



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-831-5508

25 September 1997

Mr. Harley Laing, Director
Office of Site Remediation & Restoration
EPA New England
JFK Building, Mailcode: HIO
Boston, MA 02203

RE: Record of Decision for the Allen Harbor Landfill,
Former Naval Construction Battalion Center (NCBC), Davisville, RI

Dear Mr. Laing;

On 23 March 1993, the State of Rhode Island entered into a Federal Facilities Agreement (FFA) with the Department of the Navy and the Environmental Protection Agency. One of the primary goals of the FFA was to ensure that the environmental impacts associated with past activities at the Former Naval Construction Battalion Center (NCBC) located in Davisville, Rhode Island were thoroughly investigated and that appropriate remedial actions were taken to protect human health and the environment. While the FFA encompasses numerous other sites, the Allen Harbor Landfill is the largest environmental threat at the former NCBC facility and its remediation is a priority to the Department.

In accordance with the FFA, the Department has reviewed the Record of Decision for the Allen Harbor Landfill dated September 1997. Our review of this document, combined with our knowledge of the site gathered through our historical involvement in the investigatory phases, has determined that the selected remedy achieves our primary goal of protectiveness. In accordance with Section 17.3 of the FFA, the Department offers its concurrence with the selected remedy as detailed in the Record of Decision. This concurrence is based upon all aspects of the Record of Decision being adequately addressed and implemented during design, construction, and operation of the remedy.

The selected remedial action calls for a landfill cover consisting of multiple soil layers and two impermeable layers along with other engineering controls designed to impede the vertical migration of surface water through the waste material. As a result of the investigations conducted during the past several years, along with the historical accounts of the types and quantities of wastes disposed of at this site, RIDEM considers prevention of infiltration to be an integral component of the remedy selected for the Allen Harbor Landfill. Further, an impermeable cap complies with State and Federal requirements and is consistent with the closure of similar landfills in the State. Approximately two years ago the Navy completed construction of a similar cap at the McAllister Point Landfill located across Narragansett Bay at the Naval Education and Training Center.

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RIDEM commends the Navy's commitment to working with the local community and considering their concerns. The Navy has demonstrated this commitment by pledging to dredge the Allen Harbor channel and place the material under the cap. The ROD also states that the Navy will attempt to construct a landfill gas management system which manifolds the gas vents and reduces the number of discharge points. RIDEM has historically advocated such a design as it eliminates the need for whole site fencing and thereby maximizes future land use options. RIDEM urges the Navy to continue their excellent relationship with the local community and stakeholders. If properly designed and constructed, an impermeable cap can allow for flexible reuse options.

The Department wishes to specifically emphasize the following aspects of the Record of Decision:

The remedy as proposed and implemented must ensure compliance with all applicable or relevant and appropriate State and Federal statutes, regulations, and policies.

The remedy must identify institutional controls applicable throughout the remedial action project life which are protective of human health and the environment. Also, in the event that the remedial risk goals cannot be achieved, long-term controls must be instituted to prevent an unacceptable risk to human health and the environment.

As mentioned, to the extent feasible, the design should attempt to reduce the number of landfill gas discharge points in order to allow for the maximum beneficial reuse options for the site.

The remedy states that contaminated sediments from localized portions of the northern and southern intertidal zones will be covered and/or removed for placement under the cap as determined to be necessary during the design studies. The Department strongly recommends the removal of contaminated sediments for placement under the cap rather than covering them in place.

The long-term monitoring of landfill gas, groundwater, sediment, and shellfish quality required to evaluate the effectiveness of the remedy must continue unabated for a frequency and duration determined appropriate to ensure protectiveness. In the event, the Navy is unable or unwilling to perform the monitoring in the future, the Department will take actions allowed under the FFA to require performance and will request that the EPA pursue similar actions. Further, if monitoring indicates that additional measures are needed to protect human health and the environmental, the Department will require the Navy to conduct additional remedial actions.

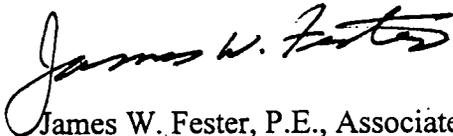
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The Department will work with the Navy and the EPA to develop performance standards during the design phase that appropriately monitor the created wetlands and groundwater migrating offsite. Performance standards should be developed such that they accurately measure the remedial progress at the site while also informing us when additional action is necessary in the event of a design failure. Such action could include, but is not limited to, managing the migration of groundwater through a vertical containment mechanism as considered in the Feasibility Study.

Finally, I urge EPA to make every effort to insure that the Navy implements the remedy in a timely and efficient manner. Allen Harbor was once a valuable resource to the State of Rhode Island and this decision is a major step toward its restoration.

RIDEM looks forward to continuing working with the EPA, the Navy, the Town of North Kingstown and all the stakeholders in implementing the remedial action at this site.

Sincerely,



James W. Fester, P.E., Associate Director
Bureau of Environmental Protection
Department of Environmental Management

cc: Andrew McLeod, Director, RIDEM
John DeVillars, Regional Administrator, USEPA
Captain W.P. Fogarty, CEC, USN
Edward Szymanski, DEM, Associate Director
Richard Kerbel, Town Administrator, North Kingstown
Terrence Gray, DEM, Office of Waste Management
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