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ARGEO PAULI CELLUCCI
Governor

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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To <i>STEVE HURFF</i>	From <i>D. BARNEY</i>
Co.	Co.
Dept.	Phone #
Fax #	Fax #

TRUDY COXE
Secretary

DAVID B. STRUHS
Commissioner

May 20, 1998

Mr. David Austin
Foster Wheeler
470 Atlantic Avenue
Boston, Massachusetts 02190-5000

Dear Mr. Austin:

The Department has received and reviewed the Release Abatement Measure (RAM) Plans for Ordinance Debris Removal dated May 1, 1998 and for the Underground Storage Tank and Pipeline dated May 7, 1998 to be implemented at Nomans Land Island. The Department approves the Underground Storage Tank and Pipeline plan without conditions and conditionally approves the Ordinance Debris Removal Plan provided that the attached comments are addressed and made part of this plan.

The Department's review and comments are based on the future use of the Island as a National Wildlife Refuge and assume that access to the Island will continue to be restricted from general public use. The only human receptors on the Island would be Fish and Wildlife personnel and trespassers.

Due to the short window of opportunity to address remediation at this site, the Department approves the Ordinance Debris Removal Plan with conditions so that the work can begin as soon as possible. The Department requires that you implement the attached comments during the ordinance removal and incorporate them into the RAM plan.

If you have any questions, regarding these comments please contact Ms. Anne Malewicz, Federal Facility Section Chief at (617) 292-5659.

Very truly yours,

Anne Malewicz
Jay Naparstek
Assistant Deputy Director

Attachment

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Comments:

The Department requires performance of an of shore survey for ordnance. This survey and removal are necessary to protect US Fish and Wildlife (USF&W) personnel, as well as trespassers who anchor boats near the beach and visit the Island. While we understand the Island will not be open to the public, we also know from discussions with the local communities and with staff from USF&W that historically there has been regular trespassing at the Island. That is unlikely to stop after the Island is transferred to the USF&W Service. The Department recommends that you survey the shoreline visually for UXO material from the low tide mark out to a minimum depth of 10 feet. It is our understanding you can see and remove the UXO material at least to this depth. Please assess and remove identified ordnance.

The Ordnance Debris Removal (ODR) Plan has conflicting details as to where the survey will begin along the shoreline. The Department expects the land ordnance survey to begin at the low tide mark and continue inland.

The Department does not agree with your statement in the executive summary that some large, concrete filled inert practice bombs will remain on the island after transfer. The Department requires removal of all waste from the Island, including inert practice ordnance. This will deter souvenir collectors. In addition, any remaining tires on the island, most notably the tires in the Wildlife Management Area which mark the "No Fire Zone" require collection and removal from the island.

The Department generally does not comment on health and safety plans. However, due to the nature of this work and the remoteness of this site, the Department recommends your health and safety plan include time critical contingencies for transporting injured staff to a hospital in case of an emergency.

Before the removal of debris from the island, please conduct a survey of all metal debris for radiological and hazardous materials. No waste should leave the island without having the waste screened to meet the receiving facilities' acceptance requirements.

ODR Plan activities do not include the cliffs because they are inaccessible. You should however, visually inspect the cliffs by boat or along the shoreline for exposed ordnance, document the results and remove accessible ordnance. The Operation and Maintenance Plan discussed below should include this area for future inspections and removals as appropriate.

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The Department recommends a geophysical survey in the former target area and along clearly identified paths and other areas frequented by USF&W Service personnel and by trespassers. Please pay particular attention to areas containing significant surficial UXO and debris and to areas where craters show that full charge ordnance exploded. The current work plan should include this survey.

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The Department does not agree with the statement on page 6 in Paragraph 8 that "No UXO clearance will be conducted in the areas of freshwater ponds or beaches". The Department requires inspection of the fresh water ponds and beaches for UXO and debris, with particular attention paid to Ben's Pond. You may limit these inspections to the beach areas around the ponds at a shallow water depth. The nature of these ponds make them unlikely areas for swimming and other deeper water activities. Areas along the perimeter, the beach and in the ponds where visual ordnance are seen should be removed. Provisions should be made for removal of ordnance if found when additional work occurs in the ponds during later phases of work.

Referencing chapter 4-13 paragraph 4.8

The Department expects Activity Use and Limitations (AULs) to be placed on the Island by the Navy ensuring that the potential future exposures resulting from future land use will remain consistent with the exposures considered with a Wildlife Preserve. In addition, the Department expects to review the full operation and management plan addressing potential ordnance which may surface in the future at the island. This plan should include the method and frequency of inspections, who will conduct the inspections, notification procedures for ordnance found in the future, and the process to implement removal of such ordnance.

If there are any unexpected changes to these plans or to the scope of the work due to physical conditions, please notify the Department as soon as possible.