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LETTER REGARDING SEACOAST ANTI-POLLUTION LEAGUE REVIEW COMMENTS ON
THE DRAFT FINAL REMEDIAL INVESTIGATION QUALITY ASSURANCE PLAN FOR SITE 32
NSY PORTSMOUTH ME
11/29/2002
LEPAGE ENVIRONMENTAL SERVICES

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November 29, 2002

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

Subject: Review of October 2002 Draft Final *Site 32 Remedial Investigation Quality Assurance Project Plan*

Dear Ms. Raymond:

We are transmitting the following comments on behalf of the Seacoast Anti-Pollution League (SAPL) on the October 2002 Draft Final *Site 32 Remedial Investigation Quality Assurance Project Plan (QAPP)*.

1. General Comment. SAPL concurs with the majority of comments in the U.S. Environmental Protection Agency's (EPA's) letter dated November 18, 2002, and in the Maine Department of Environmental Protection's (MEDEP's) letters dated November 18 and November 22, 2002. SAPL will not repeat the comments in the agencies' letters except where particular emphasis is desired.

2. Pages 1-15 - 1-17, Section 1.4.2, Summary of SSI Findings. SAPL had commented previously on the April 2002 Draft QAPP (see Comment Number 9 in SAPL's comment letters dated May 22 and September 16, 2002) that more information should be included in the QAPP about how elevated numerical detection limits and method detection limits (MDLs) affect the number of exceedances reported. SAPL also expressed concern that the text of the QAPP, as currently written, is misleading with regard to the number of times contaminant concentrations exceed risk screening criteria. The Navy's response to SAPL's September comment (see page 12 in the Follow Up Comment section in Appendix F) says that the important question to ask is what impact the [elevated] detection levels have on the decision(s) that are based on the data. Since the decision was not impacted, the Navy does not feel that the time and effort required to do the detailed analysis it believes SAPL has indicated is necessary for the QAPP. The Navy also offers to explain further to SAPL (and the RAB if other RAB members are interested) how the DQA and evaluation of detection limits is considered at each step of the remedial process.

SAPL appreciates the Navy's willingness to provide additional explanation to SAPL and to provide a presentation to the RAB if the RAB is interested. SAPL also understands that the decisions cited by the Navy were not apparently affected by elevated detection levels. However, as expressed in its September comment, SAPL is also concerned that the text of the QAPP is misleading and the presentation of the data is incomplete. The QAPP will be part of the Administrative Record. Therefore, SAPL believes it is important to present the data accurately. The Navy is objecting to performing a detailed analysis. However, simple text revisions acknowledging that detection levels exceeded risk screening criteria would help address the issue. SAPL provided as an example of misleading text the statement that 'none of the pesticides or PCBs exceeded any criteria in surface soils'. SAPL then pointed out that the residential screening criteria for Aroclor-1260 was listed as 0.22, but the upper range of non-detects was listed as 0.3. Furthermore, the frequency of detection was given as 1 out of 14 samples, but that one detection was 0.21J, just under the residential screening criteria. It would not appear to be much of a burden for the Navy to revise the statement to read in effect "None of the pesticides or PCBs exceeded any criteria in surface soils. However, the detection levels exceeded the risk screening criteria in X samples." SAPL believes this sort of text revision should be made in those passages in the QAPP where the number of detections and criteria exceedances are presented.

3. Page 1-18, Section 1.4.3, Geology and Hydrogeology. SAPL concurs with the MEDEP's General Comment dated November 22, 2002, about the potential for the bedrock ridge that underlies the site to divide contaminant migration.

4. Page 1-22, Section 1.6, PROBLEM STATEMENT. This section contains the statement that the current offshore monitoring program is sufficient for understanding potential current offshore risks. However, that statement presumes that monitoring is taking place in the optimal locations for detecting impacts. As the EPA points out in its November 18th comment letter, there needs to be a better understanding of the offshore depositional environment, particularly for contaminants migrating via outfall discharges. SAPL notes that the offshore monitoring program was designed before the discussion of potential Site 32 impacts had progressed much. It would seem logical to expect that the offshore monitoring might need to be adjusted once a dye study and other RI activities are completed. Therefore, SAPL believes it is necessary for the offshore monitoring locations (and parameters) in the vicinity of Site 32 be re-evaluated once the RI data becomes available so that appropriate adjustments, if any are warranted, can be implemented.

5. Page 2-7, Section 2.4.1.2, Laboratory Parameters. The statement on the last paragraph in Section 2.4.1.2 that "DRO/GRO cannot be evaluated as part of human health risk or offshore impact..." requires clarification or revision. It is not readily apparent to the reader why it is impossible to evaluate these parameters.

6. Page 2-7, Section 2.4.2, Study Boundaries. The Boundary for Intertidal Water for the Recreational Receptor should be revised to include water in seeps and outfalls.

7. Page 2-9, Section 2.5 DECISION RULES, Principal Decisions. SAPL concurs with the MEDEP that background cannot be used to eliminate chemicals from consideration as COPCs. Chemical concentrations should be compared with appropriate risk screening criteria, regardless of background concentration. The text for P1 and elsewhere in the QAPP requires revision. In addition, the last sentence in the P2 paragraph should specify ER-Ls, not ER-Ms, for sediment.

