



**DEPARTMENT OF THE NAVY**  
ENGINEERING FIELD ACTIVITY, NORTHEAST  
NAVAL FACILITIES ENGINEERING COMMAND  
10 INDUSTRIAL HIGHWAY  
MAIL STOP, #82  
LESTER, PA 19113-2090

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NSY PORTSMOUTH  
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IN REPLY REFER TO

5090  
Code EV23/FE  
1 March 2002

Ms. Meghan Cassidy  
U.S. Environmental Protection Agency, Region I  
1 Congress Street  
Suite 1100  
Mail Code HBT  
Boston, MA 02114-2023

Mr. Iver McLeod  
Maine Department of Environmental Protection  
State House Station 17  
Augusta, ME 04333-0017

Dear Ms. Cassidy/Mr. McLeod:

SUBJECT: FY02 AMENDED SITE MANAGEMENT PLAN FOR THE INSTALLATION  
RESTORATION PROGRAM FOR PORTSMOUTH NAVAL SHIPYARD

Northern Division Naval Facilities Engineering Command has received official notification of its allocation based on the Fiscal Year 2002 (FY02) Navy Environmental Restoration (ER,N) appropriation and determined planned work for primary documents during FY02 can be accomplished with the allocated funds. Therefore the Draft Final Amended Site Management Plan becomes the final Site Management Plan. Enclosed Please find:

- Revised Appendix C Schedules which reflect approved schedule extension; work completed since August, 2001; and comments received on the draft final Site Management Plan.
- Also included are the Navy's Responses to USEPA's comments dated September 17, 2002 and MEDEP's comments dated August 31, 2001 and September 20, 2001, and SAPL comments dated September 20, 2001 on the draft final FY02 Amended Site Management Plan.

If additional information is required please contact Mr. Fred Evans at (610) 595-0567 x159.

Sincerely,

FREDERICK J. EVANS  
Remedial Project Manager  
By Direction of the  
Commanding Officer

5090  
Code EV23/FE  
1 March 2002

Copy to:

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**RESPONSES TO USEPA COMMENTS DATED SEPTEMBER 17, 2002 ON  
DRAFT FINAL AMENDED SITE MANAGEMENT PLAN FOR FY02  
PORTSMOUTH NAVAL SHIPYARD, KITTERY, MAINE**

1. **Comment:** The OU6 schedule shows that a DQO meeting will be held within 90 days of the OU3 ROD signature. However, the language in the OU3 ROD requires that this meeting be held within 60 days of ROD signature. The schedule should be changed to reflect this change.

**Response:** The schedule will be revised to reflect the actual dates for the OU6 DQO meeting which was held on October 2 and 3, 2001, and was held within 60 days of signature of the OU3 ROD.

2. **Comment:** The schedule for the Site 26 Decision Document should be updated to show actual dates.

**Response:** The schedule will be revised to reflect actual dates.

3. **Comment:** The schedule for the Site 27 Decision Document should be updated to show actual dates.

**Response:** The schedule will be revised to reflect actual dates.

4. **Comment:** EPA believes that the proposed schedule for Site 32, Topeka Pier needs to be reviewed and further discussed. EPA believes that there may be an opportunity to minimize the schedule and produce a Remedial Investigation Report prior to the 2005 proposed date.

**Response:** The original schedule was based on experience at other sites. As discussed at the DQO meeting on December 6 and 7, 2001, the Navy is considering a phased approach for the site. Phase 1 of the Remedial Investigation (RI) would be focused on collecting data necessary to evaluate possible interim actions which could be performed prior to completing the RI. The Navy has revised the schedule to indicate a schedule through completion of the RI workplan (QAPP). A schedule for the RI fieldwork and report will be provided in the draft RI Workplan. A schedule for the Feasibility Study, including the Proposed Plan and Record of Decision, will be provided after finalizing the RI workplan in accordance with Section 9.7 E of the Federal Facilities Agreement.

