

EXPLANATION OF SIGNIFICANT DIFFERENCE  
FOR THE  
RECORD OF DECISION  
OF 23 SEPTEMBER 1993  
FOR A  
REMEDIAL ACTION  
AT SITES 12 AND 14  
NAVAL CONSTRUCTION BATTALION CENTER  
DAVISVILLE, RHODE ISLAND

AUGUST 1998

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## **DECLARATION FOR THE EXPLANATION OF SIGNIFICANT DIFFERENCE**

### SITE NAME & LOCATION

PCB-Contaminated Materials and Soils Remediation  
Site 12, Bay B, Building 316, West District  
Site 14, South Bay, Building 38, Warehouse Area  
Naval Construction Battalion Center (NCBC)  
Davisville, Rhode Island

### STATEMENT OF PURPOSE

This decision document sets forth the basis for the determination to issue the attached Explanation of Significant Difference (ESD) for the Record of Decision issued in September 1993 for Site 12 Defense Property Disposal Office (DPDO) Transformer Oil Spill Area, Building 316, West District and Site 14, Transformer Oil Leaks, Building 38, Warehouse Area, NCBC Davisville, RI.

### STATUTORY BASIS FOR ISSUANCE OF THE ESD

Under Section 117(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), if the lead agency determines that the remedial action at a site will differ significantly from the Record of Decision (ROD) for that site, the lead agency shall publish an Explanation of Significant Difference (ESD) between the remedial action being implemented and the remedial action set forth in the ROD and the reasons such changes are being made. Section 400.435(c) of the National Contingency Plan (NCP) and EPA guidance (OSWER Directive 9355.3-02), state that an ESD, rather than a ROD amendment, is appropriate where the changes at issue affect a component of the remedy and do not fundamentally alter the overall remedy with respect to scope, performance or cost or change the hazardous waste management approach of the remedy.

In accordance with Section 300.435© of the NCP, this ESD will be placed in the Administrative Record for Sites 12 and 14 at the Caretaker Site Office, 1330 Davisville Road, North Kingstown, RI and the information repository at the North Kingstown Public Library and be available for public review. A notice that summaries the ESD will be placed in two local newspapers.

### DESCRIPTION OF THE ESD

This Explanation of Significant Difference documents a change to the Record of Decision (ROD) for Sites 12 and 14, NCBC Davisville, RI dated 23 September 1993, that significantly changes, but does not fundamentally alter the remedy selected in the ROD. This change does not alter the remedy for management of the hazardous waste by removal of concrete and soils with PCB levels greater 10 ppm. The ROD is changed in that institutional controls to ensure that the sites are not used, in the future, for residential use will not be placed on the property at Sites 12 and 14.

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I. INTRODUCTION

A. Site Name and Location

Site Name: Site 12, Bay B, Building 316, West District  
Site 14, South Bay, Building 38, Warehouse Area

Site Location: Naval Construction Battalion Center (NCBC)  
Davisville, Rhode Island

B. Lead and Support Agencies

Lead Agency: United States Department of the Navy (Navy)

Support Agencies: United States Environmental Protection Agency (EPA)  
Rhode Island Department of Environmental Management (RIDEM)

NCBC Davisville was placed on the National Priorities List (NPL) in 1989. Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) 120(e), the Navy, EPA and RIDEM entered into a Federal Facilities Agreement (FFA) dated 23 March 1992, regarding the cleanup of environmental contamination at NCBC Davisville, RI. The FFA sets forth the roles and responsibilities of each of the parties to the agreement. In October 1991, NCBC Davisville was approved for closure under the Base Realignment and Closure (BRAC) program. NCBC Davisville was decommissioned on 1 April 1994.

C. Legal Authority

Under CERCLA 117(a), the National Contingency Plan (NCP) 300.435(c) and EPA guidance (OSWER Directive 9355.3-02) the lead agency may determine that a significant change to the selected remedy, as described in a ROD, is necessary after the ROD is issued. EPA guidance categorizes changes to a ROD as either non-significant or minor change; a significant change to a component of the remedy; or a fundamental change to the overall remedy. The Navy, as lead agency, has determined that a significant change to a component of the remedy (institutional controls) will be made, however, the fundamental approach to hazardous waste management by removal of concrete and soil with PCB concentrations greater than 10 ppm has been accomplished. The Navy, as lead agency, is required to publish an explanation of a significant change and the reason the change is being made.

D. Summary of the Explanation of Significant Difference

Institutional controls to restrict Sites 12 and 14 from future residential use will not be implemented.

