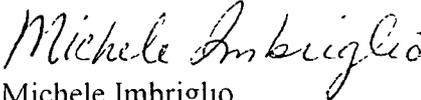


6/9/00

Dear RAB Members:

Enclosed please find a copy of the minutes of the May 17, 2000 RAB meeting. If you have any questions or concerns please contact me at (401)841-7714

Very truly yours,


Michele Imbriglio
RAB Secretary

Copy to. (w/enc)
Dr D K Abbass
Dr Richard Ayen
Ms Barbara Barrow, Esq.
Mr. John R. Bernardo, III, Esq
Ms. Mary A. Blake
Dr. David W. Brown
Mr. Richard D Coogan
Mr. Paul A. Cormier
Mr Thurston Gray
Mr. Byron Hall
Ms Susan Hester
Mr. Eugene Love
Ms Elizabeth Mathinos
Mr Joseph Mello
Mr Thomas McGrath
Mr. James E. Myers
Mr. John Palmieri
Mr. Howard L. Porter
Mr. Emmet E. Turley
Mr John Vitkevich
Ms. Claudette Weissinger
Ms. Mary Philcox
Mr David Egan
Mr. Paul Kulpa, RIDEM
Mr. Richard Gottlieb, RIDEM
Ms. Kymberlee Keckler, EPA

CDR R. L. Freitag, Jr., NAVSTA
CAPT H. L. Schwind, NAVSTA
CAPT Jon Wyman
Hon. Paul W. Crowley
Hon. June Gibbs
Mr. Joseph McEnness
Mr. Paul Russell
Mr. Charles Salmond
Mr. John Torgan
Mr. Jim Shafer
Ms. Beth Timm, ATSDR
Mr. Gregg Tracey, SAIC
Councilman Dennis McCoy
Dr. David Kim
Mr. Brian Bishop
Brother Joseph
Newport Public Library
Middletown Free Library
Portsmouth Free Public Library
Mr. Bob Jones, Groton
Mr. David Sanders, NAVSTA
Mr. David Dorocz, NAVSTA
Ms. Melissa Griffin, NAVSTA
Ms. Shannon Behr, NAVSTA
Mr. Rick Machado, NUWC
Ms. Sarah White, EPA
Ms. Jennifer Stump, Gannett Fleming
Mr. Tim Prior, USF&WS
Mr. Ken Finkelstein, NOAA
Ms. Diane Baxter, TtNUS, Wilmington
Mr. Matt Weaver, Green Light Foundation
Dr. Robert Quigley
Mr. Robert Gilstein
Ms. Amrita Roy
Ms. Virginia Lee
Ms. Arlene Kalewski

NAVAL STATION NEWPORT
RESTORATION ADVISORY BOARD MEETING
May 17, 2000

MINUTES

On Wednesday, May 17, 2000, the NAVSTA Newport Restoration Advisory Board (RAB) gathered at the Officers' Club for its monthly meeting. The meeting began at 7:00pm and ended at 9:15pm.

In attendance were Kathy Abbass, Claudette Weissinger, Emmet Turley, Thomas McGrath, Richard Coogan, David Brown, Liz Mathinos, Thurston Gray, Susan Hester, Capt. Herb Schwind NAVSTA, Melissa Griffin NAVSTA, Dave Dorocz NAVSTA, Greg Kohlweiss NAVSTA PAO, Jim Shafer NORTHDIV, Paul Kulpa RIDEM, Kymberlee Keckler USEPA.

David Brown opened the meeting and welcomed the group.

MEETING MINUTES

April meeting minutes were approved.

COMMITTEE REPORTS FROM COMMUNITY MEMBERS

Project Committee-Emmet Turley Committee Chair: Emmet has continued his research on dredging. Attached is the information he has found on various disposal options. See Enclosure (1).

Planning Committee-John Palmieri Committee Chair: No report, as committee chair was not present.

Membership Committee-Howard Porter Committee Chair: No report, as committee chair was not present.

Public Information-Claudette Weissinger Committee Chair: Newsletter has been sent out. Claudette thanked everyone that contributed to the issue. Work has begun on the next issue.

