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November 10, 2006

Mr. Darren Gainer, P.G.  
ECC  
33 Boston Post Road  
Marlborough, MA 01752

Subject: ARARs Support  
Naval Air Station Brunswick  
Brunswick, Maine

Dear Mr. Gainer:

As requested, MACTEC Engineering and Consulting, Inc. (MACTEC) has completed further review of Appendix J.5 of the Second Five-Year Review Report for Naval Air Station (NAS) Brunswick, Maine dated September 2005. Appendix J.5 contains revisions made by the United States Environmental Protection Agency (USEPA) to the Applicable or Relevant and Appropriate Requirements (ARARs) tables for Sites 1 and 3, Site 2, Site 7, Site 9, and the Eastern Plume at NAS Brunswick. The purpose of this further review was to identify those changes to the ARARs tables that could potentially have significant impacts on the ongoing and planned remedial actions at these sites.

Enclosed is a memorandum that provides MACTEC's further review comments on the USEPA-revised ARARs tables.

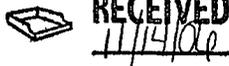
Please contact me at (207) 775-5401 if you have any questions regarding this matter.

Sincerely,

MACTEC ENGINEERING AND CONSULTING, INC.

Jeffrey S. Pickett, C.G.  
Senior Project Manager

encl.





November 10, 2006

Subject: Second Five-Year Review Report for Naval Air Station Brunswick, Maine  
Appendix J.5 - Revised ARARs Tables

Prepared by: Jeffrey E. Brandow, P.E., Principal Engineer (MACTEC)

Reviewed by: Alan P. Picuch, Principal Engineer (MACTEC)

In an earlier memo dated June 14, 2006, MACTEC Engineering and Consulting, Inc. (MACTEC) reviewed the revised Applicable or Relevant and Appropriate Requirements (ARARs) tables for the following sites at Naval Air Station (NAS) Brunswick, Maine:

Site 1 (Orion Street Landfill - North) and Site 3 (Hazardous Waste Burial Area)  
Site 2 (Orion Street Landfill - South)  
Site 7 (Old Acid Caustic Pit)  
Site 9 (Neptune Drive Disposal Area)  
Eastern Plume Operable Unit 4

These ARARs tables had been modified by the United States Environmental Protection Agency (USEPA) during its review of the "Second Five-Year Review Report for Naval Air Station (NAS) Brunswick, Maine", prepared by Environmental Chemical Corporation and EA Science & Technology, dated September 2005. USEPA's revisions were primarily an attempt to provide consistency between the individual ARARs tables for the above-listed sites at NAS Brunswick; however, in several instances the revisions identified ARARs that may not have been considered at some of these sites. The following paragraphs briefly discuss the potential for impacts from these additional requirements.

1. Executive Order 11990 (Wetlands Protection) has been added as a location-specific ARAR for Sites 1 and 3 (Table C-1), Site 7 (Table E-3), Site 9 (Table F-3), and the Eastern Plume (Table G-1). This will only come into play in the event that proposed future remedial actions would impact wetlands. Wetlands impacts would have to be avoided to the extent possible, and unavoidable losses may trigger the need for mitigation. The likelihood of this becoming a major issue at Sites 1 and 3, Site 7, Site 9, and the Eastern Plume currently appears low.
2. Executive Order 11988 (Floodplain Management) has been added as a location-specific ARAR for Sites 1 and 3 (Table C-1), Site 7 (Table E-3), Site 9 (Table F-3), and the Eastern Plume (Table G-1). Similar to E.O. 11990, this requirement requires that any activities within a flood plain be avoided to the extent possible. The likelihood of this becoming a major issue at Sites 1 and 3, Site 7, Site 9, and the Eastern Plume currently appears low.
3. The Fish and Wildlife Coordination Act has been added as a location-specific ARAR for Sites 1 and 3 (Table C-1), Site 7 (Table E-3), Site 9 (Table F-3), and the Eastern Plume (Table G-1). This Act is applicable when actions are taken that would disturb fish or wildlife resources. The U.S. Fish and Wildlife Service has been a regular participant on the Restoration Advisory Board for the NAS Brunswick IRP and has provided input on remedial actions, so it does not appear that this requirement will result in any significant issues at these sites.

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4. The Coastal Zone Management Act has been added as a location-specific ARAR for Sites 1 and 3 (Table C-1), Site 7 (Table E-3), Site 9 (Table F-3), and the Eastern Plume (Table G-1). This Act is applicable to actions that impact coastal zone resources, including coastal wetlands and fisheries. The Coastal Zone Management Act requirements are implemented by the Maine State Planning Office, Maine Coastal Program. Many of these requirements overlap with those discussed under items 1 through 3 above, so the likelihood of additional significant issues being raised appears low.
5. The Clean Water Act Ambient Water Quality Criteria and State of Maine Surface Water Toxics Control Program have been added as action-specific ARARs for Sites 1 and 3 (Table C-2) and the Eastern Plume (Table G-2). The Clean Water Act Ambient Water Quality Criteria has also been added as a Monitoring Performance Standard for Site 2 (Table D-1). These are identified as relevant and appropriate requirements for evaluating surface water data collected during long-term monitoring at these sites. In the event that the regulatory agencies use these criteria to evaluate surface seeps discharging to the Mere Brook watershed, it is possible that exceedances will be observed that could drive the need for additional remedial measures at these sites. Previously, contaminant levels within seeps were evaluated on a risk basis for human and ecological receptors to determine if remedial measures were necessary. It should be noted that Mere Brook is already designated as an impaired water body by the State of Maine, due to general surface water runoff issues and non-point pollutant discharges within the watershed. This may mean that it will be difficult to differentiate between impacts from upgradient sources and those from the IRP sites, and also that more stringent limitations on additional contributions to pollutant load will be required by the regulatory agencies. Eventually, a Total Maximum Daily Load (TMDL) will be established for Mere Brook that could result in additional control measures being required. These ARARs appear to have the greatest potential to impact the scope of remedial activities at the NAS Brunswick sites.