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LETTER AND U S EPA REGION I COMMENTS ON DRAFT EXPLANATION OF SIGNIFICANT  
DIFFERENCES OLD FIRE FIGHTER TRAINING AREA OPERABLE UNIT 3 (OU3) NS  
NEWPORT RI  
5/17/2012  
U S EPA REGION I



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION I

5 Post Office Square, Suite 100  
Boston, MA 02109-3912

May 17, 2012

FILE: G00632-3.1

copy: J. Forrelli

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

Re: Draft Explanation of Significant Differences for the Old Fire Fighting Training Area, Operable Unit 3

Dear Ms. Johnson:

Thank you for the opportunity to review the *Draft Explanation of Significant Differences for Site 9 – Old Fire Fighting Training Area, Operable Unit 3*, dated May 2012 (ESD) for completeness, technical accuracy, and consistency with EPA's guidance document *A Guide To Preparing Superfund Proposed Plans, Records of Decision, and Other Remedy Selection Decision Documents*. This ESD documents the addition of asbestos as a contaminant of concern that will be addressed by the remedy. Asbestos was discovered during the implementation of a non-time critical removal action. Detailed comments are provided in Attachment A.

On page 3 under Description of Significant Differences, add text to clearly indicate that asbestos encountered during construction of the revetment was managed in compliance with regulatory requirements, temporarily stockpiled on site, and subsequently disposed at an off-site facility licensed to receive asbestos-containing wastes. In addition to the asbestos removed from the site, it is possible that additional asbestos remains commingled with the subsurface soil along the shoreline landward of the revetment. Any residual asbestos remaining at the site must be adequately managed and isolated from exposure by the soil/asphalt cover specified in the ROD.

Publication of a notice that briefly summarizes the ESD is required. EPA recommends that the Public Participation section restate that the ESD has been added to the Administrative Record for the site and that a notice of availability of the ESD has been published.

I look forward to working with you and the Rhode Island Department of Environmental Management to complete the cleanup of the Old Fire Fighting Training Area. Please do not hesitate to contact me at (617) 918-1385 should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kimberlee Keckler".

Kymerlee Keckler, Remedial Project Manager  
Federal Facilities Superfund Section

**Attachment**

**cc: Pam Crump, RIDEM, Providence, RI  
Darlene Ward, NETC, Newport, RI  
Steven Parker, Tetra Tech-NUS, Wilmington, MA**

## ATTACHMENT A

<u>Page</u>	<u>Comment</u>
p. 1, 2 <sup>nd</sup> col.	In the first paragraph of the Site history, the official name of the Site should be the Naval Education and Training Center Superfund Site.
p. 3, 2 <sup>nd</sup> col.	<p>Add the following sentences at the end of the "Basis" paragraph:</p> <p>"No testing was conducted to determine if soil in the area where the tile pieces were located were contaminated with loose asbestos fibers. During the non-time critical removal action, before identifying that ACM was present, soil containing ACM was stockpiled away from the revetment construction area. Therefore, the stockpile areas may be contaminated with asbestos. Since the entire Site will have a protective cover installed, no testing was conducted to define the extent of area within the Site that could be contaminated with asbestos. The areas where tile pieces were observed and potential asbestos-contaminated soil was stockpiled are shown in Figure ___."</p>
p. 3, 2 <sup>nd</sup> col.	<p>In the first paragraph under Description, insert "as well as where soils were stockpiled during revetment construction," after "replacement stone revetment" in the third sentence.</p> <p>Replace the second paragraph of the Description Section with: "Because asbestos contamination was present on-site, the following remedial components are added to the CERCLA remedy for this site:</p> <ul style="list-style-type: none"><li>• Interim land use controls have been established to prevent exposure to areas where asbestos may be present until the final cover remedy is implemented.</li><li>• The Navy may conduct further soil testing following EPA asbestos guidance procedures to determine the extent of asbestos contamination at the site. This would allow the Navy to refine the area that will require asbestos-specific land use restrictions.</li><li>• During installation of the final cover, health and safety measures will be used to prevent the release of asbestos into the air (e.g., keeping soil wet during construction).</li><li>• Once the final cover is installed, the Navy will establish asbestos-specific land use controls for the entire final cover area (or another more specific area defined by testing). These land use controls will amend the controls in the Record of Decision to prevent the release of asbestos into the environment in the event of cover repairs or maintenance, installation of infrastructure through the cover, or other disturbance of soils beneath the cover.</li></ul>
p. 4, Stat. Determ.	<p>Replace this entire section with the following:</p> <p>The primary standards for addressing asbestos at the site are the Clean Air Act, National Emission Standards for Hazardous Air Pollutants [NESHAPs]. The Appendix A, Table A-3 of the Record of Decision that lists ARARs for the remedial action, included a general citation to these regulations pertaining to the management of potential air pollutants (not including asbestos) during cover construction activities. This ESD modifies Appendix A, Table A-3, to add the following specific standards for asbestos:</p>

Clean Air Act (CAA), National Emission Standards for Hazardous Air Pollutants (NESHAPS), Standards for Inactive waste disposal sites for asbestos mills and manufacturing and fabricating operations	42 U.S.C. §§7411 & 7412; 40 C.F.R. §61.151	Relevant and Appropriate	NESHAPS standards for preventing air releases from inactive asbestos disposal sites, including cover standards, dust suppression, and land use controls.	Unless a specific area of asbestos-contamination is defined, the entire area of the Site will be covered in a manner that meets the substantive requirements of these standards and land use controls will be established to address health and safety requirements to maintain the cover and to address any potential asbestos exposure in case the cover is disturbed. If a smaller area of asbestos contamination is defined then these standards will apply to the smaller area.
Framework for Investigating Asbestos-Contaminated Superfund Sites	OSWER Directive #9200.0-68 (Sept. 2008)	To Be Considered	Guidance on investigating and characterizing the potential human exposure from asbestos contamination in outdoor soil at Superfund sites.	Guidance will be used to establish procedures for sampling for asbestos either for delineating the area of contamination or if areas of covered soil are disturbed in the future.

The scope, performance, and cost of the remedy are not altered by the addition of measures to address asbestos at this site, and there is no significant change to any component of the remedy. The proposed change to the selected remedy will continue to satisfy the statutory requirements of CERCLA Section 121, and the modified remedy will remain protective of human health and the environment and will continue to comply with federal and state ARARs and be cost effective.

p. 5, Public Particip. Explain how the public participation requirement was met (e.g., notice of availability, press release about the ESD, submission of the ESD to the public repository, etc.).