E. Availability of Documents

The ESD and supporting documentation will be available for public review at the following locations:

Caretaker Site Office  
1330 Davisville Road  
North Kingstown, RI 02852

North Kingstown Public Library  
100 Boone Street  
North Kingstown, RI 02852

Hours (by appointment)  
Tuesday – Friday 7:30 a.m. – 4:00 p.m.  
Contact: Mr. Walter Davis at  
(401) 294-6108 or FAX (401) 294-2207

Hours:  
Monday – Thursday 9:00 a.m. – 6:30 p.m.  
Friday and Saturday 9:00 a.m. – 5:00 p.m.

## II. SUMMARY OF SITE HISTORY, ENFORCEMENT HISTORY AND SELECTED REMEDY

### A. Site Description

NCBC Davisville was placed on the National Priorities List (NPL) in 1989 and a Federal Facilities Agreement (FFA) was signed in 1992. There are 12 sites and 4 study areas at NCBC Davisville undergoing investigation under the FFA.

The main center of NCBC Davisville is located in the Town of North Kingstown, RI approximately 18 miles south of Providence, The base is adjacent to the western shore of Narragansett Bay. A portion of the base, Camp Fogarty, is located approximately 4 miles west of the main center in East Greenwich, RI. Camp Fogarty was transferred to the US Army in 1993 and is assigned to the Rhode Island National Guard.

Site 12 is located in Bay B of Building 316 in West Davisville, approximately 1 mile west of the main center. West Davisville is bordered to the north and west by railroad tracks, the east by Mike Road and to the south by a gravel road adjacent to a section of Sandhill Brook known as Black Swamp.

Site 14 is located in the South Bay of Building 38 in the Warehouse Area of the main center. The area is bounded by Davisville Road to the north, Davol Pond on the east and property that was the former Naval Air Station, Quonset Point and now the property of the Rhode Island Development Corporation (RIEDC) on the west and south.

### B. Site History

Site 12: Building 316 was constructed in 1953 on a fill area that was created in 1941 as used as a facility to manufacture and assemble Quonset hut kits during World War II. Building 316 has been used as a warehouse for storage of various materials until 1993. From 1972 to 1984, Bay B of Building 316 was used by the Defense Property Disposal Office for the storage of transformers containing PCBs pending disposal. In 1977 a forklift punctured a transformer causing oil to leak within the building. The oil was cleaned from the concrete floor by station forces. The spill was identified in the 1984 Initial Assessment Survey and subsequently designated as IR Site 12.

Site 14: Building 38 was constructed in 1942 in the northeast corner of the Warehouse Area of the main center and used as a bulk storage warehouse for advanced base construction materials. After the closure of NAS Quonset Point in 1973, Building 38 became part of the facilities used by the Public Works Department. Electrical transformers were stored in a section of the South Bay and in 1981, oil spillage on the asphalt floor was noticed. This spill was identified in the 1984 Initial Assessment Survey and subsequently designated as IR Site 14.

### C. Enforcement and Remedial Action History

#### Site 12

Site 12 was identified in the 1984 Initial Assessment Survey and recommended for confirmation sampling. In October 1984, analysis of a composite sample of the concrete floor indicated the presence of PCB as, Aroclor 1260, at 91 ppm. In March 1986, 15 wipe samples were collected and analyzed with results ranging from 0.4 to 3.0 ug/sq.in. In 1989, NCBC Davisville was placed on the NPL and in March of 1992 Site 12 was included in the FFA. An interim remedial action was conducted in 1991 to remove and dispose of PCB contaminated concrete and soil from the spill site. Post removal samples indicated the presence of PCBs in the subgrade and concrete surrounding the removal location. In September 1991, EPA collected concrete chip samples from the surrounding floor to determine the extent of contamination with results as high as 1,200 ppm. The ROD for Site 12 in September 1993 called for removal of all concrete and soil with concentrations greater than 10 ppm. Because this cleanup level was based on industrial use of the site, the ROD also requires the institutional controls be implemented to prevent future residential use of the site.

Remedial action under the ROD began in January 1995 with removal of concrete and soil from areas identified by the EPA survey and previous sampling in excess of 10 ppm., followed by confirmatory sampling. Several iterations of removal were required before all confirmatory samples were below 10 ppm as documented in the *Contractor's Close-out Report for the Remediation of Installation Restoration Program Site 12*, September 1997, Foster Wheeler Environmental Corporation. The remainder of Bay B that was not impacted by the previous removal efforts was subjected to a grid based sampling and analysis effort to evaluate contamination of the rest of the bay. Elevated concentrations were identified in three grids adjacent to the removal area which were subsequently scabbled to remove the contamination. The results of this sampling are reported in the *Sampling and Analysis Report for Site 12 Bay B Concrete Floor PCB Analyses*, May 1997, Foster Wheeler Environmental Corporation, which was included as Appendix H of the Site 12 Close-out Report. Utilizing the post-removal data from these reports the Navy calculated the HHRA for the current site. Results for cancer and non-cancer risks associated with PCBs are within acceptable risk values for unrestricted future use of the property.

