



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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JOHN ELIAS BALDACCI
GOVERNOR

DAVID P. LITTELL
COMMISSIONER

August 2, 2006

Mr. Orlando Monaco
Department of Navy
Base Realignment and Closure
Program Management Office-Northeast
4911 South Broad Street
Philadelphia, PA 19112-1303

Re: Site 9 Ash Landfill Removal
Naval Air Station, Brunswick, Maine

Dear Mr. Monaco:

This letter is to follow up on a number telephone conversations that we have had regarding the removal of the ash landfill on Site 9. The Navy has been informed of a number of environmental irregularities with the ash landfill removal following an inspection by Environmental Protection Agency's (EPA) contractor on July 18, 2006, including:

- The Navy's contractor did not have the soil sampling Standard Operating Procedure and did not appear to be following it;
- environmental samples were not put on ice immediately and the air temperature was in 80's. The contractor stated he planned on bringing the samples to his hotel and then putting them on ice because it wasn't easy getting ice on the Base;
- plastic trowels were used rather than stainless steel;
- composited soil samples for analytes, other than Volatile Organic Compound (VOCs), were not homogenized;
- and VOC soil sample vials were not filled to the top as required in the SOP.

As stated in the conference calls, these inconsistencies in the sampling procedure bring into question the validity of the data for both confirmation sampling and for disposal. One stockpile of ash material did result in exceedences of Toxicity Characteristic Leaching Procedure (TCLP) for both lead and trichloroethene (TCE), making it hazardous waste. Therefore no soil, ash, debris, or water from the Site 9 Ash Landfill/Dump Removal Action (N62472-05-Q-SB22) may be removed from the base for disposal until the quality of past and present data is determined.

Complicating the situation is the fact that in June 2006, MEDEP notified the Navy that their oversight contractor also did not collect confirmation samples according to standard procedure (VOC sample was taken from the TAL metals.) which also makes this data is suspect. To MEDEP's knowledge this was never resolved.

According to the Navy, 12,000 cubic yards of ash/debris material has been shipped to a special waste landfill yet MEDEP has been provided with data for only 1500 cubic yards worth of material although it has requested the data numerous times and was told that we were sent what the Base had.

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The Navy is ultimately responsible for the oversight and actions of its contractors. Improper disposal of this material is a serious matter and could ultimately trigger enforcement action against the Naval Air Station under Resource Conservation and Recovery Act (RCRA) if it is determined that hazardous materials have been shipped off base to a special waste landfill.

MEDEP requests that the Navy determine how the environmental samples were taken and if they were taken and treated consistently, provide a figure of the site showing the sampling locations and extent of the excavation, provide the existing analytical data, and a solution(s) to these problems by August 15, 2006. MEDEP also requests that it be notified when the next sampling event is taking place so staff can be on site, if possible, to observe.

Please contact me at (207) 287-7713 or claudia.b.sait@maine.gov, if you have any questions or comments.

Respectfully,



Claudia Sait
Project Manager-Federal Facilities
Bureau of Remediation & Waste Management

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