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March 25, 2010

Linda Cole – Code OPHREV4
NAVFAC MidAtlantic
9742 Maryland Ave
Building Z-144, 1st Floor
Norfolk, VA 23511

RE: RESPONSE TO MEDEP COMMENTS - DRAFT FINAL REMOVAL ACTION WORK PLAN, INTERIM REMOVAL ACTIONK, DRMO IMPACT AREA, PORTSMOUTH NAVAL SHIPYARD, KITTEERY MAINE, OCTOBER 2, 2009. CONTRACT N62470-08-D-1007, TASK ORDER WE03, SHAW PROJECT 133533.

Dear Ms. Cole:

The purpose of this correspondence is respond to the comments received from the Maine Department of Environmental Protection, dated October 2, 2009.

Thank you for providing Shaw Environmental & Infrastructure, Inc. with this opportunity. Should you have questions or comments please do not hesitate to call me at (401) 474-0867

Sincerely,
Shaw Environmental and Infrastructure, Inc

Fred Poulin
Project Manager

A handwritten signature in black ink, appearing to read "Fred Poulin", is written over a white background.

Wld/FP

Enclosures (1)
cc.

Debora Cohen	Tetra Tech NUS Inc.
Maggie Byrd	Shaw Environmental and Infrastructure, Inc.
James Dunn	Shaw Environmental and Infrastructure, Inc.
Project File	133533

State of Maine
Department of Environmental Protection
Draft Final Removal Action Work Plan
Interim Removal Action, DRMO Impact Area
Portsmouth Naval Shipyard, Kittery, Maine

October 2, 2009

1. **General Comment:** “Please include information regarding handling of any historic artifacts that may be uncovered during excavation.”

RESPONSE: Archeological monitoring as described in NAVSHIPYD Portsmouth letter 5750 Ser 800/017 dated 12 February 2010 applies.. The historic archaeologist that meets the Secretary of the Interior’s Professional Qualifications Standards and is on the Maine State Historic Preservation Office approved list for historic archaeologists will be on-site at all times that soil is being removed.

2. **1.2 Project Objectives, p.1-2:** “The Navy states that in order to pose no unacceptable risk the PRG for copper is 3100 mg/kg, based on EPA Regional Screening Levels. We point out that MEDEP’s current Remedial Action Guidance for copper in soil in a residential scenario is 650 mg/kg. The draft residential RAG for copper is 2385 mg/kg when it doesn’t exist with other contaminants. When it does exist with other contaminants, such as at OU2, the draft residential RAG is 477 mg/kg.

Based on the fact that copper in the DRMO Impact Area is collocated with lead MEDEP anticipates that copper concentrations will be reduced to levels acceptable to MEDEP during this removal action. However, this issue may become a concern during remedial design/construction for the rest of OU2.

The Draft for Public Comment of the Revised RAGS is available at <http://www.maine.gov/dep/rwm/publications/guidance/index.htm>.”

RESPONSE: Comment noted. Maine’s draft RAGS are not identified as ARARs in the FS. Site specific, risk based PRGs were developed for the draft revised OU2 FS (dated November 2008) and are presented in Section 2.4 of that document.

3. **3.0 Project Activities, p.3-1:** “The removal area is close to the shoreline. Please indicate if federal consistency applies, in relation to requirements of the MEDEP’s applicable shore land rules and laws, e.g. Ch 305 Permit by Rule, the Erosion and Sediment Control Law, ect., and the federal Coastal Zone Management Act.”

RESPONSE: An Erosion and Sediment Plan is included as Appendix E in the Draft Final RAWP. All ARARs are identified in the final EE/CA and action memorandum. Please refer to the response to MEDEP’s comment #2.

4. **3.0 Project Activities, p.3-1:** “The Navy should clarify that although the title of the work plan refers to the DRMO Impact Area, the removal itself applies only to the residential area. In addition, explain why the Navy believes that the part of the Impact Area outside the removal action area is safe for residential use, despite a general lack of sampling data in that area. Finally, please discuss why the soil contaminated with lead above 400 ppm outside Quarters 68 will not be removed. We

not that the Navy plans to remove contaminated soil at a similar isolated spot about 40 feet northeast of Quarters N.”

RESPONSE: Comment noted. Similar comments were addressed and resolved during the review of the EE/CA and Action Memorandum.

