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LETTER REGARDING SEACOAST ANTI-POLLUTION LEAGUE REVIEW OF RESPONSE TO
COMMENTS ON DRAFT REMEDIAL INVESTIGATION QUALITY ASSURANCE PLAN FOR
SITE 32 NSY PORTSMOUTH ME
9/16/2002
LEPAGE ENVIRONMENTAL SERVICES

Lepage Environmental Services, Inc.

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September 16, 2002

Ms. Marty Raymond
Portsmouth Naval Shipyard
Code 106.3 R, Building 44
Portsmouth, New Hampshire 03804-5000

Subject: Review of July 2002 Responses to Comments on the April 2002 Daft *Site 32 Remedial Investigation Quality Assurance Project Plan*

Dear Ms. Raymond:

We are transmitting the following comments on behalf of the Seacoast Anti-Pollution League (SAPL) on the Navy's July 2002 responses to comments on the April 2002 Daft *Site 32 Remedial Investigation Quality Assurance Project Plan (QAPP)*. SAPL's comments on the QAPP were submitted to the Navy in a letter dated May 22, 2002. A technical meeting was held on August 13, 2002 to go over some of the major issues raised in the comment letters. Most of the Navy's responses to the SAPL comments are satisfactory when the results of the August 13th technical meeting are factored in. The follow-up comments below retain the original comment number from SAPL's May 22nd letter.

8. Page 1-14, Section 1.4.1, Previous Investigations. SAPL suggested that the statement that the metals concentrations noted in the sediment are believed to be from the slag, rather than from groundwater migration from Site 32, should be revised as no consensus has been reached that there is only one source for the metals concentrations in the sediment. It is possible that some of the metals may be derived from either groundwater or stormwater discharges. The Navy's response referred to responses to a couple of USEPA comments and to the Navy's GISRC (General Information to Support Response to Comments).

SALP agrees that the slag is a likely, if not the major, source of the copper concentrations detected in the sediments. SAPL was objecting to the certainty with which groundwater and/or stormwater discharges are dismissed as a possible source of copper in the sediments. The GISRC cited in the Navy's response reinforces the point SAPL was trying to make in the original comment. Page 3 of the GISRC states that the results [in the Seep/Sediment Summary Report] show that certain inorganics (copper in particular) present in soil at Site 32 seem to have an impact on the seep water concentration via groundwater, and that the interim offshore monitoring program is assessing impacts to sediment caused by groundwater flowing to the offshore area from Site 32. As SAPL requested in the original comment, the text should be revised to reflect that the slag is not the only possible source of copper found in offshore sediments.

9. Pages 1-14 - 1-16, Section 1.4.2, Summary of SSI Findings. In its original comment, SAPL stated that it is important that any discussion of criteria exceedances presented in the QAPP also include information on elevated numerical detection limits and MDLs, and that these elevated limits affect the number of exceedances reported. The Navy response states that the summary tables from the *Site Screening Report* (SSI report) included in the QAPP provide information on detection limits exceeding the screening levels.

SAPL supports the inclusion of the SSI report summary tables (Tables 1-3 - 1-5), but the tables are not enough to address this issue. A summary table does not provide a discussion, and if the reader does not carefully compare the tables with the text, an erroneous impression is created by the QAPP text. For example, the text on page 1-15 states that none of the pesticides or PCBs exceeded any criteria in surface soils. However, in Table 1-3, the residential screening criteria for Aroclor-1260 is listed as 0.22, but the upper range of non-detects is listed as 0.3. How does the Navy know with such certainty that there can be no concentrations that exceed the criteria if the detection level is greater than the criteria? In addition, the frequency of detection is given as 1 out of 14 samples, and that one detection was 0.21J, just under the residential screening criteria. The possibility of a concentration exceeding the criteria but being less than the detection level does not seem remote. The QAPP text in Section 1.4.2 does nothing to address the effect of elevated detection levels on the number of criteria exceedances, or even mention the issue in passing. It only mentions exceedances by detected concentrations, which creates an incomplete and inaccurate picture.

Furthermore, the Navy's response states that Site 32 was recommended for an RI because the SSI data showed exceedances of industrial and residential screening levels. Therefore, there was no impact from detection limits exceeding screening criteria for the decision to proceed with an RI. That part of the Navy's response totally misses the point of SAPL's original comment, and implies that the accuracy of the QAPP text doesn't matter. As the Navy acknowledged in response to similar SAPL comments on the SSI report, the elevated detection limits could result in an underestimation of risk. That is one of the reasons SAPL has been looking for a fair treatment of this issue in the Navy's reports for over 3 years. And burying a sentence about this issue in the uncertainties section of an appendix on risk assessment is insufficient. The text of the QAPP should be revised so that the reader understands the limitations or uncertainties associated with the frequency of detection and number of criteria exceedances information presented.

22. Page 2-7, Section 2.5 DECISION RULES. SAPL had reiterated its long-held concern about using background concentrations to eliminate a chemical from risk evaluation. SAPL believes chemicals that exceed risk criteria must be retained for risk assessment, regardless of background concentrations. SAPL had also pointed out that USEPA had recently commented that updated USEPA Region 1 risk assessment guidance/policy does not consider it acceptable to drop contaminants of concern based on a comparison to background. SAPL's original comment 22 also applied to similar passages in the QAPP (i.e., Sections 2.6 and 4.1.5.2, and Appendix C).

