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Project Number 5278

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Northern Division, Naval Facilities Engineering Command
10 Industrial Highway, Mail Stop 82
Lester, Pennsylvania 19113

Reference: CLEAN Contract No. N62472-90-D-1298
Contract Task Order 218

Subject: RAB Meeting Minutes

Dear Mr. Shafer:

Enclosed is a copy of the March 19, 1997 NETC RAB meeting minutes.

If you have any questions about this matter, please contact me at 508-658-7899.

Very truly yours,

Betsy Horne
Community Relations Specialist

BH:ib

Enclosure

c: Dr. D. K. Abbass (w/enc.)
Mr. Alfred Arruda, Jr. (w/enc.)
Mr. Robert Belenger (w/enc.)
Ms. Elizabeth Bermender (w/enc.)
Ms. Mary A. Blake (w/enc.)
Dr. David W. Brown (w/enc.)
Mr. Paul M. Cormier (w/enc.)
Mr. Anthony D'Agnew (w/enc.)
Mr. Francis J. Flanagan (w/enc.)
Mr. Mike Foley (w/enc.)
Hon. June Gibbs (w/enc.)

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c: Mr. Byron J. Hall (w/enc.)
Mr. Dennis F. Klodner (w/enc.)
Mr. Joseph McEnness (w/enc.)
Mr. Thomas McGrath (w/enc.)
Mr. T. R. McGrath, Jr. (w/enc.)
Mr. Howard L. Porter (w/enc.)
Mr. Paul D. Russell (w/enc.)
Mr. Charles Salmond (w/enc.)
Mr. Keith Stokes (w/enc.)
Mr. John Torgan (w/enc.)
Ms. Claudette Weissinger (w/enc.)
Ms. Mary Philcox (w/enc.)
Mr. David Egan (w/enc.)
Mr. Paul Kulpa, DEM (w/enc.)
Ms. Kymberlee Keckler, EPA (w/enc.)
Ms. Sarah White, EPA (w/enc.)
Capt. Jon Wyman, NETC (w/enc.)
Ms. Jennifer Hayes, Gannett Fleming (w/enc.)
Mr. Tim Prior, USF&WS (w/enc.)
Mr. Ken Finkelstein, NOAA (w/enc.)
Capt. Bogle, NETC (w/enc.)
Mr. James Barden (w/enc.)
Hon. Paul W. Crowley (w/enc.)
Redwood Library (w/enc.)
Councilman Dennis McCoy (w/enc.)
Mr. Vincent Arnold (w/enc.)
Captain Norman Pattarozzi (w/enc.)
Dr. David Kim (w/enc.)
Sister Annie Marie Walsh (w/enc.)
Brother Joseph (w/enc.)
Newport Public Library (w/enc.)
Ms. Joanne Gorman, Middletown Free Library (w/enc.)
Portsmouth Free Public Library (w/enc.)
Mr. David Sanders, NETC (w/enc.)
Mr. Robert Krekorian, NETC (w/enc.)
Mr. Brad Wheeler, NETC (w/enc.)
Mr. R. Boucher, NORTHDIV (w/o enc.)
Mr. Steve Parker, B&RE, Wilmington (w/enc.)
Mr. John Trepanowski, B&RE, Wayne (w/enc.)
Ms. Meg Price, B&RE, Wayne (w/o enc.)
File 5278-3.2 w/o enc./9.4 w/enc.

**NAVAL EDUCATION AND TRAINING CENTER
RESTORATION ADVISORY BOARD MEETING
MARCH 19, 1997**

MINUTES

On Wednesday, March 19, 1997, the NETC Newport Installation Restoration Program Restoration Advisory Board (RAB) gathered at the NETC Officers' Club for its monthly meeting. The meeting began at 7:17 pm and ended at 8:49 pm.

