



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

J.F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203-2211

1823 JJB

July 26, 1993

Mr. Warren S. Angell II  
Rhode Island Department of Environmental Management  
Division of Site of Remediation  
291 Promenade Street  
Providence, RI 02908-5767

Re: Naval Education and Training Center (NETC)/Newport;  
July 21, 1993 Meeting Notes and Correspondence Followup

Dear Mr. ~~Angell~~: *Warren* —

This letter is to follow-up on several recent pieces of correspondence that you have sent me. I believe yesterday's meeting covered many of the issues raised in those letters. I would like to briefly reiterate my understanding of the major outstanding issues for this site at this time.

(1) McAllister Point Landfill.

- ARARs Determinations. The Feasibility Study (FS) has a general list of both federal and state ARARs. We have been working with our legal staff to refine this list. EPA and the State need to work together, with our technical and legal staffs, to develop a revised list which will be included in the Record of Decision (ROD). The Proposed Plan speaks generally of ARARs, following the model Proposed Plan format. We would like to move ahead with the general language in the Proposed Plan, and refine the list between now and finalization of the ROD.
- Activity Schedule. We reviewed a draft Proposed Plan schedule at the meeting. We will revise this schedule to add in the items we discussed (e.g., dry run, comments on FS).
- Bridge to the ROD. EPA would still like to move ahead with the Proposed Plan and to bridge any concerns in the ROD itself, including finalizing the list of ARARs and the Phase II data needs. We feel we hold a stronger hand with concurrence required on the ROD itself. We will examine ROD language for specific components to reflect the special needs of this landfill (e.g., increased operation and maintenance) due to its shoreline location.

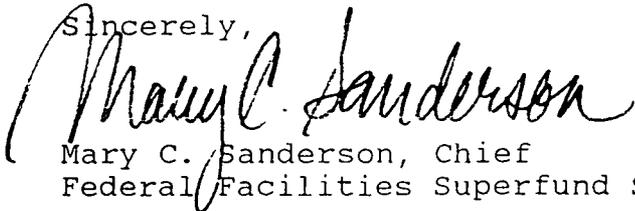


- (2) Coastal Resource Management Counsel (CRMC). EPA agreed to set up a "kick off" meeting with CRMC, DEM, and the Navy to begin integrating CRMC into the remedial process for McAllister Point. We would like the Navy to start discussions with CRMC now, although we expect their involvement will increase as we enter the design phase of this project. The Navy must write to CRMC to "open a file" with CRMC, and the Navy needs to take the lead and continue to coordinate with this group.
- (3) Phase II Work Plan. We discussed the importance of bridging the Phase II data collection with the McAllister Point Record of Decision (ROD). EPA is currently drafting a letter to the Navy, which we discuss with the state prior to sending, that will summarize our outstanding concerns on the Phase II work. We will address McAllister Point first (and possibly the FTA) because of its connection with its upcoming ROD and the schedule implications. The Phase II RI/FS Work Plan needs to be revised to reflect capping the landfill and the required additional studies.
- (4) Sediment/Biota Study. We received the revised Work Plan on July 19, 1993 for work that has been planned for years. On Wednesday, July 28, 1993 there is a "review meeting" prior to the start of field work on August 16, 1993. The State has outstanding issues on this study, including sampling depths, locations, etc. We agreed to call DEM prior to Wednesday's meeting with our initial reactions to the State's continuing concerns.
- (5) Ground Water Pump and Treat Design. EPA issued a "conditional concurrence" on the 90% design package. There are still several important outstanding issues, including well locations/ring drain pumping and the plant location. Our comments to the Navy reflect these concerns and we are awaiting submission of the final design package, a primary document under the FFA, to see if the Navy incorporates our concerns. We discussed the option of invoking dispute resolution on the final design deliverable if it does not address the critical concern over well location.
- (6) Federal Facilities Agreement (FFA) Issues. We discussed the fact that there have been significant deviations from the FFA on this site. EPA agrees that while we would like to follow the FFA, the scheduling needs for McAllister Point have necessitated "modification." We agree that the remedy selection process should follow a more "routine" submission, review, and revision process to allow sufficient time for the regulators to ensure their concerns are addressed. While there may be times "accelerated" schedules are needed, they need to be planned and agreed to by all of the parties.

We appreciate the effort the State continues to make to keep up with the rapid pace of activities, particularly for the McAllister Point ROD. While the schedule from now through September is aggressive and will require frequent coordination and cooperation among the three parties, we believe a ROD by the end of September is still possible. However, as we work together over the upcoming months, if the requirements of EPA and the State cannot be met, we will need to reexamine the current ROD schedule.

We look forward to continuing to work together on this important project. Please call me with any questions at 617/573-5711.

Sincerely,

A handwritten signature in cursive script that reads "Mary C. Sanderson". The signature is written in dark ink and is positioned above the typed name and title.

Mary C. Sanderson, Chief  
Federal Facilities Superfund Section

cc: Andy Miniuks, EPA  
Dave Webster, EPA  
Beth Tomasello, EPA/ORC  
Al Haring, NorthDiv  
Linda Rutsch, EPA/OFFE