



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1  
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BOSTON, MASSACHUSETTS 02114-2023

N62661.AR.002266  
NAVSTA NEWPORT  
5090.3a

September 14, 2009

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

Re: Responses to EPA Comments on the On Shore Follow-up Investigation Proposal and Site walk at the Former **Robert E. Derecktor Shipyard** *SITE 19*

Dear Ms. Johnson:

Thank you for the opportunity to review the Navy's responses, dated August 13, 2009, to EPA's comments regarding the On Shore Follow-up Investigation proposal and site walk at the Former Robert E. Derecktor Shipyard. Detailed comments are provided in Attachment A.

It should be noted that the Site Assessment Screening Evaluation (SASE) Report was prepared in 1997 and some changes in the Rhode Island Remediation Regulations have occurred since that time. Decisions regarding the disposition of the site must ensure that the current regulatory requirements are satisfied.

Given the history of this site, it is very likely that contamination is present throughout the on shore area. Work completed to date has attempted to identify and remove the soils from those areas of the site most likely to have been impacted. EPA recognizes that if the site is used only for industrial/commercial use, the benefit of additional remediation is questionable. If development of the area for recreational uses is contemplated, however, then the path forward is less clear. At a minimum, the vapor intrusion pathway must be further evaluated. A groundwater monitoring program could determine if contaminants migrate to groundwater from contaminated areas that have not been investigated because of unknowns about the location of the contamination.

EPA has previously identified limitations in the investigations and remedial actions completed to date based on the available information. The following comments further discuss the issues raised:

*Letter comment 1:* Contaminant groups detected in the North Waterfront soils during the SASE included VOCs, TPH, butyltin, and metals, so these contaminants could have migrated to groundwater although the soil concentrations detected were generally small and the only groundwater exceedances were for VOCs. However, the RI remediation regulations GA leachability criterion for lead was exceeded in the North Waterfront area in two surface soil samples and two subsurface soil samples.

Since the units of the groundwater data presented in Appendix 4B of the SASE should be micrograms per liter (not mg/Kg), no exceedances of the MCLs or the RI GA groundwater

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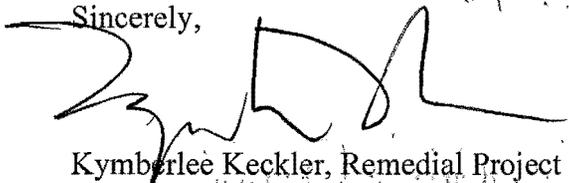
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objectives were detected. However, the detection limits for antimony, thallium, and all arachnids were greater than the RI GA criteria as were the detection limits for several VOCs and SVOCs. While the site is reportedly in a GB groundwater area, RIDEM does not have an approved Comprehensive State Groundwater Protection Program and MCLs must therefore be met.

Given that the SASE groundwater samples were collected over thirteen years ago and contaminants other than VOCs were present in the North Waterfront soil at that time, with some limited exceedances of regulatory criteria, it is reasonable to collect a full suite of analytes at the wells identified for sampling.

I look forward to working with you and the Rhode Island Department of Environmental Management toward the cleanup of the Derektor Shipyard. Please do not hesitate to contact me at (617) 918-1385 should you have any questions.

Sincerely,



Kymberlee Keckler, Remedial Project Manager  
Federal Facilities Superfund Section

Attachment

- cc: Paul Kulpa, RIDEM, Providence, RI
- Cornelia Mueller, NETC, Newport, RI
- Chau Vu, USEPA, Boston, MA
- Todd Finlayson, Gannet Fleming, Orono, ME
- Steven Parker, Tetra Tech-NUS, Wilmington, MA

## ATTACHMENT A

### Comment #    Comment

3            In conducting a human health risk assessment at all Superfund sites, EPA routinely recommends evaluation of future residential use when future land use is uncertain. Exposures to surface soil, subsurface soil, and groundwater need to be evaluated under the future residential scenario at the South Waterfront area. As EPA has stated on numerous previous occasions, it is not possible to take a CERCLA action (*i.e.*, institutional controls) if there is no actionable risk.