5. **Comment:** The schedule provided for Site 34, Oil Gasification Plant (Building 32), is not consistent with the request for extension that the Navy recently requested, and EPA granted. This schedule must be revised.

**Response:** The schedule has been revised to reflect an earlier start because funding became available. Also the schedule has been revised to indicate a schedule through completion of the SSA fieldwork and report in accordance with Section 9.6 C of the Federal Facilities Agreement.

**RESPONSES TO COMMENTS MEDEP COMMENTS DATED AUGUST 31, 2001 ON  
DRAFT FINAL AMENDED SITE MANAGEMENT PLAN FOR FY02  
PORTSMOUTH NAVAL SHIPYARD, KITTERY, MAINE**

1. **Comment:** Response to General Comment 1

The revised wording indicated in the response is not the same revised wording that appears in the DF document. However, the wording in the DF document is fine.

**Response:** Comment noted.

2. **Comment:** Response to Specific Comment 5b

The revision stated in the response was not made in the DF document.

**Response:** The schedule will be revised to show Task 211, Prepare Draft Workplan, through Task 221, Submit Responses to Comments/Final Work Plan. The Navy also revised the schedule to reflect the separation of the design reviews into Phase I, Landfill Consolidation, and Phase II, Landfill Cover Construction.

3. **Comment:** Response to Specific Comment 5c

The title for Task 245 was not changed as indicated in the response.

**Response:** Task 297 (previously task 245 in the draft final FY02 SMP) under the OU3 schedule will be revised to read "Award FWENC design consultation."

4. **Comment:** Response to Specific Comment 7

"The schedule stops with the regulators receiving the Final Work Plan because until the scope of the work plan is determined, the Navy cannot determine a schedule for the work. The final work plan will include a schedule for the fieldwork and report."

We cannot accept this answer. The work plan has not yet been drafted for Site 32 yet the Navy has provided the MEDEP with a schedule for Site 32 that goes through at least the PRAP (it seems some tasks after the PRAP are missing - see next comment). Likewise the draft work plan for Site 34 is not scheduled to be issued to the regulators until February 2003 yet this schedule extends to the regulators receiving the Final SSA report in February 2005.

Therefore we will not accept the Navy's reasoning above for not providing the State with a schedule for OU6 that stops at the regulators receiving the Final Work Plan. In order to be consistent with other schedules in this document the Draft Final FY02 Amended Site Management Plan must contain a schedule for OU6 that includes at least the regulators receiving the report following field investigations, and preferably extends through signing the ROD.

**Response:** The schedule for OU6 is only provided through the workplan for the following reasons:

- Until the Data Quality Objectives are completed for OU6, the Navy does not know what investigations will be performed at OU6 or the order in which they will be performed.
- Also, the Site Management Plan is prepared in accordance with the Federal Facility Agreement (FFA) for Portsmouth Naval Shipyard between the US Navy and USEPA. The Navy will include schedules in the draft OU work plan to facilitate planning by the Navy and the regulators. In accordance with Section 9.7 E of the FFA a schedule RI Field Work; a submittal date for the draft Remedial Investigation Report; and a submittal date for the draft Feasibility Study is not required until the RI Work Plan is finalized.

5. **Comment:** Response to Specific Comment 10

This schedule has several pages indicating Tasks 303 to 498 but these tasks are blank. Also, the schedule ends with Task 170, "Authorize Release of Funds" [for the PRAP]. It appears that there be a schedule for the ROD included as well.

**Response:** The schedule for Site 32 will be reprinted to include Task 1 through Task 246 which includes the schedule for the Record of Decision.

**RESPONSES TO MEDEP ADDITIONAL COMMENT EMAILED ON SEPTEMBER 20, 2001 ON  
DRAFT FINAL AMENDED SITE MANAGEMENT PLAN FOR FY02  
PORTSMOUTH NAVAL SHIPYARD, KITTERY, MAINE**

**Comment:** While looking at the DF Revised SMP for a different matter I noticed an error I hadn't picked up on in the draft. Section 2.2.6 Site 9 description is outdated. There is no mention of the removal of either MBI or MBII and it states, "The reported location of MBII is in the western corner..." I know there is a reference to further information in the FS, however I believe this section in the SMP should at least indicate that the tanks were removed. Please update this section.

