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LETTER AND THE RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
COMMENTS FOCUSED FEASIBILITY STUDY SITES 1, 2, 3, AND 4 NCBC DAVISVILLE RI
07/17/2015
RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

17 July 2015

Mr. Jeffrey Dale, RPM
U.S. Department of the Navy
BRAC PMO, Northeast
4911 South Broad Street
Building 679, PNBC
Philadelphia, PA 19112

RE: NCBC Sites 1, 2, 3 & 4
Focused Feasibility Study
Naval Construction Battalion Center
Davisville, Rhode Island
Submitted 22 May 2015, Dated 21 May 2015

Dear Mr. Dale:

The Rhode Island Department of Environmental Management, Office of Waste Management (RIDEM) has reviewed the above referenced document and has the following comment to offer:

1. Page 1-2, Document Organization, Bullet 5, Last Sentence - This sentence notes that an early action allows for protectiveness from groundwater until a final remedy is selected. This should be further explained to note that a final remedy for groundwater at NCBC will be contingent upon the Army Corps of Engineers selecting a remedy which will address the upgradient source area located east of the NIKE PR-58 Formerly Used Defense Site.
2. Page 1-12, Section 1.2.6, Summary of Risks, paragraph 4, Sentence 1 – This sentence notes that there is an unacceptable risk if groundwater is used as a drinking water source. In addition to the groundwater being used as a drinking water source it should also be noted there would be a concern with vapor intrusion, especially if used as a source for showering.
3. Page 2-3, Soil RAO 1 – Please change "...surface and subsurface soil at the OU7-CED Area..." to "soils above the water table at the OU7-CED Area.". As noted in Section 8.02(A)(i)(2) of the RIDEM Remediation Regulations, 2011 residential direct exposure criteria is applied to the vadose zone which is from the surface to the top of the water table irrespective of depth.

4. Page 2-8, Section 2.6.1, General Response Actions, Ex-Situ Treatment – It should be noted that if this alternative is selected the substantive requirements of a RCRA Corrective Action permit may be required.
5. Page 3-2, Section 3.1, Preliminary Screening of Soil Technologies and Process Options – Please explain why In-Situ and Ex-Situ treatment of Soils is not carried forth in this section of the study as well as Section 3.2 Detailed Screening of Soil Treatment Technologies and Process Options.
6. Page 4-6, Section 4.2.1.1, Alternative S-1, No Action, Description – It is noted in this alternative that there are already restrictions of on the use of the property prohibiting residential use and groundwater use for drinking purposes. It is not clear if there are restrictions preventing industrial use of the groundwater, though QDC requires all water to be purchased through them. There are also no restrictions on the excavation and off-site disposal of soils from this Operable Unit, i.e. a soil management plan. This should be noted in this section of the Study.
7. Page 4-8, Section 4.2.2.1, Alternative S-2, Description, Component 1:LUCs, Paragraph 1 – Please change “LUCs would also prevent I/C exposure to subsurface soil at Site 02 with contaminant concentrations greater than I/C DEC by preventing disturbance of the top 2 feet of soil.” to “LUCs would also prevent I/C exposure to subsurface soil at this operable unit with contaminant concentrations greater than I/C DEC by following a soil management plan when accessing soils greater than 2 feet in depth from the surface.”.
8. Page 4-8, Section 4.2.2.1, Alternative S-2:LUCs, Description, Paragraph 1 – “These restrictions include use of the property only for the development or operation of a port facility.” Please remove this sentence as the RIDEM ELUR can only be used to restrict land use to a certain type of use (residential, recreational, commercial or industrial) not a specific use. In this specific case, RIDEM will only make a determination if the land use is either industrial or commercial. It will not make a determination if the proposed use is port related. That is for others to make. If the Navy wishes to allow only port related activities on this parcel of land that must be done separately from the ELUR.
9. Page 4-11, Section 4.2.3.1 Alternative S-3, Description, Component 2: Cover and LUCs – “LUCs would also prevent I/C exposure to subsurface soil at Site 02 with contaminant concentrations greater than I/C DEC by preventing disturbance of the top 2 feet of soil.” See Comment 7.
10. Page 5-1, Early Action for Groundwater, Paragraph 1, Last Sentence – Please change “former NIKE site” to “former NIKE PR58 site” . This is a public document. Even though it may be obvious that the NIKE site in question is immediately to the west of the CED area it would be helpful to the public should they want to seek information about the NIKE PR58 site as there are 5 other NIKE sites within Rhode Island.

11. Page 5-1, early Action for Groundwater, Paragraph 4, Sentence 1 – Please change “Implementing this Early Action for the CED sites....” to “Implementing this Early Groundwater Action for the CED sites....”.
12. Page 5-2, Early Action for Groundwater, Second paragraph after 4 Bullets - “In addition, the lease terms prohibit the use of groundwater as a drinking water source without express written approval of the Navy, USEPA, and RIDEM.” Please change to: “In addition, the lease terms through the LIFO prohibit the use of groundwater as a drinking water source without express written approval of the Navy, USEPA, and RIDEM.”
13. Page 5-3, Early Action for Groundwater, Paragraph 1 – Please change “This expanded LUC boundary was included based on discussion and concurrence from all parties during the May 20, 2015 BCT teleconference.” to “This expanded LUC boundary was included based on discussion and concurrence from all parties (Navy, USEPS & RIDEM) during the May 20, 2015 BCT teleconference.”
14. Page 5-3, Early Action for Groundwater, Paragraph 3 – This paragraph discusses particulars of a monitoring program. While RIDEM concurs with a groundwater monitoring program as part of the early action for groundwater it is not prepared at this time to concur with the particulars of said program, i.e. how many wells to be monitored, specific constituents to be monitored and at what frequency the wells will be sampled. It should be noted in this paragraph that the specific parameters of the monitoring program will be worked out at a later date.
15. Page 5-5, Section 5.5, Short-Term Effectiveness, Paragraph 2, Last Sentence – “The Early Action could be implemented within 1 year of finalization of the OU7-CED Area Proposed Plan in which the Early Action would be presented for public comment.” Please state if the Early Action implementation will be finalized within one year of the proposed plan or ROD.
16. Page 5-5, Section 5.6, Implementability, Paragraph 2, Sentence 2 – This sentence states that continuation of the early action controls is dependent on the future landowner filing an ELUR. Please note that the Navy can place an ELUR on the property prior to transfer as the ELUR runs with the land. In this manner continuation of the early action controls remain in place irrespective to who the future landowner is.
17. General Comment – Preliminarily, ARARs seem acceptable, however, once an alternative is selected RIDEM will provide a more thorough review.
18. General Comment – Please provide appendices.

RIDEM would like to thank you for the opportunity to comment on this document and looks forward to working with the Navy and USEPA. If you have any questions or require additional information please call me at (401) 222-2797 ext. 7138 or email me at richard.gottlieb@dem.ri.gov.

Sincerely,



Richard Gottlieb, P.E.
Principal Engineer

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