ACTIVITY UPDATE-James Shafer

James Shafer gave a brief status report on various IR sites as follows;

Old Firefighting Training Area-Offshore: A final Ecological Risk Assessment (ERA) report was submitted

April 28, 2000. A draft final Remedial Investigation Report (RI) is planned for July 2000. See Enclosure (2)

Old Firefighting Training Area-Onshore: Draft background soil investigation report in May. Arsenic and other metals are in the soil-specific to this site. See Enclosure (2)

McAllister Point Landfill-Offshore: A Record of Decision (ROD) was signed by the USEPA on 3/1/00. Notice of availability of the ROD was published in the local newspaper. Deadlines for Remedial Design documents is as follows; 35% Remedial Design Workplan-1 May 00; 60% Remedial Design Workplan-20 July 00; 85% Remedial Design Workplan-4 Jan 01; Project Closeout Report-30 Aug 02. See Enclosure (2)

McAllister Point Landfill-Onshore: Continue long term monitoring of landfill gas and groundwater. Next sampling event will be in Summer 2000. See Enclosure (2)

Tank Farm 5: Two additional bedrock wells have been installed. Laboratory data results were received on March 21, 2000. Data report submitted April 21, 2000. Sampling results comply with GA ground water standards. No further investigation recommended. See Enclosure (2).

Derecktor Shipyard-Onshore: - Building 42 sump line removal started May 15, 2000. A removal action report will be submitted in the Summer of 2000. See Enclosure (2).

Derecktor Shipyard-Offshore: Funding for remediation planned for FY05/06. See Enclosure (2).

Melville North Landfill: There has been approximately 99,000 tons (66,000 cubic yards) of soil removed from Melville North Landfill. Breakdown is as follows; Daily cover 64,698; PCBs>10ppm 3,642; PCBs<10ppm; Lead 20,114; Creosote Wood 48; VOCs 182; Scrap Steel 182. See Enclosure (2).

Gould Island: Installation Restoration Field Work began in April 2000. Analytical results are due in May 2000. Report is due July 2000. See Enclosure (2).

NATURAL RESOURCE DAMAGE ASSESSMENT-Ken Finkelstein NOAA

The National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS), Office of Response and Restoration

is the department responsible for Natural Resource Damage Assessment. NOAA acts on behalf of the Secretary of Commerce as a Federal Trustee for living and non-living natural resources in coastal and marine areas.

NOAA's Coastal Protection and Restoration Division provides the science behind decisions to protect and restore coastal resources. This is accomplished through partnerships with a broad range of agencies which, either protect natural resources or redress hazardous waste sites. Sites are identified that could affect NOAA trust resources. Solutions to stop the source contamination are developed then these remedies are monitored to ensure they are effective. NOAA helps plan the restoration of habitat through cooperative settlements with the responsible parties. See Enclosure (3).

A cooperative settlement is not appropriate for all sites due to the extent of the contamination and degree of damage. A case like this would merit a natural resource damage assessment. CERCLA 123J allows the natural resource trustees to provide the responsible parties with a "Covenant Not to Sue", this means that the responsible party is released from liability if they agree to abide by a predetermined action which had been reached through negotiation of all concerned parties.

NOAA's Coastal Protection and Restoration Division feels restoration occurs faster with less negotiation, with less lawyers and therefore a cooperative settlement is most often the best route to choose rather than a Natural Resource Damage Assessment.

Risk Assessment is a Superfund term. A site can be cleaned up based on risk. A Natural Resource Damage Assessment (NRDA) must go one step greater than risk. Much more data is needed for a NRDA. A NRDA must prove damage (must prove injury). The mere fact that risk has been proven does not prove that damage (injury) has occurred. Once a NRDA is complete and damage has been proven, value must be determined. This is an extremely difficult process. A cooperative settlement does not have to prove injury or damage has occurred. NOAA, through the cooperative settlement, helps with negotiation between the parties (natural resource trustees, state, EPA, etc.) to reach an amicable settlement agreement (cooperative settlement). This is a "reimbursement" by the responsible party for the potential damage or injury that may have occurred based on the risk of a site as opposed to proving the actual damage occurred as well as the extent and value of that damage. NOAA does not seek monetary "reimbursement". The "reimbursement" or settlement usually involves the agreement that perhaps some other area

would be cleaned up or perhaps land would be purchased by the responsible party and given to the state for preservation or other use. There are many arrangements that could be made for this "reimbursement". Those arrangements would depend on the negotiations between the parties.

A NRDA can proceed but this is often a risky claim. Extensive data must be collected. This is time consuming and costly and DOES NOT IN EVERY CASE PROVE DAMAGE. Risk is not damage. If the damage or injury is not proven then there is no claim, no "reimbursement". The cooperative settlement reduces the risk of the claim because damage does not have to be proven and some type of "reimbursement" is made.

