



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

26 May 2010

Winoma Johnson, P.E.
NAVFAC MIDLANT (Code OPNEEV)
Environmental Restoration
Building Z 144, Room 109
9742 Maryland Avenue
Norfolk, VA 23511-3095

RE: *Comments to:*
Draft Proposed Plan
Derecktor Shipyard Offshore, Naval Station Newport, Newport, Rhode Island

Dear Ms. Johnson:

The Office of Waste Management at the Rhode Island Department of Environmental Management has conducted a review of the *Draft Proposed Plan*, dated April 2010 for the Marine Portions of the Former Derecktor Shipyard, Naval Station Newport, located in Newport, Rhode Island. As a result of this review, this Office can not accept the Proposed Plan as currently written.

As per EPA's document, "*A GUIDE TO PREPARING SUPERFUND PROPOSED PLANS, RECORDS OF DECISION, AND OTHER REMEDY SELECTION DECISION DOCUMENTS*" dated July 1999 page 2-1, Section 2.0 PROCESS FOR DEVELOPING THE PROPOSED PLAN, 2.1 OVERVIEW: "*Personnel in the lead and support agencies should begin discussions on the alternatives analyzed in the FS as early as possible and attempt to reach an agreement on identifying a Preferred Alternative. These early discussions should help prevent delays in the later stages of the remedy selection process.*" It was this Office's understanding, through previous phone discussions and various written correspondences between EPA, RIDEM, and the Navy, that the Preferred Alternative for the marine sediment at this Site was dredging. In fact, in the Draft Final Feasibility Study Revision 1 dated February 2008 there is no mention of the Navy's preferred alternative that is stated in this Proposed Plan "*monitored natural recovery*".

It is very disappointing to this Office that the Navy would draft and issue this Proposed Plan to both Agencies (EPA and RIDEM) for review, comment, and approval without first discussing this version of the Navy's proposed remedy for this Site with both Agencies. As you are aware, the original Feasibility Study was completed at this Site in July 1999 and for the Navy to propose a remedy in 2010 that has not been written in any draft version of a Feasibility Study drafted to date nor discussed with both Agencies to date is totally unacceptable to this Office. Please rewrite this Proposed Plan without the monitored natural recovery proposal for both Agencies review.

If you have any questions, in regards to this letter, please contact me at (401) 222-2797, extension 7148 or by e-mail at gary.jablonski@dem.ri.gov.

Sincerely,



Gary Jablonski, Principal Engineer
Office of Waste Management

cc: Matthew DeStefano, RIDEM
Richard Gottlieb, RIDEM
Kymberlee Keckler, USEPA Region I
Cornelia Mueller, NETC, Newport, RI
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