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LETTER REGARDING SEACOAST ANTI-POLLUTION LEAGUE REVIEW COMMENTS ON  
SEPTEMBER 2003 DRAFT TECHNICAL MEMORANDUM ON ADDITIONAL DIOXIN  
ANALYSIS NSY PORTSMOUTH ME  
10/28/2003  
LEPAGE ENVIRONMENTAL SERVICES

# Lepage Environmental Services, Inc.

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October 28, 2003

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

Subject: Review of September 2003 Draft *Technical Memorandum, Evaluation of Dioxin Results for Ash and Recommendation Regarding Additional Dioxin Analysis for Site 34*

Dear Ms. Raymond:

We are transmitting the following comments on behalf of the Seacoast Anti-Pollution League (SAPL) on the September 2003 Draft *Technical Memorandum, Evaluation of Dioxin Results for Ash and Recommendation Regarding Additional Dioxin Analysis for Site 34*:

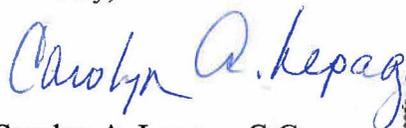
As stated previously, SAPL supports the Navy's proposal to remove the ash pile and associated contaminated soil at Site 34 (see SAPL's February 28, 2003, comments on the Draft Final *Site 34 Site Investigation Quality Assurance Project Plan*). However, SAPL does not agree with the Navy's September 2003 proposal to eliminate dioxin from further analysis at the site. SAPL concurs with the Maine Department of Environmental Protection's (MEDEP) comments dated October 24, 2003, that dioxin must be retained as an analytical parameter as investigations at Site 34 move forward.

SAPL has consistently stated that comparisons with background data should not be used to eliminate contaminants from consideration at a site (See Comment Number 2 in SAPL's February 28, 2003 letter, for example). SAPL believes that dioxin, having been detected in the ash at concentrations exceeding screening criteria, is a site-related contaminant that must be dealt with in a responsible and responsive manner. Furthermore, SAPL does not believe that there is enough sample size to determine if the site dataset is statistically different from the background dataset. In addition, SAPL is particularly concerned with a recent study that indicates there is no evidence of a dioxin cancer threshold (Mackie et al, 2003, No Evidence of Cancer Threshold: Environmental Health Perspectives, 111(9), p. 1145-1147) and with the protectiveness of screening criteria for dioxin.

SAPL is disappointed that the Navy did not seek regulator and RAB input until the holding time for the on-hold samples had almost been surpassed. SAPL believes the Navy should perform confirmatory sampling (including dioxin) in soils that are exposed once the removal action is complete. Furthermore, the Navy should not eliminate dioxin from future investigation at Site 34.

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  
David Brown Sc.D.