The statute of limitations for a NRDA claim is three years after the completion of the remedial action. It is feasible to begin a Natural Resource Damage Assessment investigation concurrently with the clean-up action at a site as the data collected during the remediation can be used in the evaluation of the NRDA.

Currently, the Rhode Island Department of Environmental Management (RIDEM) must decide whether or not to pursue a NRDA claim at the McAllister Point Landfill-Offshore site. RIDEM believes a NRDA claim is still possible for the McAllister Point Landfill-Onshore site regardless of the fact that the remedial action was completed in 1996. EPA notes the remedial action was completed in 1996 and there has been no discussion on this issue since 1997.

NEXT MEETING

The next meeting of the Restoration Advisory Board (RAB) is scheduled for Wednesday, **June 21, 2000**, at 7 p.m., at the Officers' Club. The agenda will include an Environmental Restoration, Navy (ER,N) Funded Project Update, Gould Island Sampling Results, Old Fire Fighter Training Area (OFFTA) Background Results, and a Defense Fuel Support Point (DFSP) Status Update.

Enclosures:

- (1) Project Committee Report
- (2) Activity Update
- (3) NOAA's Coastal Protection and Restoration Program

May 17, 2000

To: Restoration Advisory Board

From: Project Committee

Subject: Disposal Options for Material Dredged from Narragansett Bay

1. Federal Statutes Regulating Dredging and Disposal Activities.

1899 Rivers and Harbors Act (RHA)
 1958 Fish and Wildlife Coordination Act
 1969 National Environmental Policy Act (NEPA)
 1972 Coastal Zone and Management Act (CZMA)
 1972 Clean Water Act (CWA)
 1972 Marine Protection, Research, and Sanctuaries Act (MPRSA)
 1973 Endangered Species Act (ESA)

2. a. What is Dredged Material?

- * Natural sediments washed into harbors and channels from surrounding areas.
- * Not hazardous waste, sludge, or "spoil".
- * Hazardous or "toxic" wastes are handled separately-may be dredged separately.
- * Sludge refers to an industrial product.
- * Spoil is an archaic term for the effect of unregulated discharge of dredging onto land where it "spoiled" the land for agriculture.

b. What is the Sediment Character of Dredged Material?

- * Excavated sediments range from soft silt to sand and gravel.
- * Majority may be from pre-industrial disposition with unknown grain size.
- * The sediment character determines how sediment is dredged, and how it is disposed.

c. Suitability Determination

- * Sediments are tested for grain size and potential contamination.
- * Most sediments in Narragansett Bay are classified as "suitable" for open-ocean disposal or beach

ENCLOSURE (1)

* Most sediments in New England are classified as "suitable" for open-ocean disposal or beach nourishment (sand).

* Contaminants readily bind to sediment particles and are not easily released to the water column.

3. How are Sediments Dredged?

* Mechanical Dredging-clamshell bucket most commonly used in New England.

* Hydraulic Dredging-also known as pump dredging, used in New England mostly for beach nourishment,

or fill behind bulkheads.

4. What are the Options for Disposal of Dredged Material ?

a. Beneficial use and reuse for Suitable Dredged Material.

- * Beach nourishment.
- * Use on existing landfills for cover.
- * Pilot beneficial use projects- habitat remediation(salt marsh) or creation of habitat(gravel, rocks)
- * Fill for Port Development

b. Beneficial Use :Issues

- * Timing and scale of remediation activities may not match dredging projects.
- * Cost of restoration may be very high
- * Many beneficial use projects require suitable material or material that has been treated.

c. Beneficial use for Unsuitable Dredged Material.

- * Remediation of Brownfields.
- * Use on existing landfills for cover.
- * Pilot beneficial use projects-reclamation of abandoned strip mines or creation of construction materials (bricks).
- * Fill for Port Development.

d. Options for Unsuitable Dredged Material

- * Beneficial use and reuse.
- * Treatment technologies
- * Land disposal
- * Aquatic disposal

5. Treatment Technologies

- * After sediment is removed, it is manipulated to reduce the potential harm of contaminants in the dredged material.
- * Most sediments are pre-treated to reduce water(dewatering) and salt content
- * Treatment approaches may be combined in a "treatment train" to address multiple contaminants.

