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NSY PORTSMOUTH
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LETTER AND CONCURRENCE FROM MAINE DEPARTMENT OF ENVIRONMENTAL
PROTECTION REGARDING DRAFT FINAL RECORD OF DECISION FOR OPERABLE UNIT 1
(OU 1) SITE 10 NSY PORTSMOUTH ME
9/21/2010
MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DETH NAGUSKY
ACTING COMMISSIONER

September 21, 2010

James T. Owens, III
Director, Office of Site Remediation & Restoration EPA New England, Region I
5 Post Office Sq. Suite 100
Mail Code OSRR07-5
Boston, MA 02109-3912

Re: Letter of Concurrence, Record of Decision for Operable Unit 1, Portsmouth Naval Shipyard, Kittery, Maine

Dear Mr. Owens:

The Maine Department of Environmental Protection (MEDEP) has reviewed the Draft Final Record of Decision (ROD) for Operable Unit 1, Site 10, dated September 2010. The primary chemical associated with CERCLA releases to soil and groundwater at OU1 is lead from releases (prior to approximately 1984) from lead-acid battery operations conducted in Building 238. The releases occurred under the crawl space of the building (by a former acid drain line) and from the former battery acid tank located outside the building.

Based on our review the Maine Department of Environmental Protection concurs with the selected remedial action which consists of excavation and disposal, institutional controls, and monitoring. The remedial action is outlined below:

- Excavation of contaminated soil with lead concentrations greater than acceptable levels for construction workers and hypothetical future recreational users and occupational workers, around the drain lines within the crawl space of Building 238.
- Off-site disposal of excavated soil at an appropriate treatment, storage, and disposal (TSD) facility.
- Restoration of excavated areas to pre-existing elevations with clean soil.
- Implementation of land use controls (LUCs) through a LUC remedial design (LUC RD) to ensure maintenance of current site features to prevent future residential site use.
- Groundwater monitoring to confirm the lack of groundwater impacts from the soil removal action.
- Five-year site reviews to confirm that the remedial action objectives (RAO) are being achieved and the remedy remains protective.

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 297-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD, SUITE 4
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04679-2094
(207) 764-0477 FAX: (207) 760-3143

The MEDEP looks forward to working with EPA and Navy to resolve the environmental problems posed by the Shipyard. If you need additional information do not hesitate to call myself or members of my staff.

Sincerely,



Mark Hyland
Bureau Director
Bureau of Remediation and Waste Management
Maine Department of Environmental Protection

Electronic pc:

D. Wright, MEDEP
T. Wolfe, MEDEP
G. Lipfert, MEDEP
M. Audet, USEPA
L. Cole, NAVFAC
M. Thyng, PNS
L. Joy, US Navy
D. Cohen, TtNUS
P. Britz, RAB
D. Bogen, RAB

M. Dionne, RAB
M. Marshall, RAB
J. McKenna, RAB
D. McNabb, RAB
O. Roy, RAB
R. Wells, RAB
J. Carter, RAB
D. Grout, NH Fish & Game
C. Lepage, for SAPL
File