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LETTER REGARDING SEACOAST ANTI-POLLUTION LEAGUE REVIEW COMMENTS ON
THE DRAFT SITE 34 SITE INVESTIGATION QUALITY ASSURANCE PROJECT PLAN NSY
PORTSMOUTH ME
12/29/2002
LEPAGE ENVIRONMENTAL SERVICES

Lepage Environmental Services, Inc.

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

December 29, 2002

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

Subject: Review of Responses to Comments on the August 2002 Daft *Site 34 Site 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 Navy's November 2002 responses to comments on the August 2002 Daft *Site 34 Site Investigation Quality Assurance Project Plan*. SAPL's original comments were submitted in a letter dated October 19, 2002. Many of the Navy's responses were satisfactory. Issues or questions remain for the following comments:

1. Navy Response to SAPL Comment 2, Page ES-1, INTRODUCTION. "The Navy does not believe that the SS investigation is too narrowly focused however, it is focused on sources based on available information. Detailed information of how and where the storage and mixing occurred or the presence of floor drains are not available."

SAPL disagrees that there is sufficient focus on potential sources in the investigation if the Navy's ultimate goal is to be able to walk away from Site 34. The Navy has information that pesticide handling and storage occurred at the site. Experience at Brunswick Naval Air Station has shown that significant environmental contamination can result from historic pesticide storage and handling activities, particularly when drains or other conduits to the subsurface exist. Without investigating logical potential sources at some point, it shouldn't be possible for the Navy to reach a No Further Action decision for Site 34.

2. Navy Response to SAPL Comment 3, Page ES-2, INTRODUCTION. The Navy proposes dioxin analysis be conducted based on the decision tree provided in Attachment A. SAPL notes that the decision tree allows further dioxin analysis to be dropped if concentrations do not exceed facility background concentrations, regardless of comparison with risk screening criteria. SAPL reiterates its position that potential contaminants of concern should not be eliminated based solely on comparison with background values, and concurs with the Maine Department of Environmental Protection's (MEDEP's) Comment Number 15 to that effect dated December 23, 2002. Furthermore, the OU4 offshore monitoring should be updated in the future, if necessary, to address new information about potential onshore sources of contamination.

3. Navy Response to SAPL Comment 4, Page 1-1, Section 1.1 OBJECTIVES AND SCOPE. "... The Navy requests information on any other CERCLA sources SAPL believes are being excluded from the investigation."

As noted in SAPL's October 19th comments (see Original Comments 2, 7, and 16, for example), potential contamination resulting from pesticide storage and handling activities, as well as the potential migration pathways involving floor drains and/or outfalls, should be evaluated as part of the Site Screening Investigation.

4. Navy Response to SAPL Comment 7, Page 1-11, Section 1.3.2 Site History and Background. "...There is no indication of other drains that might have been used at the time of the pesticide handling/mixing activity...." The Navy should provide the basis for this statement. Has the Navy actually looked for floordrains in the Site 34 buildings and not found any? If not, it is reasonable for the Navy to conduct such a search, given that pesticide handling and storage, a potential source (or sources), was located within the Site 34 buildings and floordrains would provide a potential migration pathway.

5. Navy Response to SAPL Comment 12, Page 1-13, Section 1.4.1 Previous Investigations. SAPL appreciates the explanation for why the intertidal samples could in fact be collected below the mean low water line, and suggests that a note be added to Figure 1-4 stating that the 1998 sample locations are estimated from field notes and were not surveyed.

6. Navy Response to SAPL Comment 15, Page 1-15, Section 1.5.1 Potential Sources of Contamination. "Pesticide handling and storage are not necessarily sources of contamination. In all likelihood, (because the information from the IAS related to pesticides handling notes that reuse of rinse water and good management from late 1960s to present was practiced), the handling and storage of pesticides in Building 62 may not be potential sources of contamination. No additional bullets regarding storage and handling will be added."

There is nothing in this response, in any of the Navy's other responses, or in the QAPP that demonstrates that pesticide storage and handling locations should NOT be investigated as potential sources of contamination. The Navy's ambiguous wording - "...are not necessarily sources", "...may not be potential sources" - could easily be reversed (...are not necessarily not sources, ...may be potential sources) to support SAPL's position. The Navy has not presented any data to support the concept that pesticide handling at Site 34 was known to be completely protective of human health and the environment. Furthermore, the standard of practice for pesticide use and handling during the 1960s would not be considered protective today. As noted above, experience at Brunswick Naval Air Station has shown that significant environmental contamination can result from historic pesticide storage and handling activities, particularly when drains or other conduits to the subsurface exist. The Navy has acknowledged elevated pesticide concentrations in sediment at monitoring locations immediately offshore of Site 34. If the Navy's

ultimate goal is to close out Site 34, it is not appropriate for the Navy to ignore the potential impacts (to both onshore and offshore media) from historic pesticide storage and handling activities at Site 34.

7. Navy Response to SAPL Comment 16, Pages 1-15 & 1-16, Section 1.5.2 Potential Contaminant Migration Mechanisms. "...At this time, pesticide detections in the sediment have not been linked to an on-shore CERCLA release."

