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STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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November 12, 2003

Mr. Fred Evans
Department of the Navy
Northern Division
Naval Facilities Engineering Command
10 Industrial Highway, Mailstop 82
Lester, PA 19113-2090

re: Navy's Recommendations for Resolution of Selected Items Prior to Round 1 through 7 Report, Interim Offshore Monitoring Program, Portsmouth Naval Shipyard, Kittery, Maine, September 26, 2003

Dear Fred:

The Maine Department of Environmental Protection has reviewed the document referenced above. The Department's comments follow.

Discontinuation of dioxin analysis

1. Item 1, p. 1, 1st paragraph

"As presented in the last paragraph of...the dioxin concentrations in sediment and mussels are not present at levels that would result in unacceptable risks to humans or ecological receptors."

Before "...the dioxin concentrations..." add "...results of Rounds 1 – 4 indicate that..."

2. Item 1, p. 1 final paragraph

Reference is made to "screening levels that the Navy developed for PNS." Please provide the source for these screening levels. Also, this does not correspond with page 8-4 of the July 2002 Baseline Interim Offshore Monitoring Report which states, "No screening levels were located to evaluate risks to mussels and juvenile lobsters from dioxin concentrations in their tissue." Please clarify.

3. Item 1, p. 2 2nd paragraph

a) The referenced flow chart is not attached.

b) "...a formal risk assessment may be included as well."

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Under what circumstances would a formal risk assessment be included or omitted?

Need for weighting data between habitats

4. In the first paragraph of this section indicate that "the conclusions in Section 4.4.4" are from the Baseline Report (as opposed to the previously mentioned monitoring plan).

5. 3rd and 5th bullets, p. 3

"...weighting does not appear to be appropriate because PAHs would have to be weighted differently than metals and DDT..."

We disagree with this statement. Why is it a problem? Since metals aren't compared to PAHs what is the reason to think they need to be weighted the same way?

6. 2nd to last paragraph, p. 3

"Comparing the station-wide averages...for the chemical concentrations to the IRGs identified the stations with the greatest chemical concentrations."

Please clarify this sentence. The stations with the greatest chemical concentrations can be identified simply by noting the highest concentrations. Perhaps the sentence was intended to state that the stations with the highest exceedances of the IRG were identified?

Also, the phrase "for the chemical concentrations" should be changed to "of the chemical concentrations."

7. 1st bullet, p. 4

"...for the monitoring stations, the mean concentrations of most of the parameters across the shipyard were greater in the non-saltmarsh intertidal stations compared to the intertidal saltmarsh stations...the sediment in the saltmarshes are not more contaminated than the sediment in the other intertidal areas so weighting the saltmarshes differently than the other intertidal samples does not appear to be warranted."

Since the non-saltmarsh intertidal stations have higher concentrations of contaminants in general shouldn't they be weighted more heavily? Why not?

8. 3) Coefficients of Variances to be developed at reference stations, p. 4

"The number of samples per reference station was selected to represent the different habitats...and to obtain an adequate number of reference samples for comparison purposes."

If CV's were not used to determine the number of samples per reference stations than how was "an adequate number" determined?

In addition, as part of our review of these responses we re-read portions of the Baseline Report. Upon reviewing again Section 4 of the Baseline Report we have concerns regarding the Navy's interpretation of the coefficients of variance. We believe they show a great deal of variance for some compounds and that more than three samples per station may be needed. We note that the Navy has stated in Section 4.5.4 of the Baseline Report that "Rounds 5 and 6 samples need to be evaluated to determine if additional samples should be collected at select monitoring stations."

We look forward to discussing this issue with the Navy.

Please feel free to contact me at (207) 287-8010 if you have any questions.

Sincerely,

Iver McLeod
Project Manager
Bureau of Remediation and Waste Management

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