Treatment Techniques

- * Separation-remove contaminants from sediment.

- * Reduction-remove uncontaminated materials.
- * Stabilization-fix contaminants into sediment matrix.
- * Destruction-destroy contaminants to render harmless.

Issues with Treatment Technologies

- * Cost of technologies generally high.
- * Scale of technology may not match project.
- * Dredged sediments require a treatment train to address all contaminants and properties.
- * Dewatering and washing may require large land areas.
- * Generate sidestreams that must be disposed of.

6. Other Options for Disposal of Dredged Material

- * Land Disposal-Landfills and Facilities
 - * potential exposure to air
 - * exposed to hydraulic head (groundwater)
 - * human contact
- * Aquatic Disposal
 - * potential exposure to aquatic biota
 - * no hydraulic head
 - * possible groundwater discharge nearshore

***** Both require engineered confinement facilities and environmental monitoring.

7. Upland Disposal

- * Upland disposal represents removal of contaminated sediments from the marine environment.
- * May require treatment to permit marine sediments to be placed on land (dewatering or desalination).
- * Mitigation of environmental impact includes landfill liners and ground cover..
- * Monitoring is conducted to ensure sediments do not contaminate air or ground water (use soil sampling, groundwater (leachate) sampling, or air sampling.)
- * Issues
 - * Dewatering requires large land areas and generates sidestreams that must be treated.
 - * Limited landfill space in Rhode Island.
 - * Facilities require strict RCRA standard design (liner, leachate cover).

8. Aquatic Disposal

- * Aquatic disposal represents a transfer of marine sediments to a new aquatic location.
- * Results in removal and containment of existing sediments and channels.
- * Mitigation of environmental impact includes confinement and capping of sediments.
- * Monitoring is conducted to ensure that there are no environmental impacts to aquatic habitats.
 - * Benthic habitat monitoring (photograph of the surface of freshly deposited dredged material).
 - * Sediment cores collected to document cap integrity.
 - * Post-storm surveys to ensure stability of facility.
- * Techniques

* Confined Aquatic Disposal (CAD)-Place sediment on seafloor or in a pit and cap with suitable sediments.

* Confined Disposal Facility (CDF)- Uses sediment as Port Expansion or Land Creation.

* Issues

* Requires careful planning and engineering design of CAD or CDF.

* May result in change of benthic habitat.

* CAD cell monitoring show water quality limits not exceed,, disposal approach is sound, requires better spread of material, and monitoring critical to ensure maximum environmental protection.

RAB

file:///C:/My Documents/R

SUMMARY OF DISPOSAL OPTIONS CONSIDERATIONS

* Selected to mitigate specific environmental stressors.

* Engineered to minimize environmental impacts.

* Monitored to ensure environmental protection.

* Need to be tailored to the volumes and characteristics of the project alternatives.

SOURCE : Presentation prepared for Quonset Point Stakeholders, DEc. 21, 1998, by Drew Carey, Science Applications International Corporation.

Submitted by:

Emmet E. Turley

Emmet E. Turley

Activity Update:

Old Firefighting Training Area

- *Off Shore:*
 - Final ERA submitted April 28, 2000
 - **Draft Final Remedial Investigation Report (RI) planned for July 2000**

- *On Shore:*
 - Draft Background Soil Investigation Report in May
 - determine background concentrations for arsenic and other metals
 - site specific to OFFTA

Activity Update:

McAllister Point Landfill - Offshore

- Record of Decision -USEPA signed 3/1/00
- Notice of availability of ROD
- Deadlines for Remedial Design Documents
 - 35% Remedial Design Workplan 1May 00
 - 60% Remedial Design Workplan 20 July 00
 - 85% Remedial Design Workplan 10 Oct 00
 - Final Remedial Design Workplan 4 Jan 01
 - Project Closeout Report 30 Aug 02

Activity Update:

McAllister Point Landfill - Onshore

- Continue long term monitoring of landfill gas and groundwater
- Next event Summer 2000

Activity Update:

Tank Farm 5

- Two additional bedrock wells installed at former Tanks 53 and 56*
- Submitted Data Report April 21 2000*
- sampling results comply with GA ground water standards*
- No further investigation recommended*

Activity Update:

Derecktor Shipyard

- *On - Shore*
 - *Building 42 Sump line Removal started May 15*
 - *Submit removal action report Summer 2000*
- *Off - Shore*
 - *Funding for remediation planned for 2005/2006*

