



STATE OF MAINE

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

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ACTING COMMISSIONER

N00102.AR.000265  
NSY PORTSMOUTH  
5090.3a

December 13, 1994

Lt. Jim Conroy  
Northern Division  
Naval Facilities Engineering Command  
10 Industrial Highway, Mail Stop #82  
Lester, PA 19113

**RE: Seafood Ingestion Risk Assessment , dated November 18, 1994 for  
Portsmouth Naval Shipyard, Kittery, Maine.**

Dear Jim:

The Department and the State's acting toxicologist, Lebel Hicks, have reviewed the Seafood Ingestion Risk Assessment for Portsmouth Naval Shipyard.

The risk assessment is acceptable as presented, with a few exceptions. The Department requests that in addition to the work presented in this report, that the Navy calculate seafood consumption rates for the High End Exposure using average contaminant concentrations. The Department requests this additional calculation because the Navy could not statistically verify the 95% UCL calculated by McClaren/Hart and therefore could not use the 95% UCL data. The Navy correctly used maximum exposure concentrations instead of the 95% UCL in this risk assessment. It appears, however, according to EPA guidance, that both average and maximum contaminant concentrations should be presented in a risk assessment if the 95% UCL cannot be calculated. Seafood consumption rates using average contaminant concentrations will be used for comparative purposes only.

The Department provides the following additional comments:

#### Mahoney Report

p. 2, 2.1.1: Pierce's Island is not shown on Figure 1.

p. 2, 2.1.2: Are the PAHs evaluated in the New Hampshire Study the same PAHs that were evaluated in the Navy Study?

p. 2, 2.1.3: The last sentence in the paragraph states that study samples were taken from only one area, specifically Pierce's Island. If that statement applies for mercury, it must apply for all the other contaminants compared in this report, yet it was only mentioned when the result presumably does not work in the Navy's favor.

*Serving Maine People & Protecting Their Environment*

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p. 4: Verify that the 0.008 mg/kg is the correct concentration of PAHs in mussels Near Shipyard. Are the PAHs that were detected in the New Hampshire the same PAHs that were detected in the Navy's Offshore studies?

p. 4: Define "Near Shipyard" samples.

p. 5, 2.1.4: Lead was non detect in lobster muscle and tomalley in the New Hampshire Study. Why was that statement left out of the analysis?

p. 9, 2.4: Does "regional Maine locations" include the Cape Ann location, or just the two locations mentioned in this paragraph? Are there other Maine NOAA Mussel Watch Sites in Maine? Has the most updated NOAA sampling data been used in this report?

If you have any comments or questions, please call me at 207-287-2651. Thank you.

Sincerely,



Nancy Beardsley  
Remedial Project Manager  
Office of the Commissioner

pc: Ernie Waterman, USEPA  
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