8. Page 2-10, Section 2.5 DECISION RULES, Principal Decisions. The first Exposure Unit in the table at the top of page 2-10 should be revised to include seep and outfall water in addition to surface water in the intertidal zone.

9. Page 2-11, Section 2.6, SAMPLING DESIGN AND RATIONALE. SAPL is very concerned with the statement in the first full paragraph on page 2-11 that the Phase 1 sampling *"...will provide data for assessing whether dioxin/furan concentrations across the site as a whole exceed background dioxin/furan concentrations. ... If the site dioxin/furan concentrations exceed background concentrations, more dioxin/furan data will be collected to assess associated risks within each decision unit."* As SAPL and the regulatory agencies have already commented, chemicals should not be eliminated from consideration based on comparison with background data. Sampling results should instead be compared with appropriate risk screening criteria. However, the Navy's sampling rationale in this section does not even mention comparing the data with risk screening criteria. Furthermore, SAPL does not believe that the data for the entire site should be lumped together for evaluation as that might mask "hot spot" contamination that should be cleaned up. The Navy's approach to evaluating dioxin/furan data must be revised.

10. Page 3-15, Figure 3-1. The figure should be revised to include that name and number of the EPA's new RPM.

11. Page 4-3, Section 4.2.1, Hollow-Stem Augering and Spit-Barrel Soil Sampling. The first paragraph under the Soil Sampling heading states that the Phase Two soil sampling will include the two remaining boring locations within each exposure unit, and that at the completion of the Phase Two sampling, each decision unit is expected to have had three soil boring locations sampled. SAPL assumed that one of the locations would be from Phase One and two would be from Phase Two. However, the final sentence in the paragraph states that the three locations will include both the 1998 Site Screening Investigation (SSI) samples and the samples collected during Phase One and Phase Two of the RI. Which is correct? Please clarify.

12. Page 4-4, Section 4.2.2, Hand Augering for Facility Background Dioxin Samples. The Navy is proposing to collect background samples for dioxin/furan analysis from the locations shown on Figure 4-3. SAPL has already commented on its concerns with the Navy's use of background data. Has the Navy evaluated the potential for windblown dispersion of contaminants, including dioxin, from the Teepee Incinerator site to affect other areas of the Shipyard, including the proposed background sampling locations?

13. Page 4-6, Section 4.3.2, Monitoring Well Purging and Sampling. As both the MEDEP and SAPL have noted in previous comments, the interval of 24 hours between well development and sampling is not acceptable. SAPL supports the MEDEP position that an interval on the order of a week is more appropriate.

14. Page 4-11, Section 4.4.2, Sediment Sampling. SAPL concurs with the EPA (Comment Number 2, dated November 18, 2002) that the proposed sampling grid is likely not extensive enough, and should be expanded based on the potential depositional patterns for contaminants.

15. Page 4-12, Section 4.5, INTERTIDAL AND SUBTIDAL SURFACE WATER SAMPLING. SAPL shares the concerns outlined in the EPA's Comment Number 3 (dated November 18, 2002) regarding the collection of sufficient appropriately located data related to current and past impacts of site outfalls.

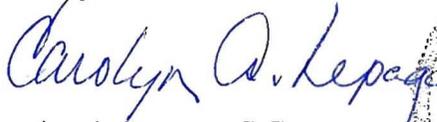
16. Appendix G. SAPL concurs with the MEDEP (Comment Number 14, dated November 18, 2002) that the Navy's proposed Additional Groundwater Sampling Decision Process will likely require further discussion. SAPL has commented in the past (see Comment Number 23, dated May 22 and September 16, 2002) that a single round of sampling during the RI would not be sufficient to conservatively characterize risks from exposure to groundwater and seeps. As the Navy noted in its response to SAPL's May comment, according to the 1996/1997 Seep/Sediment Summary report, a temporal variation was observed for select chemicals, although no pattern indicating one season over another was observed. At the August 13th technical meeting, SAPL mentioned the variability of recent results for Site 10, where two rounds were collected during back-to-back low tide cycles. The Navy states in the Background section on page 1 of Appendix G that the quality of decision-making is affected by data variability - the greater the variability, the more error prone the decision making. SAPL concurs with MEDEP Comment Number 16 - that's why we want to see a greater number of samples.

SAPL is also concerned that the Navy's new proposal is using statistics in place of common sense, given the number of samples involved and the gap between collection dates. As the MEDEP points out in Comment Number 17, the Navy is proposing to calculate standard deviations where $n=2$, which makes no sense, especially when the data are collected five years apart. SAPL also takes issue with the Navy's proposed data evaluation process (see step 4 on page 2) that will evaluate chemicals against screening criteria only if they exceed background. As proposed, the Navy will use background data to eliminate parameters from consideration as chemicals of potential concern (COPCs), regardless of the risk they present. This is not acceptable.

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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: James Horrigan, SAPL
Iver McLeod, MEDEP
Mike Barry, USEPA

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