



C-NAVY-06-09-3190W

June 17, 2009

Project Number 112G01474

Ms. Winoma Johnson, PE
Remedial Project Manager
NAVFAC MIDLANT
9742 Maryland Avenue
Norfolk VA, 23511-3095

Reference: CLEAN Contract No. N62472-03-D-0057
Contract Task Order No. 130

Subject: Final Conference Call Notes and Summary May 18, 2009
Site 19 - Former Derecktor Shipyard
NAVSTA Newport, Newport Rhode Island

Dear Ms. Johnson:

Attached for your records are the Final Notes and attachments that summarize the conference call held to discuss the site referenced above on May 18, 2009. A draft was provided to the attendees on May 28, 2009. Comments on the draft were received June 5, 2009 from the USEPA, and the notes were revised accordingly.

If you have any questions on this material, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Stephen S. Parker', written over a horizontal line.

Stephen S. Parker, LSP
Project Manager

SSP/lh

attachments

c: D. Barclift, NAVFAC (w/encl.)
A. Bernhardt, TtNUS (w/encl.)
K. Finkelstein, NOAA (w/encl.)
T. Finlayson, Gannett Fleming (w/encl.)
B. Hoskins, USEPA (w/encl.)
G. Kemp, Gannett Fleming (w/encl.)
K. Keckler, USEPA (w/encl.)
P. Kulpa, RIDEM (w/encl.)
C. Mueller, NAVSTA (w/encl.)
J. Trepanowski, TtNUS (w/encl.)
G. Glenn, TtNUS (w/encl.)
AR (c/o Glen Wagner, TtNUS Pittsburgh (1, w/encl.)
File G01474-3.2 (w/o encl.) File G01474-8.0 (1, w/encl.)

Meeting Notes
Conference Call Regarding Ecological Issues,
Former Robert E. Derecktor Shipyard
Newport Rhode Island
May 18, 2009

Attachments:

1. Agenda
2. EPA letter dated 4/9/09

Participating:

Dave Barclift, NAVFAC
Aaron Bernhardt, Tetra Tech NUS, Inc.
Ken Finkelstein NOAA
Todd Finlayson, Gannett Fleming
Bart Hoskins, USEPA
Winoma Johnson, NAVFAC
Kymberlee Keckler, USEPA
Greg Kemp, Gannett Fleming
Paul Kulpa, RIDEM
Cornelia Mueller, NAVSTA
Stephen Parker, Tetra Tech NUS, Inc.

The meeting convened at 0900

P. Kulpa asked if we would be discussing Human Health issues, as described in his letter dated 1/2/09. D. Barclift stated that separate preparations would be needed for that discussion and it was suggested a separate call be held to discuss. It was clarified that this meeting was to discuss remaining ecological comments on the FS (reference EPA letter dated 4/9/09)

1) Development of a PRG for TBT

There was a general discussion about the proposed 228 ug/kg value for tributyltin (TBT) to be used as a "trigger" during the pre-design investigation (PDI) as suggested in the EPA letter dated April 9, 2009. A summary of data was reviewed and it was noted that four previous stations had concentrations exceeding this value, collected in the mid 1990s. All of the stations where that concentration was detected were sampled in the 0-2 cm depth. After some additional discussion, it was agreed that TBT would be analyzed for in the PDI, and if a TBT concentration of 228 ug/kg is found in any sample, the group would meet and discuss if and how a PRG for TBT should be developed.

G. Kemp asked if the TBT value would be normalized to TOC. There was some general discussion about this, and B. Hoskins proposed that the TBT trigger be a total value, not adjusted for TOC.

Post script: K. Keckler noted on review of the draft meeting notes that while selection of a single value for TBT may be the easiest way forward, ignoring TOC may not be appropriate in light of the limited scope of toxicity testing conducted (i.e. acute only).

2) Scope of the Pre-Design Investigation

S. Parker noted that there had been many comments on the scope of the PDI as it was described in the FS report. He noted that typically, the FS is completed, the PRAP is developed, the ROD follows the PRAP, and the PDI is conducted to support the design of the remedy selected in the ROD. Because a remedy is not yet selected for this site, the scope of the PDI cannot be established. K. Keckler requested that for this project, the PDI should be submitted prior to the ROD. W. Johnson disagreed stating that the group has to get through the FS first. K. Keckler asked if the Navy would be submitting a response to the April 9 letter, and W. Johnson stated that they would, although the RCRA and asbestos questions on that letter were still being reviewed.

K. Keckler stated that EPA commented earlier that there are areas of the site that have not been adequately investigated largely owing to the presence of the aircraft carriers. The areal extent of contamination will need to be defined regardless of the remedy. EPA recognizes however, that a capping remedy could potentially be implemented with fewer core samples than a dredging remedy.

S. Parker proposed that for now, a single line item in the FS should be sufficient to provide a cost for the PDI. The cost for the PDI under each alternative would be different, acknowledging that a PDI for limited action would be lower than that for a dredging option. There did not seem to be any disagreement on this approach. K. Keckler stated that the cost item should be higher than in those provided in the previous FS document, understanding that the EPA expects the PDI to be comprehensive.

K. Keckler asked what the future of Pier 2 is. C. Mueller was not available to answer, and the topic was tabled until May 20. (It was later stated that Pier 2 is to be also abandoned and slated for demolition, along with Pier 1.)

3) Other Technical Issues

The other issues noted were those posed by RIDEM in their letter dated January 2, 2009, page 4, which describes two "Ecological" issues:

Regarding Item 1, P. Kulpa stated that he is satisfied with the proposed approach as described above.

Regarding Item 2, P. Kulpa stated that their concurrence will depend on whether the Navy addresses the human health concerns noted by the state. Winoma Johnson repeated for clarification that RIDEM is refraining from concurring on the ecological issues until the human health issues are resolved. P. Kulpa stated this is correct.

K. Keckler noted concern with some of RIDEMs comments on the human health issues, and stated that EPA may not be able to concur with some of the states proposals. The

remainder of RIDEMs issues were tabled until a call could be scheduled to discuss human health questions stated in RIDEM letter 1/2/09.

K. Keckler stated that the Navy needs to indicate how it will implement RCRA regulations in its response to EPA's 4/9 letter. She indicated that as the EPA and Navy are not in agreement, EPA will likely invoke conflict resolution when they receive the RTCs. W. Johnson stated that the Navys response is in preparation and will be issued when complete.

The meeting was adjourned at 10:30 AM

PROPOSED AGENDA
Teleconference
MAY 18, 2009
9:00 AM - Noon

Discussion Topics:

- 1. Pre-design investigation (PDI)**
 - a. Pathway to achieve a cleanup**
 - b. Role of the PDI**
 - c. Scope of the PDI as it is described in the FS**

- 2. Tributyltin**
 - a. EPA proposal to use 228 ug/kg as a “trigger” to establish a PRG**

- 3. Other technical issues**