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NSY PORTSMOUTH  
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LETTER AND COMMENTS FROM U S EPA REGION I REGARDING DRAFT PROPOSED  
REMEDIAL ACTION PLAN OPERABLE UNIT 4 (OU4) SOLID WASTE MANAGEMENT UNIT 5  
(SWMU5) NSY PORTSMOUTH ME  
1/3/2013  
U S EPA REGION I



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
NEW ENGLAND - REGION I  
5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MASSACHUSETTS 02109-3912

January 3, 2013

Liz Middleton, EIT  
Remedial Project Manager  
Northeast IPT, NAVFAC Mid Atlantic  
Code OPTE3  
9742 Maryland Ave  
Norfolk, VA 23511

Re: **EPA comments on the Draft Proposed Remedial Action Plan,  
OU4, Portsmouth Naval Shipyard, Kittery, Maine**

Dear Ms. Middleton:

I have reviewed the subject documents provided by the Navy. The Agency's comments are provided in Attachment 1.

If you have any questions, please feel free to contact me at [audet.matthew@epa.gov](mailto:audet.matthew@epa.gov) or 617.918.1449.

Sincerely,

A handwritten signature in blue ink that reads "Matthew R. Audet." The signature is fluid and cursive.

Matthew R. Audet, P.G.  
Remedial Project Manager  
Office of Site Remediation and Restoration

cc. Iver McLeod/ME DEP  
Deb Cohen/Tetra Tech NUS  
RAB Members

## Attachment 1

### **EPA comments on Navy's *Draft Proposed Remedial Action Plan*, OU4, Portsmouth Naval Shipyard, Kittery, Maine**

1. *Pg. 7.* "Risks from ingestion of seafood were found to exceed regulatory guidelines, but the risk assessment could not differentiate whether the chemicals that cause the risk were from PNS sources or from other sources within the lower Piscataqua River. That is because the concentration of chemicals detected in seafood in the lower Piscataqua River was found to be equal to or lower than other areas of the coastal waters of Maine..." This issue needs clarification. Please elaborate on the basis of the human health risk determination vis-à-vis fish data. Are levels in fish below background? EPA will need to review this data.
2. *Pg. 8, Remedial Action Objectives.* The RAO should be rewritten to read: "eliminate unacceptable risk to ecological benthic receptors exposed to COCs in sediment."
3. *Page 16, ¶ 4.* In describing the details of the proposed excavation alternatives, the text states that the alternatives "would include excavation of sediment at each monitored station to a depth defined for each area..." "Depth defined for each area" should be followed by "that leaves contaminants at levels at or below the cleanup levels."
4. *Pg. 11.* In the section entitled "What are the nine evaluation Criteria" the text states that nine criteria are "CERCLA mandated." It is more accurate to say that they are "NCP mandated."
5. *Pg. 1.* The text states that the proposed plan "has been prepared in accordance with federal law..." The proposed plan and related documents have examined only the laws covered by the FFA. The text should more correctly read: "has been prepared in accordance with the Federal Facility Agreement for the Portsmouth Naval Shipyard."
6. *Pg. 2.* The text states that the operable unit was developed by reviewing past documents, investigation off shore media..." "Offshore media may be difficult for a layman to understand and might be changed to something that is simpler to understand."
7. *Pg. 3.* The document states "The Navy and EPA ...could even select remedies different from that proposed in this Plan." Please amend the sentence to read: "...after appropriate additional opportunity for public comment."
8. *Pg. 5* The text states that "the monitoring program showed that concentrations of COCs...were less than levels that indicate an ecological risk." EPA suggests replacing "less than" with "below." This language also appears on page 7 and in several places in the document.