



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-831-5508

1 February 2001

Captain J. W. Zorica
US Department of the Navy, Northern Division
Code 1823, Mail Stop #82
10 Industrial Highway
Lester, PA 19113-2090

RE: Stockpiled Materials
Naval Station Newport
Newport, Rhode Island

Dear Captain Zorica;

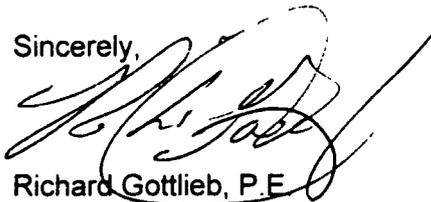
The Rhode Island Department of Environmental Management, Office of Waste Management (RIDEM) would like to thank you for your 13 December 2000 response to our 6 November 2000 letter regarding the above referenced subject. The stockpiled materials in question were obtained from dredging and construction activities related to a sewer line which runs almost the entire length of the base. Under 42 USC 9620 (a)(4) Naval Station Newport is subject to Rhode Island environmental law as it is a military base which is *currently* owned by the United States government. Based on regulations 3.29 and 3.54 of the Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases, amended 1996 (Remediation Regulations) RIDEM has determined that a release has occurred which requires remediation. As noted previously, the Navy proposal of spreading and seeding the soil without any restrictions, cover soil, or monitoring is not acceptable. RIDEM reiterates that the Navy must submit a proposal to address the stockpiled soils.

The Navy has stated that the concentration of arsenic (up to 18.6 ppm) is reflective of background conditions that exist throughout the region. Please be advised that these concentrations are not considered background at other sites on Aquidneck Island, including a site recently remediated by the Navy (Meiville North Landfill). The Navy may perform a background study in support of their position. The background study for arsenic may be moot, however, since the soils in question also exceed RIDEM direct exposure criteria for SVOCs for which background studies cannot be performed. These soils must be addressed per Section 8 of the Remediation regulations.

Finally, the nature of the problem at this site is not significantly different than other sites at Naval Station Newport which require remediation. Therefore, RIDEM does not feel that senior staff level participation is appropriate and would request that correspondence concerning this matter be directed towards RIDEM's project manager for this site, Mr. Paul Kulpa. If the Navy has any questions or require additional information please contact Mr. Paul Kulpa at 401-222-2797 ext. 7111 or myself at ext 7138.

2626

Sincerely,



Richard Gottlieb, P.E.
Principal Engineer

cc: Terrence Gray, Associate Director DEM OWM
Leo Hellested, Chief DEM OWM
Paul Kulpa, DEM OWM
Terry Walsh, DEM OWR
Ken Anderson, CRMC
Al Haring, US Navy – Northern Division ✓
Robert Krivinkas, NSN