5. **3.3 Investigative Sampling, p.3-3:** “The Navy has planned a sampling grid of 50 feet from the boundaries of the excavation areas to further delineate the lateral boundaries of the excavation. However, Fig. 3 of the June 2009 Draft Action Memo for the Impact Area NTCRA shows pre-excavation sample locations that are approximately 15-20 feet apart. Are the samples discussed in Section 3.3 in addition to the samples shown in the Draft Action Memo? If not the Navy should use the 15-20 foot spacing show in the draft Action Memo for delineating the lateral boundaries of the excavation? 50 feet is too coarse for completing the delineation of lead contamination of soils in the DRMO Impact Area. This sample spacing would result in large, un-delineated areas around previous sample points with high lead values and possible sampling of previous sample points with low lead values.

We also note that in the December 31, 2007 Field Task Modification Request Form for the October 2007 OU2 Additional Investigation QAPP the Navy indicated that further characterization during the Additional Investigation, if necessary, would be based on sample locations approximately 10 to 15 outward from the outer-most samples that exceeded 1,000 mg/kg. Therefore, we believe 15 to 20 foot spacing for the removal action, as originally proposed by the Navy, is appropriate.”

RESPONSE: The Work Plan will be revised to indicate investigative sampling will be spaced at 20’. The locations of the samples will be depicted within the newly created Figure 6.

6. **3.3 and Appendix D, Section 2.1.1:** “ ‘Grab soil samples will be collected over a depth interval of 0 to 4 feet below the top of the soil.’ How many samples will be collected and analyzed of that interval? Will these samples be five-point composite samples as described later in the report? Please clarify. Five-point composite samples are appropriate for confirmation samples, but they are not appropriate for investigative sampling because they will average out high concentrations. MEDEP recommends using the same methodology as used in the RI where samples were taken over two-foot intervals. Given that the differences in lead concentrations between the 0-2 and 2-4 ft intervals are not uncommonly an order of magnitude, sampling over two two-ft intervals is more appropriate than sampling over a four-ft interval.”

RESPONSE: Sampling will occur from 0 feet to 2 feet b.g.s. The text has been changed to reflect this change.

7. **3.6 Confirmation Sampling, p.3-5:** “There is no mention of Data Quality Objectives (DQOs) in this report. There is no allowance for sample error, no confidence level, only a set level, above which soil needs to be removed. This is unacceptable. The confirmation soil sampling compares an average (composite) concentration to the PRGs, but there is always a natural variance and sampling error involved. Without declaring our level of confidence that the actual concentration is below the PRGs, we are assuming that the measured average concentration is the same as the actual concentration, and indefensible assumption.”

RESPONSE: All investigative and all final confirmation laboratory data will be validated 100% at level III and only 10% of final confirmation sample sets below the project remediation goals will be validated at level IV as described in EPA/240/R-02/004 dated November 2002 modified to use the quality control limits as described in DoD QSM 4.1 and SW-846 methodology.

8. **3.6 Confirmation Sampling, p.3-5 and SAP 2.1.3, p.2-4:** “The proposed sampling rate is inadequate. As discussed above in Comment 5, a 20 foot spacing is more appropriate. This is similar to the rate of confirmation sampling at the Wolman Steel site in Waterville, ME, where lead-contaminated soil was removed from a 1.25 acres area. MEDEP could consider collecting samples for XRF analysis every 20 feet and choosing a subset of those for laboratory analysis.”

RESPONSE: Comment noted. While seemingly appropriate for investigative sampling, for confirmatory sampling this spacing is not justified. Pre-removal sampling results combined with confirmatory sampling should provide sufficient data. The confirmatory protocol is similar in nature to historical Navy protocol for removal actions.

9. **6.0 p. 6-1 and SAP, 4.8 p.4-7:** “As a reminder, the Navy must submit all project analytical data in the required Maine EDD format. Also, Shaw must submit the draft (or draft final) completion report to Maine DEP review.”

RESPONSE: The Navy will provide confirmatory sampling results in Maine EDD format. Shaw will submit the Draft Final and Final Completion Reports to MEDEP as specified in the FFA.

10. **App. A, Project Schedule:** “Schedules for Activities 50-90 should be updated. Also, area Activities 100 and following still on schedule for starting March 2010?”

RESPONSE: The schedule will be revised for the final submittal. Activities 100 and following are scheduled for April 2010.

11. **App. D, 4.8 Data Management and Reporting:** What party will perform the Tier 3 data validation? This must be a party separate from the analytical lab.

“A report will be prepared summarizing...” As indicated above all project analytical data must also be submitted in the required Maine EDD format.

RESPONSE: Shaw E&I will perform data validation as discussed in the response to MEDEP’s comment #7.