Eight of the 20 RAB community members attended: Kathy Abbass, David Brown, Paul Cormier, Joe McEnness, Tom McGrath, Paul Russell, Chuck Salmond, and Claudette Weissinger. Other RAB members attending were: Paul Kulpa, the RIDEM Remedial Project Manager; Kymberlee Keckler, EPA Remedial Project Manager; and Captain Jon Wyman, NETC Navy Co-chair. Other personnel present included Brad Wheeler, IR Site Manager, NETC Environmental Affairs. Al Arruda, Tony D'Agneica, Bob Belenger, Frank Flanagan, June Gibbs, Dennis Klodner, and Howard Porter provided notice of their absence. Liz Bermender, Mary Blake, Mike Foley, Keith Stokes, and John Torgan were not present.

Agenda items are denoted in the minutes by the underscored headings.

CALL TO ORDER

Joe McEnness, the Community Co-Chair, called the meeting to order and welcomed everyone.

APPROVE PREVIOUS MINUTES

The minutes from the February 19, 1997 meeting were approved without change.

COMMITTEE REPORTS

Brad Wheeler spoke for the Project Committee. Groundwater sampling is underway at McAllister Point Landfill and the draft Site Investigation report for Melville North Landfill is due in June. Activity at Tank Farm Four is in limbo because the site is subject to both underground storage tank (UST) regulations (overseen by the state) and CERCLA (since cleanup of petroleum contamination is exempt from Superfund). The Navy and the state need to resolve a disagreement over the tanks' final disposition (closure).

Comment: What are the issues that need to be resolved?

Response: The state's (UST) concern deals with petroleum issues inside the tanks; the CERCLA concern addresses disposition of the tank bottoms deposited on the ground on site years ago when the tanks were being cleaned. The Navy wants to close the tanks by demolishing them in place and filling the remaining cavity to ensure public safety. The state is concerned that even though the tanks have been cleaned, residual petroleum may remain in the concrete and that petroleum could migrate from the demolished concrete and seep into the groundwater, providing an on-going source of contamination. The state wants the Navy to collect and analyze chip samples from the tank concrete to determine if it has retained petroleum.

Brad suggested that it would be more cost effective to treat the low level contaminated groundwater than to finance a comprehensive chipping and analysis program, together with long-term groundwater monitoring. In any case, the Navy will continue to be responsible for the tank farm. Safety issues involving the tanks' presence are also an issue; the Navy is fairly certain that the community does not want the tanks to remain.

Comment: Should the RAB play a role in trying to bring this issue to a decision?

Response: Kymberlee stated that the RAB has no role to play concerning petroleum issues, which are outside CERCLA jurisdiction.

Comment: If that is the case, what should the RAB do to help?

Response: There is a good faith effort to come to resolution but the fuse is getting short and the construction/demolition work at Tank Farm Four will have to demobilize if a decision is not made soon. Paul Kulpa is waiting for a written determination from within RIDEM. Northern Division is analyzing the concrete sampling options for the Navy. The issue boils down to whether the Navy will manage a facility with intact tanks, ballasted with water or a monitoring program at a closed, demolished facility.

Comment: Does this issue involve a future land use designation?

Response: The groundwater beneath Tank Farm Four is designated GA, indicating that it is suitable for drinking. The Navy thinks this designation is inappropriate for a fuel tank farm; in addition, everyone in the area is connected to the public water supply. The local groundwater, what there may be of it, should be designated GB, which is not acceptable as a potable water source without treatment. Paul expressed concern that the state has limited drinking water resources and it needs to ensure that those that do exist are protected.

Comment: Was any water found in the tanks?

Response: No. The tanks at Tank Farm Four were cleaned and are empty but oil "weeping" was found in some areas.

The water treatment plant at Tank Farm Five has been shut down.

Some additional work needs to be completed at Derecktor Shipyard before either the on- or off-shore remedies can proceed. The legal basis for proceeding with the off-shore FS needs additional support. Comments on the draft SASE for the on-shore work are being addressed. These issues include a determination whether a pathway exists for contamination to reach potential receptors (is there a risk?) and whether elevated arsenic levels exist throughout the area (is there an arsenic threat due to Derecktor activities or does the metal exist at high natural background levels?). The draft SASE will be rewritten to address these issues.

Comment: How much will the SASE rewrite cost?

Response: Jim Shafer can address that question at the next RAB meeting.

Comment: You state that the on-shore areas at Derecktor still need to be tested?

