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LETTER AND U S NAVY RESPONSE TO THIRD ROUND OF U S EPA REGION I  
COMMENTS REGARDING DRAFT DATA GAPS ASSESSMENT REPORT CATEGORY 1  
AREAS SITES 12 AND 13 NS NEWPORT RI  
10/06/2011  
TETRA TECH NUS



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October 6, 2011

Project Number 112G02698

Ms. Kimberlee Keckler, Project Manager  
Federal Facilities Superfund Section  
U.S. Environmental Protection Agency, Region 1  
5 Post Office Square, Suite 100  
Mail Code: OSRR07-3  
Boston, MA 02109-3912

Reference: CLEAN Contract No. N62470-08-D-1001  
Contract Task Order No. 464

Subject: Transmittal of Response to Comments on  
Draft Data Gaps Assessment Report, Category 1 Areas  
Sites 12 and 13 (Tank Farms 4 and 5) NAVSTA Newport, Rhode Island

Dear Ms. Keckler:

On behalf of Mr. Roberto Pagtalunan, U.S. Navy NAVFAC, Tetra Tech is providing to you, via electronic mail and a paper copy, Navy's responses to EPA's third round of comments (dated August 22, 2011) for the above referenced report.

In accordance with the FFA, the comment/ response cycle for this document ended July 24, 2011. The Navy looks forward to resolving these remaining issues with EPA.

Very truly yours,

Dabra I. Seiken, CG  
Project Manager

DIS/lh

Encl.

c: P. Crump, RIDEM (w/encl – electronic mail)  
K. Munney, USF&W (w/encl – electronic mail)  
R. Pagtalunan (w/encl – electronic mail and paper)  
S. Parker, TtNUS (w/encl. – electronic mail)  
D. Moore, NAVSTA (w/encl. – electronic mail)  
Site File, c/o G. Wagner, TtNUS (w/encl – electronic mail)  
File G02710-3.2 (w/o encl.) File G02710-8.0 (w/encl.)

**Tetra Tech**

250 Andover Street, Suite 200, Wilmington, MA 01887-1048  
Tel 978.474.8400 Fax 978.474.8499 www.tetrattech.com

**NAVY RESPONSE TO U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)  
COMMENTS (DATED AUGUST 22, 2011)**

**DRAFT DATA GAPS ASSESSMENT REPORT FOR INSTALLATION RESTORATION  
SITES 12 (TANDK FARM 4) AND 13 (TANK FARM 5) CATEGORY 1 AREAS**

Navy responses to the EPA third round of comments (letter dated August 22, 2011), on the Draft Data Gaps Assessment Report for Tank Farm 4 and Tank Farm 5 NAVSTA Newport, are provided below.

**EPA Letter Comment:**

To clarify the resolution, EPA agreed that the Data Gaps report could be completed using the data collected in accordance with the Data Gaps QAPP/SAP and the "Technical Memorandum for Data Summary and Plan for Risk Assessment." The Navy will need to address the locations where contamination was previously identified but that could not be incorporated into the risk assessment because of insufficient analytical information or incomplete location information.

**Navy Response: Navy maintains that even though specific soil samples from older data were not incorporated into the risk assessment, locations where contamination was previously identified were incorporated into the risk assessment using the 2010 data.**

**EPA Specific Comments:**

1. p. 1-2, §1.2 The text was not changed for the Draft Final. The change will be made in the final report. Please explain how there can be a non-CERCLA release of CERCLA contaminants at an NPL site, which is what is implied by the description of the Category 3 Decision Units (DUs). This is possible if there is no CERCLA risk, but it is not clear how the Navy would know the risk level without first investigating the site.

**Navy Response: The wording suggested by EPA (EPA changes shown in *italics*): "The Category 3 DU (DU 5-3) was established to address miscellaneous incidental contaminants present that are normally governed by RIDEM Division of Site Remediation *because it is assumed that the concentrations of contaminants present do not pose a CERCLA risk or exceed the blood lead threshold.* These contaminants are associated with support structures such as battery storage buildings, electrical substations, and equipment buildings and storage sheds (VOCs, SVOCs, pesticides, PCBs, metals), which would be localized and specific to non-CERCLA releases from each of those structures. *If investigation of these Category 3 areas reveals that the risk is unacceptable or that the lead criteria are not satisfied, these areas would be managed under CERCLA.*" Is inaccurate. It was decided that the Category 3 area would be managed by RIDEM. It is not going to be transferred back to CERCLA -management. Navy will keep the wording as it is.**

2. p. 1-3, §1.3.2                      a) The agreed change was not made for the Draft Final document.

**Navy Response: This change will be made in the Final document.**

2b) As discussed during a conference call on August 18, 2011, EPA will not require that the discussion state that funding was the primary reason for terminating the 2004-5 investigation and Navy will not state that funding was not the primary reason. The word 'primary' will be deleted.

**Navy Response: The word "primary" is not in the text, so it cannot be deleted. The text is currently (in the Draft Final Document) on page 1-5, section 1.4.3, second paragraph, third sentence. Navy will change this sentence to (edits shown in *italics*): "Considering all of the factors at the time, *including the lack of a demonstrated risk from the area and funding issues*, the Navy suspended excavation in order to re-evaluate the approach and determine the best way to address potential risk to human health and the environment from the remaining impacted soil and sediment."**

2c) The first sentence was not deleted from the text but it will be deleted in the Final Data Gaps Assessment Report.

**Navy Response: Agreed.**

49. Appendix A, Figure 6 Please annotate this figure to make it clearer. It appears that the Next Steps referenced relate to steps required before the Data Gaps Investigation.

**Navy Response: The figure will be annotated to make it clearer. The next steps described in this figure were those anticipated prior to the Data Gaps Investigation.**

50. Appendix A, Figure 7 It is important to make decisions with the correct information. When the valve in the line from Tank 41 to Ruin 2 was closed by TtEC, that the line began leaking upstream of the valve. EPA's representative and RIDEM witnessed this while conducting oversight at Ruin 2 during the removal action. The oil in Ruin 2 indicates that oil had been present in the subsurface at Tank 41 and it had been transported to Ruin 2. Therefore, there may be a continuing source because of the leak in the pipeline and residual oil in the subsurface at Tank 41. There is uncertainty because the area around the leak has not been investigated. EPA does agree that such a leak could be considered Category 2.

**Navy Response: Navy agrees to investigate this area as a Category 2 area.**

Appendix A, Figure 8 As documented in the Final Closeout Report for Sludge Disposal Trenches and Review Areas at Tank Farms 4 and 5, the issue of lead in soil along the fence line was not resolved. Further discussions are required to reach a consensus. The lead concentrations along the fence lines are extremely elevated and cannot be disregarded as the Navy takes action to remediate this area.

**Navy Response: As it is not considered a CERCLA release, the Navy is evaluating how to address the lead in soil along the fence line.**