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LETTER REGARDING MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION
COMMENTS ON U S NAVY RESPONSES TO COMMENTS ON THE FACILITY
BACKGROUND TECHNICAL MEMORANDUM NSY PORTSMOUTH ME
3/17/2014
MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
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March 17, 2014

Linda Cole
NAVFAC MIDLANT (Code OPTE3)
Environmental Restoration
Building Z-144, Room 109
9742 Maryland Ave
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re: Navy responses to MEDEP comments, Facility Background Technical Memorandum, April 29, 2013 updated February 10, 2014.

Dear Linda,

The Maine Department of Environmental Protection has completed its review of the responses to comments referenced above. Our comments follow. No follow-up responses from the Navy are necessary.

1. As we have made clear throughout the comment/response process of this document MEDEP has many reservations regarding development of the facility background values primarily related to evaluation of outliers and high PAH detection limits. As stated in our January 8, 2014 follow-up comment, MEDEP will endeavor to ensure that background comparisons are completed without allowing single outlier data points to drive the conclusions. Furthermore, MEDEP will continue to rely on MEDEP RAGs and appropriate USEPA values to determine whether remediation of lead in soil to residential levels is necessary.

Regarding soil PAH values, as also stated in our January 8, 2014 comment letter, they are comparable to MEDEP's PAH background values (MEDEP, 2013). Therefore, while they may not be truly reflective of Shipyard background values because of the high number of non-detects, they are within the range one might expect to find in an industrial area such as the Shipyard and are therefore reasonable to use. Please include the PAH Urban Developed ME Background values in the Facility Background Soil Representative Statistics table.

2. February 10, 2014 RTC 6. This document already has a fair amount of uncertainty. Therefore, we should be trying to reduce uncertainty as much as possible, not adding to it for sake of convenience. To be consistent with past practice at the Shipyard the Navy should present the data accurately and correct the database and plots to reflect the fact that sample BGS-26 is a duplicate of BGS-10.

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Reference

Maine Department of Environmental Protection, 2013. Maine Remedial Action Guidelines (RAGS) for Sites Contaminated with Hazardous Substances, May 2013. Available at http://maine.gov/dep/spills/publications/guidance/rags/final_5-8-2013/2%20ME-RAGS_Final_5-8-2013%20Corrected%20Copy.pdf

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

Sincerely,



Iver McLeod
Project Manager
Bureau of Remediation and Waste Management

pc: Chris Evans, MEDEP
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Subject: final MEDEP comments - PNSY Facility Background Tech Memo
Attachments: Kittery_PNSY_comments on 021014 Fac Bkgrd Tech Memo RTC_031214.pdf

Linda,

The MEDEP has reviewed the Navy's latest response to our comments regarding the PNSY Facility Background Tech Memo. I have attached our final comments on this document – no response from the Navy is expected (though of course feel free to let me know if you have any additional comments or concerns). We aren't looking for any additional changes to the document other than the ones the Navy has already said they'd make.

Let me know if you have any questions about this.

Thanks,

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