Activity Update:

Melville North Landfill

- Excavation and off site disposal of material
 - Model City, NY
 - Environmental Soil Management Facility, N.H.
 - Turnkey Landfill, N.H.
 - Crapo Hill Landfill, New Bedford MA
 - BFI Landfill Fall River MA
 - Mid City Scrap, MA
- Scheduled Project completion May 2000
- Submit closure report July 2000

Activity Update:

Melville North Landfill

– Daily Cover	64,698
– PCBs >10ppm	3,642
– PCBs <10ppm	10,651
– Lead	20,114
– Creosote Wood	48
– VOCs	182
– Scrap Steel	182

Activity Update:

- Gould Island
 - Started Installation Restoration Field Work in April 2000
 - Soil gas survey
 - concrete sampling
 - surface soil samples
 - drain pits
 - Analytical results in late May 2000
 - Report July 2000



NOAA's Coastal Protection and Restoration Program



Office of Response and Restoration

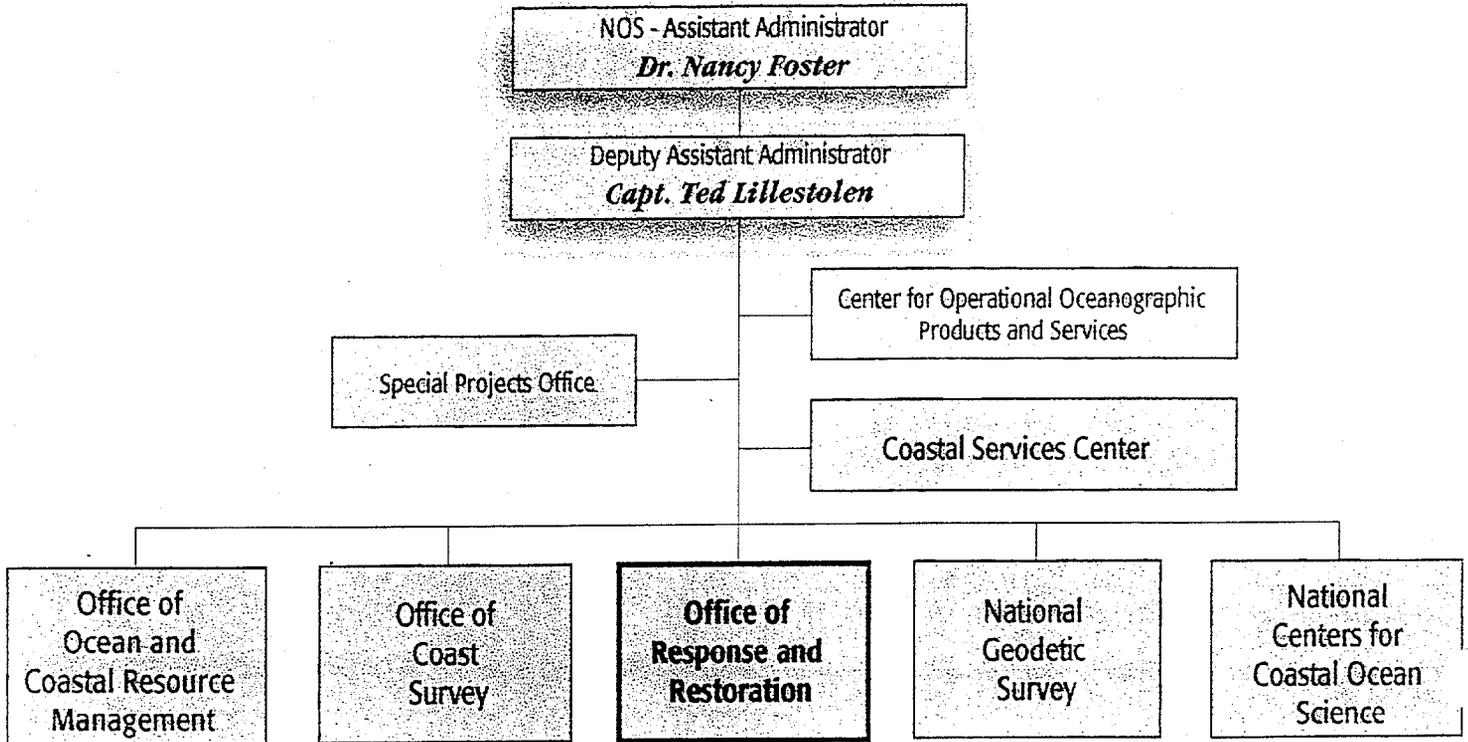
ENCLOSURE (3)

