion and sediment control device". We would not consider silt fence as a method of erosion control.
8. The use of Soil-Sement® should be approved by the Maine Department of Environmental Protection.

Ms. Carolyn A. Lepage, C.G.
June 10, 2002
Page 3

SUMMIT ENVIRONMENTAL CONSULTANTS, INC.

FWENC Attachment 14

9. In the last sentence of the second paragraph (Section 5.7.5, Liquid Waste), how does FWENC propose to contain "any discolored water draining from the stockpiles"? These containment controls will need to be established prior to commencing stockpiling.

Please contact the undersigned with questions or comments.

Sincerely,
SUMMIT ENVIRONMENTAL CONSULTANTS, INC.



James W. Bouquet, P.E.
Vice-President, Principal Engineer