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LETTER AND COMMENTS FROM MAINE DEPARTMENT OF ENVIRONMENTAL
PROTECTION REGARDING DRAFT PROPOSED PLAN OPERABLE UNIT 4 (OU4) NSY
PORTSMOUTH ME
10/27/2012
MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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October 27, 2012

Elizabeth Middleton
NAVFAC MIDLANT
Code OPTE3
9742 Maryland Ave
Norfolk, VA 23511

re: Draft Proposed Plan for Operable Unit 4, Portsmouth Naval Shipyard, Kittery, ME,
September 2012.

Dear Liz,

The Maine Department of Environmental Protection (MEDEP) has completed its review of the subject document. MEDEP agrees with the Navy's recommendations of Alternatives MS01-03, MS0304-03, MS12A-04 and MS12B-03 to address contaminated sediment at OU4 and to provide long-term risk reduction. Each of these alternatives requires complete excavation of contaminated sediment with off-yard disposal. We also agree with the Navy's recommendations of No Further Action for MS-02, MS-05, MS-06, MS-07, MS-08, MS-09, MS-10, MS-11, MS-13 and MS-14. In addition, we have the following comments.

1. Human Health and Ecological Risks. Please add figures of conceptual models to the PP.
2. Because there will be no 5-year reviews or any monitoring following removal of contaminated sediment it is imperative that there be very high confidence in the delineation of extent of contamination. Likewise, confirmation sampling must be sufficient enough to have very high confidence that all IR-related contaminated sediment has been removed.
3. Site Characteristics, p. 5. "The offshore area of OU2 is rocky and there is not sufficient sediment to cause ecological risk. In addition, the Round 11 monitoring results showed that the COC concentrations have decreased to acceptable levels. Therefore, there is no longer an ecological risk at this monitoring station." At MS-11 Station 3 lead consistently exceeded its PRG in Rounds 1-7 and copper exceeded its PRG in Rounds 2, 3, 4 and 7. It is inappropriate to use the results of one round of sampling as evidence that no unacceptable ecological risk is present and should not be included as such. However, the statement that there is not sufficient sediment to cause ecological risk is true and is appropriate justification. In addition, the minimal amount of fine-grained sediments at MS11 further supports the conclusion of no unacceptable ecological risk, since contaminants are typically more closely associated with fine-grained sediments.

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4. Summary of Remedial Alternatives, p. 8. "Based on the results of the Round 11 Interim Offshore Monitoring Program sampling...no further action is required for MS-11." Please remove the reference to Rd 11 results as justification for no further action at MS11 and use the small amount of sediment and the general lack of fine-grained sediment as supporting evidence instead. See Comment 3.

5. Nine Evaluation Criteria, p. 11. Short-Term Effectiveness does not address the technical and administrative feasibility of implementing and alternative. Please correct this statement.

6. Preferred Alternatives, p. 16. The paragraph discussing the proposed alternative for MS-12A should be updated to indicate that physical removal of sediment within the tidal area of Building 178 probably will not be necessary due to its removal during renovation of the building.

Please feel free to contact me at (207) 287-8010 if you have any questions.

Sincerely,



Iver McLeod
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