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LETTER AND COMMENTS FROM MAINE DEPARTMENT OF ENVIRONMENTAL
PROTECTION REGARDING DRAFT PROPOSED PLAN FOR OPERABLE UNIT 2 (OU 2) NSY
PORTSMOUTH ME
05/17/2011
MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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May 17, 2011

NAVFAC MIDLANT
9742 Maryland Ave
Bldg Z-144, 1st Floor
Norfolk VA 23511-3095
Attn: Linda Cole

re: Draft Proposed Plan, OU2, Portsmouth Naval Shipyard, April 2011

Dear Linda,

The Maine Department of Environmental Protection (MEDEP) has reviewed the Draft Proposed Plan for Operable Unit 2 at the Portsmouth Naval Shipyard. MEDEP agrees with the Navy's recommendation to select alternative DRMO-4 as the preferred remedial action at the DRMO area of OU2. We agree with the recommendation to select alternative WDA-3, with a slight modification, as the preferred remedial action at the Waste Disposal Area (see Comment 9).

Additional comments follow.

1. How much and what types of chemicals are present, p. 4. This is a good place to describe the lead concentrations and the distribution of lead in the DRMO and WDA.
2. Step 2, p. 4. "Risks to industrial workers exposed to surface soil would be of concern if the asphalt or interim cap were removed." Please indicate that this may also be the case for the as-yet-undelineated western area of the DRMO.
3. Step 3, p. 4. "Lead does not fall into either of these categories..." **This** is incorrect in that any chemical either causes cancer or it doesn't (EPA classifies lead as a probable human carcinogen). The Navy should just indicate that risk assessment of lead is not evaluated in the same manner as most other chemicals and therefore was assessed separately.
4. Why is action needed... p. 6. "...contamination is present in soil at concentrations that could result in unacceptable current and future human health risks." Please remove the word "could" as the Navy has already established that contamination in the soil does indeed present unacceptable risks.
5. Why is action needed... p. 6, 4th paragraph. "It is the current judgment of the Navy and EPA, in consultation with MEDEP, that the Preferred Alternative is necessary to protect

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public health and welfare..." It is not clear what "consultation" refers to. MEDEP has not indicated a preference for the Preferred Alternative prior to this comment letter.

Also, the last sentence in this paragraph is missing language, probably "risks."

6. DRMO Alternatives, p. 7. Under alternatives DRMO-3 and -4 please indicate that the Navy will backfill excavations as is stated for alternatives WDA-3 (soil cover) and -4 (backfill).

7. DRMO Alternatives, p. 7. Indicate the depth of excavation for DRMO-3, -4 and -5 is approximately six feet, as is stated for alternative WDA-4.

8. DRMO-4, p. 8. "LUCs...to prevent unacceptable construction worker exposure to contaminated surface and subsurface soil across the DRMO." DRMO-4 involves excavation of surface soil associated with potentially unacceptable risk based on construction worker exposure. Does the reference to surface soil refer to isolated locations of contaminated surface soil?

In addition, the LUCs for WDA-3 do not indicate prevention of unacceptable construction worker exposure to contaminated soil as a goal. Please clarify this omission.

3. Preferred Alternatives, p. 8, 1st bullet. The Navy's preferred alternative for the WDA includes excavation of soil from 0 – 2 feet bgs. Overall this is acceptable. However, we note that four of the five highest concentrations of lead in WDA soil samples, ranging from 10,100 ppm to 116,000 ppm, all occur in the same general vicinity and general depth of 4 – 7 feet bgs. These locations are adjacent to each other in the southwest corner of the WDA at locations TP-103, TPI-SB04 and OU2-163. MEDEP believes this area of approximately 350 square feet should be excavated to 6 feet to remove these very high concentrations of lead. MEDEP would be willing to discuss a shallower excavation provided the Navy can guarantee that land use controls would be stringent enough to ensure that no excavation whatsoever will occur in the soil cover area.

10. Preferred Alternatives, p. 8, 4th bullet. Land Use Controls for the WDA must include prevention of excavation in order to prevent damage to the soil cover and to prevent exposure to contaminated soil.

11. Preferred Alternatives, p. 10, 3rd bullet. Land Use Controls for the DRMO must include prevention of excavation below backfill in order to prevent exposure to contaminated soil. We recognize that the goal is to excavate contaminated soil down to refusal however field conditions will likely result in some contaminated soil left behind.

12. Preferred Alternatives, p. 10, 1st column, last paragraph. "...and provide an asphalt barrier to prevent potential occupation exposure to underlying contamination." While pavement may functionally minimize/prevent exposure to underlying contamination an asphalt barrier to prevent exposure is not a specific component of Alternative DRMO-4. Please delete this phrase.

13. Preferred Alternatives, p. 10, first paragraph. "...Alternative WDA-3 over Alternative WDA-4, which would involve removal of contamination in the top 6 feet and installation of soil cover, because Alternative WDA- 4 does not provide significant additional protection to human health and the environment to warrant the higher costs..."

Please discuss the factors that were used to determine that Alternative WDA-4 does not provide significant additional protection. We note that of the 44 samples in the WDA with lead greater than 2000 ppm 22 were located at depths from 3' – 6' while only 3 were located from 0' – 2'¹.

Also, the PRAP should discuss what factors warranted excavation to 6 feet in the DRMO area.

14. Tables 2 and 3. "Will it protect you and the animal life..." Please add, "plant and" before "animal life."

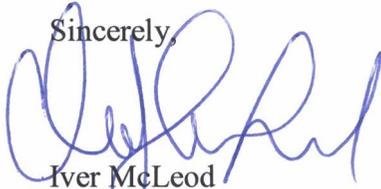
15. Please label Building 310 in Figs. 1 and 2.

16. Fig. 2. Please indicate the extent of LUCs for WDA-3.

Also, add symbols for asphalt and **building/tank** in the legend and correct the orientation of this page in the final electronic copy of the PRAP.

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

¹ For purposes of this analysis MEDEP considered the WDA to contain the following sample locations: DSB-8/8B, DSB-9, OU2-106, OU2-107, OU2-108, OU2-111, OU2-112, OU2-113, OU2-115, OU2-162, OU2-163, OU2-164, OU2-165, SS-10, SS-11, SS-12, SS-12-03, SS-25, TP-103, TPI-SB02, TPI-SB03, TPI-SB04, TPI-SB05, TPI-SB06 and TPI-SB07.

pc:

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