



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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TDD 401-831-5508

19 February 1999

Mr. Philip Otis, P.E., Remedial Project Manager
US Department of the Navy, Northern Division
Code 18, Mail Stop #82
10 Industrial Highway
Lester, PA 19113-2090

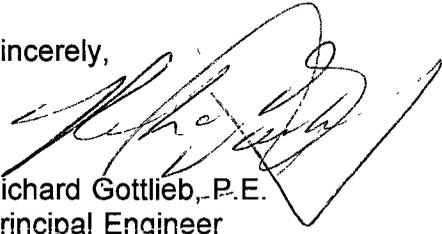
RE: Navy Response to 12 January 1999 RIDEM Comments
Draft Record of Decision for Site 07 - Calf Pasture Point
NCBC Davisville, Rhode Island
Submitted 3 February 1999, Dated February 1999

Dear Mr. Otis;

The Rhode Island Department of Environmental Management, Office of Waste Management (RIDEM) has reviewed the above referenced document and comments are attached. Please be advised that this correspondence is in reference to the responses to the specific comments submitted by RIDEM and not on the revised draft final ROD for Site 07 itself, also submitted on 3 February 1999.

If you have any questions or require additional information please call me at (401) 222-2797 ext.7138.

Sincerely,


Richard Gottlieb, P.E.
Principal Engineer

cc: W. Angell, OWM DEM
C. Williams, EPA Region 1
H. Cohen, RIEDC

S. Licardi, ToNK
W. Davis, CSO NCBC
J. Shultz, EA Eng.

RIDEM Comments For:

**Draft Record of Decision
Site 07 - Calf Pasture Point
Naval Construction Battalion Center
Davisville, Rhode Island**

Submitted 14 December 1998, Dated December 1998
Navy Response Submitted 3 February 1999

**1. Page 2 of 2, Declaration Page;
Bullet 2.**

This bullet states that other media such as surface water or sediment from the shoreline or interior wetlands *may* be sampled as warranted. Please revise this sentence to state that the aforementioned media *will* be sampled in accordance with the long term monitoring plan. Section 4 of the proposed "Revised Long term Risk Monitoring Plan for Site 7, dated 23 November 1998 calls for a minimum sampling of these media 7 times every nine months during the first five years of the monitoring plan.

Navy Response - The Long-Term Risk Monitoring Program (LTRMP) for Site 07 dated 23 November 1998 does not state that sediment or surface water will be sampled. Section 4 of the LTRMP states that selected inland wells and shoreline/wetland piezometers (i.e., groundwater) will be sampled. Section 4 allows for additional monitoring, as appropriate, based on the results of the groundwater data trends. Therefore, the text is correct as written and no change is necessary.

RIDEM Comment - The Navy is correct in that the LTRMP does not specifically state that the above mentioned items *will* be monitored. Since the intent of the LTRMP is to ensure that contamination in the groundwater is not coming into contact with human beings or the environment it would only make sense to sample those locations where such a contact could occur - that being the surface water and sediments. RIDEM would request that such sampling take place at the beginning of the sampling plan and then once every five years to provide a check on the proposed well and piezometer monitoring.

**6. Page 31, Section X, Selected Remedy;
Bullet 1, Sentence 3.**

The deed restriction will cover the portion of Calf Pasture Point south of the bedrock outcrop (see Figure 4).

The area the groundwater deed restriction applies to should be delineated on Figure 4 to make it clear where groundwater can and cannot be extracted from. For example, does the deed restriction apply to the eastern most beaches? In addition, how has the Navy responded to the concern that the entire site should have the groundwater deed restriction (a concern raised at the hearing).

Navy Response - The extent of the deed restriction will be shown on Figure 4. The deed restriction will be applied to the whole of parcel 9 (approximately 189 acres).

RIDEM Comment - The response to the comment is acceptable, however, RIDEM does not believe in encumbering more land than is necessary. In this case it would seem that only land south of the bedrock outcrop would be necessary. If the Town of North Kingstown does not object to the limits of the proposed deed restriction (future property owner) then RIDEM will not contest it.

7. General Comment.

This ROD states that the groundwater under the site is GB. Please revise this to state that the groundwater under most of the site is GA-NA, and the remainder of the site is GA.

Throughout the extensive investigations already completed at Site 07, the BCT considered ground water beneath Calf Pasture Point as "GB". However, the ROD will be changed to state that RIDEM actually has classified the majority of ground water beneath Calf Pasture Point as "GA" with a limited "GA-NA" area in the approximate location of the Site 07 source area. RIDEM may want to reconsider the "GA" and "GA-NA" classifications for Calf Pasture Point. A "GB" classification is more appropriate because past operations at Calf Pasture Point were similar TO OTHER AREAS IN Zone 3 AT NCBC Davisville. RIDEM's Department of Water resources indicated that Calf Pasture Point was classified as "GA" in 1992 based on a 1988 aerial photo and, during that classification procedure, the past use of the site was not considered. The aerial photo would not have indicated the past use because the site had become overgrown with vegetation by that time. The GA and GA-NA classifications do not change the decision to select the "Deed Restrictions and Long-Term Risk Monitoring" alternative for Site 07. The only impact to the site remedy will be the time when the deed restriction can be released. Due to the potential presence of DNAPL within fractured bedrock, it is unlikely that the deed restriction can be lifted in the foreseeable future,

RIDEM Comment - If the Navy wishes to change the groundwater classification at Calf Pasture Point from GA to GB they may petition the RIDEM Division of Water Resources for such a change. In discussions with Water Resources it was learned that future use of the parcel would weigh in heavily in their decision to change a groundwater classification. Based on the proposed recreational use of Calf Pasture Point it is unlikely that a petition would be granted to change groundwater classification from GA to GB.

8. General Comment.

USEPA comments 23 and 29 on the same subject in a letter dated 8 January 1999 requests that the Navy remove the Site Remediation Regulations as ARARs due to Rule 4.02 of the Site Remediation Regulations. Please be advised that the intent of Rule 4.02 was to avoid having responsible parties duplicate essentially the same administrative process, CERCLA vs State. This rule was included at the request of USEPA. RIDEM did not, however, agree to waive its standards for soil and groundwater.

RIDEM feels that it is much more economical to comply with the Site Remediation Regulations during the CERCLA process rather than wait until later. Waiting until after

the CERCLA process would require the re-investigation of this site to address the RIDEM regulations. RIDEM therefore, requests that the Navy retain the Site Remediation Regulations as ARARs.

Navy Response - This issue requires resolution between RIDEM and EPA. At that time, the ROD will be modified accordingly.

RIDEM Comment - As soon as this issue is resolved, and it involves more than just this site, RIDEM will inform the Navy of the outcome.

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