NOAA • NOS • OR&R

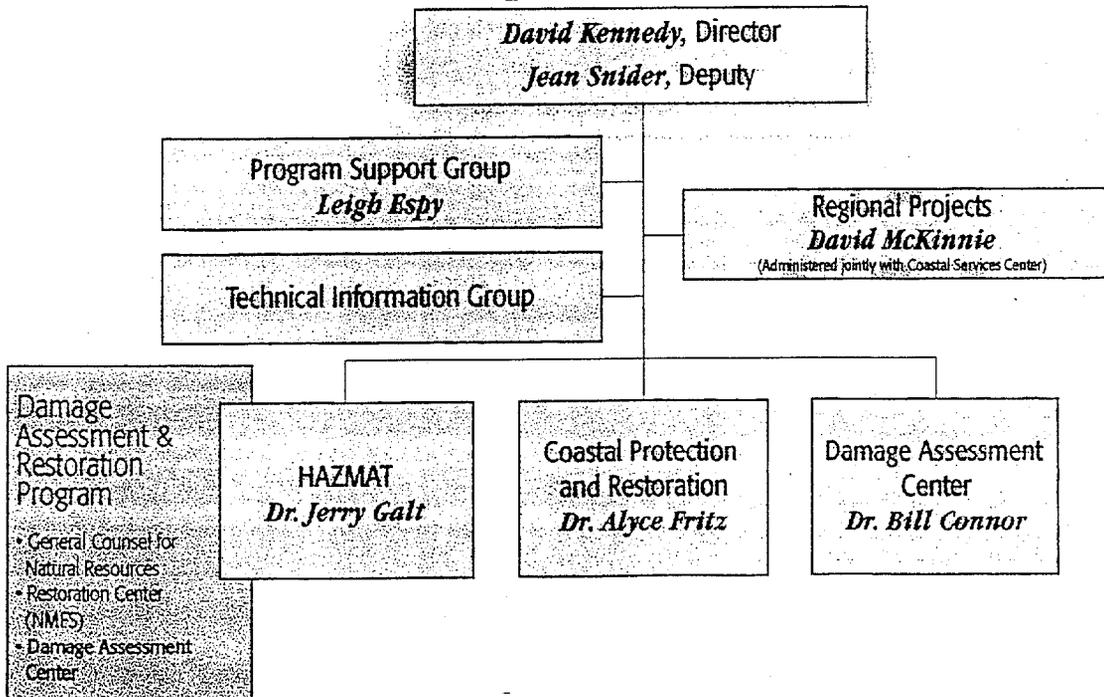


organizational chart • 1999

National Ocean Service



Office of Response and Restoration



Introduction to Superfund and NOAA's Coastal Resource Coordination Program

Goal of the Program:

To protect and restore coastal resources threatened by releases of hazardous substances

CERCLA Superfund Overview

Who are we?

How we achieve our goal

- Emphasis on cooperation and partnerships
- Integrating science into decision making
- Restoration through cooperative settlements with responsible parties
- Coordination with damage assessment representatives

Achievements

- Improving protection for natural resources at more than 350 sites
- Obtained conditions to achieve restoration of habitat at 25 sites

Examples

SUPERFUND

(Comprehensive Environmental Response, Compensation,
and Liability Act)

First passed in 1980, reauthorized in 1986

Purpose:

- To identify sites where hazardous substances might be or have been released,
- To ensure that they are cleaned up,
- To evaluate injuries to natural resources,
- To create a claims procedure for those who have cleaned up sites or have spent money to restore natural resources.

NATURAL RESOURCES...

...are defined under CERCLA § 101 as land, fish, wildlife, biota, air, water, groundwater, drinking water supplies, and other such resources belonging to, managed by, held in trust by, appertaining to, or otherwise controlled by the United States....any state or local government, any foreign government, any Indian tribe, or, if such resources are subject to a trust restriction on alienation, any member of an Indian tribe.

TRUSTEE...

...means any Federal natural resource management agency designated by the National Oil and Hazardous Substance Pollution Contingency Plan (NCP) and any State agency designated by the Governor.