**Response:** As provided in Section 2.0, "This section presents the history and status of each site identified as needing further investigation at PNS prior to the signing of the FFA. A reference to the appropriate document(s) for status after the signing of the FFA is provided." Therefore, the information provided in Section 2.2.6 of the SMP is the correct status of the site before the signing of the FFA and the OU3 FS and PRAP provide the updated status of the site. Therefore, no change is proposed for the final FY02 SMP. The Navy suggest we prepare a fact sheet concurrently with future Site Management Plans to provide a current status to RAB members and the community.

**RESPONSES TO SAPL COMMENTS DATED SEPTEMBER 20, 2001 ON  
DRAFT FINAL AMENDED SITE MANAGEMENT PLAN FOR FY02  
PORTSMOUTH NAVAL SHIPYARD, KITTERY, MAINE**

1. **Comment: Operable Unit 4 Schedule.** The Final *Baseline Interim Monitoring Report* for OU4 is scheduled to be completed by July 30, 2002. However, the next OU4 task, the Feasibility Study (FS), is not scheduled to begin until July 2, 2005. Why is there a three-year gap in activities at OU4? Why is there a three-year delay in beginning the FS? Furthermore, the FS is not scheduled to be finalized until July 17, 2007, 746 days after it is begun. Why should it take two years to prepare the FS for OU4? The preparation and completion of the OU3 FS took approximately 200 days less than what the Navy is currently scheduling for OU4.

**Response:** The FS is not linked to the Baseline Report. The start of the FS is scheduled to begin until July 2, 2005 because it is more appropriate to address on-shore sources prior to remediating the offshore areas of concern. The schedule includes time to prepare secondary documents (i.e. Identification of Applicable, or Relevant and Appropriate Requirements; Preliminary Screening of Alternatives) which was not submitted prior to the Draft Feasibility Study on OU3. Also, the offshore areas are more complex and may need additional information to properly evaluate the remedies available for the short and long-term effectiveness. However, should the Navy identify an imminent risk to human health or the environment, we will minimize the risk through an interim action prior to completing the FS.

2. **Comment: Operable Unit 6 Schedule.** The schedule for OU6 ends with the completion of the Work Plan. As the Maine Department of Environmental Protection states in its August 31, 2001 comment letter; the schedule for OU6 should be consistent with the schedules presented for other operable units, and should extend at least through completion of a field investigation report and preferably through the signing of a Record of Decision (ROD). As SAPL has stated in previous comments (on the OU3 ROD, for example); the gap of over three years between the completion of the Data Quality Objectives meeting scheduled for this fall and completion of the OU6 Work Plan in June 2005 is far too long. The work plan should be completed well in advance of completion of the OU3 cap installation so that the information on seep concentrations and potential impacts can be gathered in the near future, not almost five years down the road. Data should be gathered before the cap is constructed so that it can be evaluated and appropriate measures can be implemented, if necessary. The data should also be compared with concentrations after the cap is installed to test the Navy's assumption that the cap will decrease the effects of the seeps.

**Response:** Please see the Navy's response to MEDEP Comment No. 4 dated August 32, 2001 related to the schedule for OU6. The schedule for the OU6 work plan and investigation have been determined based on the October 2 and 3, 2001 DQO meeting and the technical conference call on January 24, 2002. As per the discussion during the DQO meeting, investigation of the seeps cannot occur until after the remedy is complete for OU3. Sampling of seeps prior to initiation of the remedy for OU3 is not necessary. Also, as per the DQOs for OU6, the participants in the DQO meeting (including SAPL) did not identify comparison of seep concentrations after the cap is installed as necessary for the OU6 investigation.