Response: The advisory opinion discussed at the last RAB meeting that involved hot spot removal is not effected by this issue. It concerns whether elevated background levels of arsenic exist and what that means for dealing with the rest of the site.

Comment: What date has been scheduled for the on-shore removals? Will the RAB get to review related documents?

Response: No date has been set but the RAB will have a review role. The Public Information Committee could coordinate with local newspapers to publicize the cleanups.

Kathy Abbass agreed to chair the Project Committee.

Brad discussed the status of the Public Information Committee activities. He suggested that May 1 could be the date the first group of students (12 to 15-year age group) should come through the base for their IR field trip.

Membership Committee Chair, Paul Russell, announced that two new members were present: Byron J. Hall, a member of the Portsmouth Town Council, and T. R. McGrath, Tom McGrath's son, who works for an environmental consulting firm.

Paul also expressed concern about lax attendance by some RAB members and asked if the charter needed to be clarified to make explicit what conditions warranted asking a RAB member to relinquish his/her position. All RAB members were asked to review the charter and make recommendations for changes at the next RAB meeting.

Captain Wyman mentioned that David Sanders had heard from June Gibbs that she intended to withdraw from RAB membership.

UNFINISHED BUSINESS

Brad discussed a draft letter from Joe McEnness relating the results of the advisory opinion the RAB adopted at the February 19, 1997 meeting concerning on and off-shore activities anticipated for Derecktor Shipyard. Its purpose is to convey the urgency of the actions to the Navy and the regulators to let them know the RAB is paying attention. The actions include

conducting a feasibility study in Coddington Cove and initiating removal actions at the three on-shore hot spots.

Comment: How big an on-shore area will be excavated?

Response: The Navy has an estimate of the volume but will need to conduct further sampling to refine the area. Excavation will continue horizontally and vertically until sampling indicates that acceptable levels have been reached.

Comment: Does EPA have any concerns about the on-shore proposal?

Response: Kymberlee indicated that EPA agrees with the removal approach but has not yet signed off on the specifics of the activity.

Comment: Who drafted Joe's letter?

Response: The Navy's contractor, Brown & Root Environmental, drafted the document at the Navy's request.

Comment: Isn't this the kind of thing that the community members themselves should be initiating, not the Navy or its contractor.

Response: The letter is a draft that reflects what happened at the last RAB meeting. RAB members are invited to suggest changes.

Comment: Kymberlee's question about the appropriateness of the letter drafter is well placed. Besides, the draft does not reflect the same information as is contained

in the minutes. The draft letter states that the on-shore removal actions would be initiated before September 30, 1997. The advisory opinion we supported at the last RAB meeting did not mention anything about September 30.

Resposns : At the last meeting, we had asked Joe McEnness and Betsy Horne to draft a letter reflecting the advisory opinion. That meeting's minutes indicate the Navy plans to begin the on-shore removal actions before the end of the fiscal year. The federal fiscal year ends on September 30.

Joe asked that the RAB members receive a triple-spaced copy of the draft letter with the draft minutes. They should forward suggested changes as soon as possible to Betsy Horne, who will coordinate the changes with Joe.

NEW BUSINESS

Joe indicated that Chuck Salmond had agreed to have his name placed in nomination as the next community co-chair. Joe asked if there were other nominations. Hearing none, Chuck's name was moved, seconded, and voted as the new community co-chair. His co-chairmanship becomes effective at the next RAB meeting.

Another Ecological Advisory Board (EAB) meeting is scheduled for Wednesday, March 26 at NETC's Building 1. The community members may want to designate another representative to attend.

Comment: What is the EAB?

Response: The EAB is comprised of staff from the Navy, the EPA, RIDEM, and the Natural Resource Trustees, where they discuss technical issues relating to ecological components of the IR program. Dave Brown attended the last EAB meeting and some thought has been given to having a rotation of attendance from the community members.

Kathy Abbass expressed a willingness to attend if the meeting is held in the morning. If she cannot attend, Byron Hall volunteered to represent the RAB. Kathy will call Brad to pin down the meeting time. If she cannot attend, Brad will contact Byron.