As designated in Subpart G of the NCP (Sec. 300.600), the Trustees are:

- Secretary of the Interior
- Secretary of Commerce

Heads of other Federal land-managing agencies:

- Secretary of Defense
- Secretary of Agriculture
- Secretary of Energy

State natural resource trustees are designated by:

- the Governor of each State
- Tribal Trustees

NOAA acts on behalf...

...of the Secretary of Commerce as a Federal trustee
for living and non-living natural
resources in coastal and marine areas.

Natural resources of concern to NOAA include:

- all life stages, wherever they occur, of fishery resources of the Exclusive Economic Zone (EEZ) and continental shelf;
- anadromous and catadromous species throughout their ranges;
- rivers and tributaries to rivers which historically or presently support anadromous species;
- federally endangered and threatened species, including designated critical habitat and marine mammals, for which NOAA has assigned responsibility;
- tidal wetlands, salt marshes, estuaries, and other important habitat supporting fishery and marine resources; and
- living and non-living resources of National Marine Sanctuaries and National Estuarine Reserves.

Who are we?

**NOAA's Coastal Protection and Restoration
Division provides the science behind
decisions to protect and restore
coastal resources.**

- **Marine biology**
- **Aquatic toxicology**
- **Environmental engineering**
- **Oceanography**

What do we do?

Protect and restore coastal resources
threatened
by releases of hazardous substances.

How do we do it?

CPR scientists' research has pioneered work in

- ecological risk assessment
- wetlands function/restoration, and
- sediment toxicity investigations

How do we do it?

Through science and partnerships with a broad range of agencies who either protect natural resources or redress hazardous waste sites:

- State Departments of Wildlife, Ecology, Natural Resources, Environment
- Sea Grant, Universities
- U.S. Environmental Protection Agency
- Department of Defense
- Native American tribes

- ...evaluate the problem by identifying sites that could affect NOAA trust resources
- ...develop solutions to stop the source of contamination
- these solutions, or remedies, include conducting ecological risk assessments and setting specific cleanup levels and
- ...monitor these remedies to make sure they're effective
- ... plan restoration of habitat through cooperative settlements with responsible parties

Restoration activities include

- restoring degraded wetlands
- improving stream habitat for fish,
- building fish ladders or improving fish access to streams, and providing information and support for broader restoration activities for watersheds.
- 23 sites have restoration planned, ongoing, or completed as a result of CRC involvement

COMPREHENSIVE RESPONSE

THE REMOVAL OR REMEDIAL ACTION can, in many cases, involve the restoration or replacement of natural resources, thus eliminating or substantially reducing any claim for damages independent of a response cost claim. The more comprehensive the response, the less likely it is that there will be any civil action to seek natural resource damages.

HABICHT, 1986; P. 32

NATURAL RESOURCE DAMAGES are for injuries residual to those injuries that may be mitigated in the response action.

PROPOSED RULES NRDA FED. REG., APRIL 29, 1991: PP.19761-2

How we achieve our goal:

Emphasis on cooperation and partnerships with EPA, DoD, other Federal trustees, states, local agencies, non-governmental organizations

Integrating science into decision making:

- Ecological risk assessment
- Selecting protective cleanup levels
- Recommending specific cleanup methods
- Developing monitoring plans

Restoration through cooperative settlements with responsible parties

Coordination with Damage Assessment

- Two possible paths to restoration
- Only about 1% of the sites go through damage assessment

CRC Program Case studies: Lessons Learned

- CRC Program achieved protection for trust resources at more than 350 sites
- Protection through remedial process required for natural resource recovery and restoration
- CRC Program achieved negotiated settlements for restoration of natural resources above and beyond protective remedy at more than 25 sites

Overall Issues/Lessons Learned

- Working cooperatively with lead cleanup agency is important to...
 - get a protective remedy
 - get the appropriate mitigation needed for primary restoration
 - develop compensatory restoration options
- Importance of developing CNTS technical position as early as possible (i.e., when preferred remedy is proposed)
- Importance of working cooperatively with lead agency, trustees, and PRPs throughout the remedial process to achieve negotiated settlement

Overall Issues/Lessons Learned

- Contamination, exposure, and effects information need to be integrated and translated to ecological risk and protective cleanup levels
- A protective remedy to prevent future injury, to ensure protection and restoration of natural resources is needed before compensatory restorations can be scaled
- Risk assessment provides biological injury information needed to scale restoration (but may not provide human use injury)

Coastal Protection & Restoration Division
NOAA's Approach: An Integrated Process