The Navy's response acknowledges SAPL's view, but states that the Navy will follow Navy policy in evaluating risks. SAPL concurs with the USEPA's Specific Comment Number 13, dated September 13, 2002, that states that the QAPP must be revised to comply with USEPA policy. As the USEPA comment notes, the Navy has agreed to evaluate quantitative risks for those background chemicals for which the maximum concentration exceeded risk-based benchmarks (3rd bullet on page 22). SAPL also concurs with the USEPA that risks of background chemicals that exceed risk-based screening levels must be quantified to insure that future owners and users of the property are fully aware of the total risk (site-related and background) present at the site, and that it is critical that the total risk be considered when evaluating options for future use.

SAPL takes issue with part of the Navy's response to USEPA Specific Comment Number 13. The response states "*Chemicals found at concentrations indicative of facility background levels are not considered to be site-related contaminants and will not be retained as COPCs for the quantitative risk assessment. The use of facility background soil data will determine whether detected chemicals are present at naturally occurring levels.*" The first sentence in this passage appears to be contrary to the third bullet on page 22, and definitely runs counter to the USEPA Region 1 guidance. The second sentence is precisely why SAPL has been questioning the Navy's application of background data. As SAPL had commented on previous occasions, the Navy has not demonstrated that the concentrations detected at background locations are not related to facility activities. For the Navy to now interpret background soil concentrations as naturally occurring is not acceptable. This part of the proposed text revision must be rewritten.

23. Page 2-10, Section 2.6 SAMPLING DESIGN AND RATIONALE. SAPL had questioned the Navy's proposal that collecting only one round of samples from wells and seeps in the spring would be sufficient to conservatively characterize risks from exposure to these media. The Navy's response states that according to the 1996/1997 Seep/Sediment Summary report, a temporal variation was observed for select chemicals, although no pattern indicating one season over another was observed. The Navy also suggested that the issue be discussed at the [August 13, 2002] technical meeting.

The number of rounds of sampling was discussed at the August 13th meeting, with the MEDEP and SAPL both stating that one round of samples was not sufficient. SAPL mentioned the variability of recent results for Site 10, where two rounds were collected during back-to-back low tide cycles. The observation of temporal variation in the 1996/1997 data was not discussed at the August meeting, but reinforces SAPL's position that the proposed single round of sampling at Site 32 is not sufficient to account for temporal variations. As an action item from the August 13th meeting, the Navy is to prepare a decision tree for determining if additional rounds of sampling are necessary. The decision tree will be submitted later this month for review. SAPL looks forward to reviewing the document, but feels that the Navy's response to SAPL's original comment 23 illustrates why one round of sampling is insufficient.

24. Page 2-11, Section 2.6 SAMPLING DESIGN AND RATIONALE. SAPL was looking for the definition of the mixing zone and the location of samples to characterize the end of the mixing zone, and for that information to be added to the QAPP. The Navy's response refers to responses to two MEDEP comments (15 and 18). Neither one of those responses provides the specifics that SAPL was looking for. Nor were the details of the mixing zone worked out at the August 13th technical meeting. So SAPL's original comment still requires an answer.

25. Page 3-11, Table 3-5. SAPL had questioned the Project Schedule Timeline laid out in Table 3-5, specifically that it did not appear to allow for the proposed spring groundwater sampling. The Navy's response states that the monitoring well installation will occur in Phase II, which will allow for sampling in spring 2003. SAPL suggests that Table 3-5 be revised to provide additional detail on Phases I, II, and III. The phases are not currently identified in the table.

35. Page 4-9, Section 4.3.1.1 Monitoring Wells. SAPL had asked why there was such a difference in curing time for the cement/bentonite grout proposed in the QAPP versus the SSI - 24 hours versus 14 days. The Navy responded that 24 hours was sufficient for grout curing before well development. SAPL's understanding is that accepted practice has been, and continues to be, to allow grout to set for a number of days before disturbing the well with development. Is there new well installation guidance out there that suggests that 24 hours of curing time is sufficient? Is the Navy proposing to use a faster-setting grout? What do the manufacturer's specifications suggest? These questions about curing time for grout also apply to SAPL's original comment number 36.

SAPL had also asked why the new wells were to be temporary installations. The Navy did not respond to that part of SAPL's original comment.

38. Page 4-11, Section 4.3.2.2 Monitoring Well Purging. Regarding the interval between well development and sampling, SAPL had commented that an interval closer to two weeks would be more appropriate than the minimum of four days proposed by the Navy. SAPL concurs with the MEDEP's follow-up comment number 7 dated September 13, 2002, if samples are collected less than 7 days after well development, the results will be viewed as screening data for the identification of general contaminant levels.

Page 5 of 5, M. Raymond
September 16, 2002
Responses to Comments, Site 32 QAPP

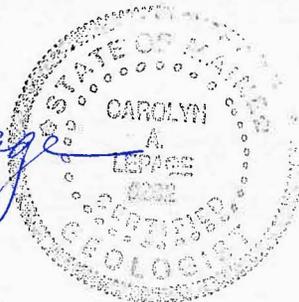
NEW COMMENT: Minutes of August 13, 2002 Technical Meeting. SAPL's comments on the minutes of the August 13th meeting will be sent under separate cover.

If you have any questions regarding the comments above, please give me a call at 207-777-1049.

Sincerely,



Carolyn A. Lepage, C.G.
President



cc: James Horrigan, SAPL
Iver McLeod, MEDEP
Mike Barry, USEPA