A Gould Island surveying tour is scheduled for the day following the EAB meeting. On Thursday, March 27, a NUWC torpedo retriever will ferry Navy, EPA, RIDEM, and contractor personnel to Gould Island for a site walk. Since those attending probably need to have completed 40-hour OSHA-required health and safety training and since the docking facilities at the island are in poor repair, participation by community members may be foreclosed. Brad will conduct further research on liability issues to determine what constraints exist to their presence. In the meantime, if any community members are interested in going, they should contact Brad directly. If any attend, their numbers will have to be limited to one or two members.

PRESENTATIONS

Steve Parker, from Brown & Root Environmental, continued the discussion about the McAllister Point Landfill ERA, based on discussions begun at the February 19 RAB meeting. Brown & Root is continuing to work on the revised Draft Final RI that TRC started. The report is due the day of the next meeting so the RAB should anticipate hearing a presentation on its results.

Steve also discussed the technical meeting held at EPA on March 5, when the Navy received comments from the regulators on the Derecktor Shipyard draft SASE report. Issues raised included the accuracy of the description of the South Waterfront area (involving vegetation characterization) and whether arsenic should be considered a site-specific contaminant of concern (see discussion under the Project Committee report). Brown & Root is responding to these issues, which will be reflected in the final SASE report due in June. The report schedule will not be delayed because of these issues.

Concerns about how groundwater would be addressed at McAllister Point Landfill were also articulated by the regulators at the March 5, 1997 technical meeting. A related issue involves shellfish consumption.

Comment: Is it possible that tests conducted on off-shore shellfish could result in readings below FDA requirements while at the same time be high enough to trigger CERCLA action?

Response: Yes, that is possible because the CERCLA risk assessment process is highly conservative. Kymberlee stated that the FDA numbers take economics, contaminant breakdown, and lower consumption rates into consideration, while the CERCLA risk process does not. CERCLA also evaluates exposure to site contaminants through many exposure routes, not just consumption.

Comment: How do RIDEM numbers compare to the FDA and CERCLA risk numbers?

Response: Paul Kulpa agreed to look into the issue and will respond at the next RAB meeting. Greg Tracey may also know the answer. Kymberlee thought that RIDEM numbers were lower than FDA numbers.

Comment: How were the shellfish ban areas determined on maps shown in the local newspaper?

Response: Brad asked the state Department of Health why these areas were closed. Their response indicated that the areas were impacted by the Newport sewage treatment plant outfall and run off from Aquidneck Island, not because of the presence of a CERCLA site. However, Brad stated that since the plant was a tertiary treatment facility, no coliform should be present in the outfall effluent. He indicated that this was confusing. Kathy Abbass said that windsurfers tell her they often encounter waterborne fecal matter in the area, so the answer remains murky. Paul Kulpa will find out why the shellfish beds were closed and will report on this findings at the next RAB meeting.

Steve also summarized and responded to Chuck and Kathy's comments on the McAllister Point Landfill Phase III Technical Memorandum. Landfill erosion occurred between NSB-3 and NSB-4, at the outermost location of the embankment. When the revetment was installed, natural material lying beneath the revetment eroded, revealing landfill material that had previously not been exposed. Brown & Root will add information to the map, indicating where contaminant levels in off-shore sediment increased above the target level. Depicting the information graphically is particularly effective at a public meeting.

Some of the waste material off shore of the landfill is portable. Toxicity is addressed in the Ecological Risk Assessment, which will be summarized in the RI report (presentation is scheduled for the April RAB meeting). A footnote was not included in data tables: when the letter "J" appears, it means that the concentration was estimated by the laboratory.

The technical memorandum will be finalized based on these comments and those supplied by EPA and RIDEM.

Kathy Abbass asked the RAB to thank Joe McEnness for his leadership over the past year as community co-chair.

NEXT RAB MEETING

The next RAB meeting is scheduled for Wednesday, April 16. Agenda items include:

- discuss the Public Information Committee strategy
- review the charter for changes
- present the FUDS site status - Paul will inform Brad within the week of the name of the RIDEM person that will conduct the briefing
- present the McAllister Point Landfill Draft Final Remedial Investigation Report
- determine how RIDEM shellfish issues are derived: how do acceptable levels in RI compare to FDA levels? and for what reason did the state close the local shellfish beds?