Southern Waterfront: There is no information in either the SASE or the RAR that confirms that the test pit sampling performed for the SASE characterizes the residual materials at the South Waterfront. The SASE provides the test pit logs that provide the depth of the six test pits but there is no indication in those logs or in the SASE text that the test pits were dug to natural materials. No information is provided on the original height of the berms before they were excavated. No information is provided in the RAR on the depth of material removed from each of the six sections of the berms so there is no way to document the relevance of the test pit samples collected at the bottom of the excavations. It is not clear how a risk assessment would have been performed for the Southern Waterfront without reliable, relevant data. If the Navy has additional information that was not presented in the SASE or RAR that will document the character of the material left in place at the Southern Waterfront, please submit it to help resolve this issue.

4            S-42-1 Sump Area: Topographically downgradient areas would be wherever the discharge would migrate if it did not stay directly beneath the sump area. Given the hardpan nature of the soil under Building 42, runoff is expected. EPA assumes that the soils beneath the sumps at Building 42 were limited to the excavation sizes described in the RAR because of limited access to these soils through the holes in the floor created when the sumps were removed. EPA understands that there were access restrictions to the soil beneath the building, but that is not sufficient rationale to limit the investigation/remediation of the soil beneath Building 42 now because full access is available. The little contamination reportedly found beneath the building is not consistent with operations that were conducted and their associated discharges.

5            S-42-4 Sump Area: Please refer to EPA comment on the response to Comment #4.

6            Bldg. 6, TP-14 Excavation Area for PCBs: EPA acknowledges that eight soil samples were collected from the final excavation area (Figure 7 of the RAR), but there were seven soil samples within the final excavation area that had PCB concentrations equal to or greater than 10 mg/Kg via screening. At three of these locations, samples collected nearby were laboratory analyzed. The location where the greatest PCB concentration was detected after the initial excavation (TP14W-3; 2,000 mg/Kg) was excavated, but no confirmation sample was collected from this location thereafter. A sample (EAETP14F1) was collected near TP 14W-3 after this

area was excavated to four feet and this sample had a PCB concentration of 950 mg/Kg. This location was not further excavated according to Figures 6 and 7 and no additional samples were collected from that general area. Clearly, significantly elevated concentrations of PCBs have been left on-site.

Also, the PCB sampling protocol used for the final excavation did not comply with the then current TSCA requirements for confirmation sampling (refer to 40 C.F.R. §761.120, July 1, 1997, currently Subpart G). Only eight confirmation samples were collected for an excavation approximately 2,250 square feet. The regulations required that sample design be sufficient to detect an area of contamination with a radius of two feet or more within the sampling area, up to a maximum of 40 samples. The sampling performed could not have achieved that standard.

Finally, no floor sample was collected from the excavation at the northern corner of the loading dock even though a previous floor sample had a PCB concentration of 43 mg/Kg. The final sampling at this excavation included only a single sidewall sample.

Based on the limited confirmation sampling completed for this area, and known elevated PCB concentrations in soil, EPA does not agree that this area has been adequately investigated.

7 Huts 1 and 2 and TP-16 Area: EPA acknowledges the corrected units for the TCLP data. However, the significant TPH concentration together with the prior use is justification for further investigation of this area, at a minimum via groundwater monitoring. Speculating that this contamination should be dismissed based solely on an obsolete analytical method is not appropriate.

8 Areas of Surface Soil with Elevated Leachable Lead Concentrations: EPA acknowledges the corrected units for the TCLP data.

9 North Waterfront: EPA supports the plan to collect additional groundwater samples. Given the past disposal practices, it is likely that there is residual contamination in the soil. Groundwater monitoring can detect contaminant migration.

10 Disposal Pits Northeast of Building 6 (sic, should be 42): It is unlikely that the waste pit that was sought by this investigation was located only five feet from the building foundation. It is also odd that the confirmation samples from the final hotspot excavation (DPSOIL01) were only analyzed for TPH when PAH exceeded the regulatory threshold in prior samples. Nevertheless, the task of finding a disposal pit without better knowledge of where it was located is not easy. While the Navy did make an attempt, it is unlikely that the pit was found given the relatively low level of contamination detected during the investigation, even in the "hot spot" location. Based on past waste handling practices, and considering that this area has been created from all kinds of fill, finding and remediating this disposal pit would not significantly improve the condition of this site. Rather than continuing to search for the pit, it would be more efficient to monitor groundwater from this area to evaluate whether a continuing source is present.