SAPL understands that a link has not yet been established between onshore source and offshore impact. However, the QAPP only states that offshore monitoring data for certain PAHs shows a potential impact, while the OU4 offshore monitoring data also shows a potential impact from pesticides. SAPL believes that the QAPP text should be amended to include the information about pesticides in offshore sediments, particularly because of the pesticide-related activities immediately adjacent onshore at Site 34. SAPL was not asking that the text be revised to state that a link between on-shore sources and offshore impacts had been established. Also, please see Comments 4 and 6, above, regarding evaluation of potential impacts from pesticide handling and storage areas and of floordrains as potential conduits for contamination.

8. Navy Response to SAPL Comment 21, Page 2-2, Section 2.2 PROBLEM DEFINITION.

Please see Comments 1 and 6, above, regarding the necessity for the Navy to evaluate potential pesticide handling and storage impacts. SAPL also believes that the QAPP text should be revised to state that it is appropriate and necessary for additional action(s) to be taken if screening criteria are exceeded, regardless of background concentrations. Regarding the Navy's request for input on the process for evaluating the tar pit, SAPL concurs with the MEDEP's Comment Number 3, dated December 23, 2002.

9. Navy Response to SAPL Comment 26, Page 2-7, Section 2.4.2 Target Parameters Selection and Development of Screening Levels for SSI. SAPL concurs with MEDEP's

Comment Number 5, dated December 23, 2002, that the Navy must supply an explanation regarding why groundwater will not be included for dioxin analysis. How will the Navy confirm that groundwater has not be affected by contamination known to exist in the ash at the site? SAPL also concurs with MEDEP's Comment Number 15 that it is not acceptable to eliminate contaminants from consideration for sampling or risk evaluation (dioxin in this instance) based on facility background concentrations alone.

10. Navy Response to SAPL Comment 28, Page 2-7, Section 2.4.2 Target Parameters Selection and Development of Screening Levels for SSI. See Comment 9 above for SAPL's position regarding the decision tree and elimination of contaminants from consideration based on background concentrations.

11. Navy Response to SAPL Comment 31, Page 2-8, Section 2.4.2 Target Parameters Selection and Development of Screening Levels for SSI. “Geological information to be collected from the overburden will be adequate for making either a No Further Action or RI/FS decision, if indeed contaminant concentrations meet the appropriate decision rules. Information on bedrock is not necessary unless the results from the overburden indicate that possibility that contaminant migration has occurred to depths close to bedrock.”

SAPL would be willing to accept the concept of a phased approach to the evaluation of potential bedrock contamination, assuming that the text of the QAPP was revised to clearly spell out the process. However, as noted in several comments above and in previous comments on the Site 34 QAPP, SAPL believes that the Navy’s use of facility background concentrations, rather than comparison with screening criteria, as the primary driver in making decisions is inappropriate. The Navy’s decision criteria must be revised.

12. Navy Response to SAPL Comment 32, Page 2-9, EE/CA DECISION RULE TABLE. “... “The preliminary cleanup levels for these chemicals will be targeted on achieving an exposure point concentration that will correspond to a cumulative incremental cancer risk of 10^{-5} or a hazard index (HI) of 1.0. For lead, the cleanup level will be targeted on achieving a mean concentration equal to the residential PRG of 400 mg/kg.” This bullet addresses **all chemicals** selected as COCs for the removal action. Analytes detected at concentrations that do not exceed facility-wide background levels will not be selected as COCs. The preliminary removal action cleanup goals for the COCs will be calculated such that the **cumulative** risk for receptors of concern ...”

SAPL agrees that cumulative risks for potential receptors should be the focus of removal action cleanup goals. However, as stated in comments above and in numerous previous comment letters, SAPL believes it is inappropriate to eliminate potential COCs based on facility background concentrations alone.

13. Navy Response to SAPL Comment 33, Pages 2-10 & 2-11, Principal Decision Rule for SS. SAPL disagrees with the Navy’s position that exceedance of both risk-based screening criteria AND facility background is necessary to select a COC. If concentrations of constituents exceed screening criteria, the compounds should factor into decision-making, particularly when cumulative risks are considered (see Comment 12, above). With regard to the Navy’s request that SAPL provide other potential pathways by which pesticides could migrate to the offshore, please see SAPL’s original October 19, 2002, Comments 2, 7, and 16, which address pesticide handling and storage areas as potential sources and the site drainage system (including floor drains and migration from a leaky drainage system attached to the wash pad) for potential pathways for contaminant migration to groundwater and/or the offshore media.

14. Navy Response to SAPL Comment 34, Page 2-12, Section 2.6 SAMPLING DESIGN AND RATIONALE. Please see SAPL's Comment Number 3 above, for example, regarding other potential sources.

15. Navy Response to SAPL Comment 35, Page 2-12, Section 2.6 SAMPLING DESIGN AND RATIONALE. Please see SAPL's Comment Number 3 above, for example, regarding other potential sources.

16. Navy Response to SAPL Comment 38, Page 3-13, Table 3-5. SAPL suggests that the information in the Navy's response (regarding the different reports to be submitted) be added to the QAPP text.

17. Navy Response to SAPL Comment 43, Appendix D, Page 12, SAPL Comment 3. Please see Comment 9, above.

18. Navy Response to SAPL Comment 44, Appendix D, Page 13, SAPL Comment 7. Please see Comment 9 above.

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