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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
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Philadelphia, Pennsylvania 19103-2029

Robert Thomson, P.E., R.E.M.
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Date: October 15, 2008

Ms. Linda L. Cole, P.E.
NAVFAC MIDLANT, Code EV3
9742 Maryland Avenue
Building N-26, Room 3208
Norfolk, VA 23511-3095

OTO 117
02-D-3052

Re: Naval Weapons Station-Yorktown NPL site, Yorktown, Va.
Site 29 - Lee Pond
Draft *Proposed Plan*
Review of the Navy's 8/21/08 response to EPA's 7/30/08

Dear Ms. Cole:

The U.S. Environmental Protection Agency (EPA) has reviewed the U.S. Navy's (Navy's) August 21, 2008 response to EPA's July 30, 2008 comment letter pertaining to the review of the U.S. Navy's (Navy's) June, 2008 draft *Proposed Plan* for Site 29, Lee Pond, located the Naval Weapons Station-Yorktown (NWS-Yorktown) NPL site. Based upon that review, we offer the following comments:

1. **Section 3, second paragraph, second sentence:** What is meant by "influences?" Contaminants? Pls. clarify. Also "discharges" should be "discharge".
2. **Section 3, third paragraph, last sentence:** "were" should be "was."
3. **Ecological Risk text box--**The colors on the title need fixing.
4. The definition of "National Priorities List" that has been added to the Glossary is incorrect. The definition, as written, implies that the reason that sites are added to the NPL is so that federal funding will be available for the cleanup, which of course is misleading. Superfund monies may be used for, among other costs, any response action authorized by Section 104 of CERCLA, which includes costs of response at sites that are on and that are not on the NPL. So, I recommend using the definition of NPL from the NCP, which is:

National Priorities List (NPL): The list, compiled by EPA pursuant to CERCLA section 105, of uncontrolled hazardous substances releases in the United States that are priorities for long-term remedial evaluation and response.

5. Please edit the definition of Reasonable Maximum Exposure (RME) to more closely adhere to the definition in EPA's Risk Assessment Guidance (EPA, Risk Assessment Guidance for Superfund: Volume III, Part A - Process for Conducting Probabilistic Risk Assessment, December 2001 at p. 1-3), which is

Reasonable Maximum Exposure (RME): The highest exposure that is reasonably expected to occur at a site. The intent of the RME is to estimate a conservative exposure case (i.e., well above the average case) that is still within the range of possible exposures.

6. The definition of "Installation Restoration Program" is not a definition (it's an explanation), and it's unclear if ERP means something else or is an error. The first sentence of an entry in a glossary needs to be a definition of the term. Something like the below might do:

Installation Restoration Program (IRP): The program at the Department of the Navy charged with implementing environmental cleanups under CERCLA at Navy installations. The Navy, as the lead agency, . . .

7. EPA recommends changing the second sentence in the definition of Hazard Index to read as follows. "An HI value of 1.0 or less indicates that non-cancer adverse human health effects are unlikely to occur."
8. The definition of "cancer risk" is awkward, so EPA recommends using the following definition (from EPA's Risk Assessment Guidance, Part B):

Cancer Risk: The incremental probability of an individual developing cancer over a lifetime as a result of exposure to a potential carcinogen.

9. According to EPA's Risk Assessment Guidance, Part A, Chapter 8, page 8-11 thru 8-13, this definition of "non-cancer hazard" is wrong. The hazard quotient is an estimate of the risk of non-cancer adverse effects from exposure to all hazardous substances present. It is EPA's understanding that chemicals can produce cancer and non-cancer effects in humans, and exposure at a high enough dose can produce one effect or the other or both. The hazard quotient is not the risk of non-cancer adverse effects from exposure to "non-carcinogenic chemicals." (Chemicals are not necessarily exclusively either "carcinogenic" or "non-carcinogenic.") The HQ is the risk that the COC will produce a non-carcinogenic effect in a human, whether or not that same COC may also present a cancer risk to that human. Please modify.
10. Please change the definition of Remedial Investigation to be the same as in the NCP at 40 CFR 300.5. (As written, the definition leaves the impression that a remedy is selected and then a study is done to support that selection, which of course would be a wrong interpretation of Remedial Investigation.)
11. Please change the definition of Administrative Record to read like this:

Administrative Record: A compilation of documents relied upon to select a remedial response. The Administrative Record is available to the public and is placed in the IRP (ERP??) Information Repository.

This concludes EPA's review of the Navy's August 21, 2008 response to EPA's July 30, 2008 comment letter pertaining to the review of the Navy's June, 2008 draft *Proposed Plan* for Site 29, Lee Pond, located the NWS-Yorktown NPL site. If you have any questions, please feel free to call me at (215) 814-3357,

Sincerely,



Robert Thomson, P.E., R.E.M.
Federal Facility Remediation (3HS11)

Cc: Wade Smith (VaDEQ, Richmond)