

N00102.AR.002376  
NSY PORTSMOUTH  
5090.3a

LETTER REGARDING SEACOAST ANTI-POLLUTION LEAGUE REVIEW OF RESPONSES  
TO COMMENTS ON OCTOBER 2002 DRAFT FINAL REMEDIAL INVESTIGATION QUALITY  
ASSURANCE PROJECT PLAN FOR SITE 32 NSY PORTSMOUTH ME

*2/7/2003*

LEPAGE ENVIRONMENTAL SERVICES

# Lepage Environmental Services, Inc.

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

February 7, 2003

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

Subject: Review of January 2003 Responses to Comments on the 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 January 2003 Responses to Comments on the October 2002 Draft Final *Site 32 Remedial Investigation Quality Assurance Project Plan (QAPP)*.

- 1. January 14, 2003 Technical Conference Call.** SAPL appreciates the opportunity to participate in the Technical Conference Call held January 14, 2003, to discuss comments on the Site 32 QAPP. The discussions were helpful in addressing a number of SAPL's concerns. SAPL has submitted comments on the Minutes of the January 14, 2003 Technical Conference Call in a separate letter, also dated February 7, 2003.
- 2. Cover Letter.** The date of SAPL's comments on the QAPP is erroneously stated as December 12, 2002. The correct date is November 29, 2002. TetraTech acknowledged the error during the January 14<sup>th</sup> conference call.
- 3. Maine Department of Environmental Protection February 5, 2003, Comment Letter.** SAPL supports the MEDEP regarding the need to evaluate TICs (Tentatively Identified Compounds) at Site 32. MEDEP's comments regarding TICs are provided in a letter dated February 5, 2003.
- 4. Navy's Proposed Additional Groundwater Sampling Decision Process.** The discussions during the January 14<sup>th</sup> conference call and the Navy's written responses have been helpful, but do not dispel SAPL's discomfort with the Navy's reliance on the proposed decision process to determine if enough samples have been collected at Site 32. On January 15, 2003, SAPL sent an email message to the Navy, MEDEP, and U. S. Environmental Protection Agency requesting additional information regarding past and current experience with application of the Navy's proposed sampling decision process (or something close to it). In particular, what were the results, were results reasonable, appropriate, and defensible, and how professional judgement did/did not enter the process. Also, how large the datasets were, how exceedances of screening

criteria were handled, and what problems were encountered. SAPL sent another email later in January requesting that the information be provided prior to the February 5<sup>th</sup> deadline for comments on the Site 32 QAPP Responses to Comments. As of today, February 7<sup>th</sup>, no response has been received from the Navy, and the initial responses from the regulatory agencies have not provided much information. Without hearing more about actual application of the Navy's proposed method and resulting decisions and actions, SAPL must continue to express reservations about the Navy's proposed method.

**5. Use of Background Data to Eliminate Potential Contaminants of Concern.** The Navy's response to SAPL's Original Comment Number 7 (dated 11/29/02) acknowledges that SAPL does not agree with the Navy's policy that allows chemicals to be eliminated from consideration base on background. The Navy's stated position is that it will follow Navy policy. SAPL must go on record that concentrations of chemicals should be compared to risk-based standards in order to evaluate potential risk to a receptor, regardless of background. Elimination of chemicals prior to comparison with these standards will result in an underestimation and understatement of total risk and the possibility of inadequate remedial action.

**6. Dioxin/Furan Background Data.** In Original Comment Number 12 (dated 11/29/02), SAPL had asked if the Navy had 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. The Navy response states that windblown dispersion of dioxins (and other contaminants) can occur across political boundaries over thousands of miles, which is one of the main reasons why dioxins can be expected to be present anywhere. This response does nothing to address SAPL's on-going concern that the potential impact from a local [dioxin] source needs to be evaluated. Dioxins are known to occur at the Teepee Incinerator site. The incinerator operated at a time when management of contaminants and particulates was not a major concern. The technologies employed at the time also were not likely to prevent migration and dispersion of contaminated particles from the site. The Navy's refusal to evaluate dispersion of contaminants from this site reinforces SAPL's position that background data must not be used to eliminate contaminants from risk evaluation.

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  
Matt Audet, USEPA