#### Site 14

Site 14 was identified in the 1984 Initial Assessment Survey and recommended for confirmation sampling. In 1989, NCBC Davisville was placed on the NPL and in March of 1992 Site 12 was included in the FFA. An interim remedial action was conducted in 1991 to remove and dispose of PCB contaminated concrete and soil from the spill site. Post removal samples indicated the presence of PCBs in the subgrade and concrete surrounding the removal location. In September 1991, EPA collected concrete chip samples from the surrounding floor to determine the extent of contamination with results as high as 150 ppm. The ROD for Site 14 in September 1993 called for removal of all concrete and soil with concentrations greater than 10 ppm. Because this cleanup level was based on industrial use of the site, the ROD also requires the institutional controls be implemented to prevent future residential use of the site.

Remedial action under the ROD began in January 1995 with removal of concrete and soil from areas identified by the EPA survey and previous sampling in excess of 10 ppm., followed by confirmatory sampling. Several iterations of removal were required before all confirmatory samples were below 10 ppm as documented in the report *Final Closure Summary Report PCB Contamination Removal Site 14, Building 38 at the Naval Construction Battalion Center Davisville, Rhode Island*, November 1996, HRP Associates, Inc. Utilizing the post-removal data from these reports the Navy calculated the HHRA for the current site. Results for cancer and non-cancer risks associated with PCBs are within acceptable risk values for unrestricted future use of the property.

#### D. Selection of the Remedy

The ROD for Sites 12 and 14 requires that "All removal areas and adjacent non-removal areas will be sampled subsequent to the removal activities to ensure that cleanup levels have been met. Because cleanup goals are based on industrial use of the sites, institutional controls will be implemented to ensure the sites are not used in the future for residential use." All material with greater than the cleanup level of 10 ppm was removed over several iterations between 1991 and 1997. RIDEM Remediation Regulations, as amended in August 1996 establish a PCB concentration of 10 ppm as the criterion for residential use. The Navy has performed human health risk assessments (HHRAs) using the information from the post-removal sampling to characterize the sites as they now exist, and has determined that cancer and non-cancer risks to human health are within acceptable values such that it is not necessary to restrict the sites from future residential use.

### III. DESCRIPTION OF SIGNIFICANT DIFFERENCE

The ROD for Sites 12 and 14 requires that "All removal areas and adjacent non-removal areas will be sampled subsequent to the removal activities to ensure that cleanup levels have been met. Because cleanup goals are based on industrial use of the sites, institutional controls will be implemented to ensure the sites are not used in the future for residential use." Based on the new HHRA calculations, the Navy will transfer the property for unrestricted use.

### IV. SUPPORT AGENCY COMMENTS

(To be based upon EPA/RIDEM response to our proposal)

### V. STATUTORY DETERMINATION

The proposed change to the selected remedy described in the September 1993 ROD for Site 12, Transformer Oil Spill Area, Building 316, NCBC Davisville, RI, and Site 14, Transformer Oil Leaks, Building 38, NCBC Davisville, RI to transfer the property for unrestricted use will continue to satisfy all statutory requirements of CERCLA and the NCP. The changed remedy remains protective of human health and the environment, complies with federal and state requirements that are applicable or relevant and appropriate to this remedial action and is cost-effective.

### VI. PUBLIC PARTICIPATION

No formal public comment period is required for documentation of an Explanation of Significant Difference (ESD) to a previously issued Record of Decision (ROD). In the interest of community awareness, the Navy has decided to provide this fact sheet to everyone on the NCBC Davisville community mailing list. In accordance with CERCLA Section 117© the Navy will publish a notice of availability for review and a brief explanation of the ESD in the Providence Journal-Bulletin and the Weekly Standard and Times.

### FOR MORE INFORMATION

If you have questions about the ESD for Sites 12 and 14 at NCBC Davisville, or if you wish further information, please contact:

Mr. Philip S. Otis, P.E., Code 1823/PO  
Northern Division, Naval Facilities Engineering Command  
10 Industrial Highway, MS # 82  
Lester, PA 19113-2090

Telephone: (610) 595-0567 ext 155  
FAX: (610) 595-0555  
Email: [psotis@efdnorth.navfac.navy.mil](mailto:psotis@efdnorth.navfac.navy.mil)

### APPROVED

The issuance of this Explanation of Significant Difference for Sites 12 and 14 at NCBC Davisville, RI is approved.

By:

Philip S. Otis, P.E.

BRAC Environmental Coordinator, Davisville, RI