

STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



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May 15, 2000

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

re: OU3 Groundwater and seeps, Portsmouth Naval Shipyard, Kittery, Maine

Dear Fred:

The Maine Department of Environmental Protection remains uncomfortable signing off on the groundwater at OU3 without further information. The two factors leading to our concern are,

- 1) There are exceedances of Ambient Water Quality Criteria (AWQC) beyond a solid waste boundary in the seeps prior to mixing.
- 2) By the Navy's own calculations DDD exceeds AWQC beyond a mixing zone with a dilution of 100.

The question that MEDEP believes has not been answered is, "Are the undiluted seeps currently impacting the intertidal biota directly exposed to those seeps?" The MEDEP does not believe that potential effects from contaminants in seeps (as opposed to contaminants in sediment or pore water) have been sufficiently addressed. The Estuarine Ecological Risk Assessment does not appear to have actually looked at intertidal organisms, although the benthic and epibenthic analyses were supposed to have taken them into account. In addition, the MEDEP does not believe that the upcoming PRG development, conducted as part of the Interim Offshore Monitoring Program, addresses impact on the benthos from contaminants in the seeps. As stated in the PRG Proposal, "It is the objective of PRG development to determine sediment-based concentrations which represent thresholds below which adverse effects on sediment-associated aquatic biota (*i.e.* benthic organisms) are not expected to be ecologically significant." Because the PRGs are sediment-based concentrations they will not address impacts from the seeps themselves.

The MEDEP recommends separating the ROD for OU3 into a source-control ROD, e.g. a hazardous waste landfill cover, and a groundwater ROD, as initially proposed by the USEPA at the April 4 technical meeting. This will provide further time to determine how

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best to address the OU3 groundwater and seeps without jeopardizing funding for the source control remedy.

This added time will also allow us to observe the impact of the source control remedy on the seeps. Not only may a cover help to reduce or eliminate the flow of the seeps, but the Navy would have the opportunity to demonstrate that the riprap planned for the shoreline will effectively eliminate the seeps.

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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