UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

DEC 8 2006

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Mark E. Davidson
U.S. Navy
BRAC PMO SE
4130 Faber Place Drive
North Charleston, SC 29405

Re: Naval Activity Puerto Rico (NAPR), formerly Naval Station Roosevelt Roads, EPA I.D. Number PRD2170027203, EPA comments on:

1) Revised Final Summary Report for Environmental Background Concentrations for Inorganic Compounds;

2) Final RCRA Facility Investigation (RFI) Work Plan for SWMU 68; and

3) Draft Steps 3b and 4 of Baseline Ecological Risk Assessment at SWMUs 1 and 2, dated September 29, 2006.

Dear Mr. Davidson:

The United States Environmental Protection Agency (EPA) Region 2 has completed its review of the above documents submitted by Baker Environmental on behalf of the Navy. Based upon our review and a review by our contractor, Booz Allen, EPA has determined the following:

Summary Report for Environmental Background Concentrations for Inorganic Compounds

EPA has completed its review of the October 17, 2006, Revised Final Summary Report for Environmental Background Concentrations of Inorganic Compounds (Revised Final Background Report) at Naval Activity Puerto Rico (NAPR) and the October 17, 2006 final Responses to EPA's May 22, 2006 comments regarding the April 2006 Draft Background Report.

Based on that review, EPA has determined that the Revised Final Background Report and the Final Responses to EPA's May 22, 2006 comments are acceptable, and adequately addresses all of EPA's previous comments. Thus, for any future evaluations of indicated releases of inorganic constituents relative to the natural background conditions, the Navy shall use the background concentrations of the appropriate inorganic constituents, as established pursuant to the Revised Final Background Report.

RFI Work Plan for SWMU 68 (Former Southern Fire Training Area)

EPA has completed its review of the November 10, 2006 Final RFI Work Plan for SWMU 68 (the Work Plan). Although not stated in the title, as discussed in Section 1.0 (Introduction) of the Work Plan and Paragraph 21.D of Section VIII (Work to be Performed) of the proposed RCRA Consent Order being finalized between EPA and the Navy, this Work Plan constitutes a work plan for a Phase I RFI.

Based on our review, EPA has determined that the November 10, 2006 Work Plan is acceptable as the Phase I RFI work plan for this SWMU. Please note, that as described in Paragraph 21.D.a of the proposed RCRA Consent Order, if based on the results of the Phase I RFI investigation it is determined that a Full RFI is warranted for this SWMU, the Navy could then be required to submit a Full RFI work plan for SWMU 68, that meets the requirements of the Scope of Work for a Full RCRA Facility Investigation set forth in Attachment III of the proposed RCRA Consent Order.

EPA understanding that the Navy has now commenced implementation of the Phase I RFI investigation. Pursuant to the schedule given in Figure 5-1 of the Work Plan, please submit the draft Phase I RFI Report for SWMU 68 by March 14, 2007. That report should include, among other things, a recommendation of whether or not a Full RFI is warranted.

Draft Steps 3b and 4 of Baseline Ecological Risk Assessment at SWMUs 1 and 2

EPA has completed its review of the September 29, 2006, Draft Steps 3b and 4 of the Baseline Ecological Risk Assessment (BERA) for SWMUs 1 and 2. Our review determined that, in general, the investigations outlined in this document are well planned and should adequately support the BERA objectives. However, the proposal is not yet fully approvable, since our review identified a few concerns that must be addressed before the proposal can be approved. The items to be addressed include: concerns associated with the use of the background data set to be used in selecting risk drivers; the selection criteria for the proposed reference areas; the treatment of an endangered species in the BERA; and the proposed analytes in estuarine wetland sediment. These concerns are presented in the attached Technical Review.

Within 30 days of your receipt of this letter, please submit a response to the comments in the enclosed Technical Review and/or an addendum to the proposal for Steps 3b and 4 of the SWMU 1 and 2 BERA. Also, at the same time, please submit an up-dated schedule for completing the BERA at both SWMUs 1 and 2.

If you have any questions, please telephone me at (212) 637- 4167.

Sincerely yours,

Timothy R. Gordon

Timothy R. Gordon
Remedial Project Manager
Caribbean Section
RCRA Programs Branch

Enclosure

cc: Ms. Yarissa Martinez, P.R. Environmental Quality Board, w/encl.
Mr. Julio I. Rodriguez Colon, P.R. Environmental Quality Board, w/encl.
Mr. David Criswell, US Navy, w/o encl.
Mr. Pedro Ruiz, Naval Activity Puerto Rico, w/o encl.
Mr. Felix Lopez, USF&WS, w/encl.
Mr. Mark Kimes, Baker Environmental, w/encl.
Ms. Jennifer Nystrom, Booz Allen & Hamilton, w/o encl.

TECHNICAL REVIEW

DRAFT STEPS 3B AND 4 OF THE BASELINE ECOLOGICAL RISK ASSESSMENT FOR SOLID WASTE MANAGEMENT UNITS (SWMUs) 1 and 2
September 29, 2006

NAVAL ACTIVITY PUERTO RICO (NAPR)
CEIBA, PUERTO RICO

REPA3-2203-100
November 2, 2006

GENERAL COMMENTS

1. In their July 26, 2006, response to comments dated June 22, 2006, NAPR indicated that the results of the Summary Report for Environmental Background Concentrations of Inorganic Compounds (Background Report) would be utilized in implementing Steps 3b and 4 of the BERA for SWMUs 1 and 2. It is not clear whether this report has, in fact, been fully utilized. A number of inorganics were eliminated from further evaluation based on comparison to background in the May 18, 2006, Final Additional Data Collection Report (ADCR) and Screening Level Ecological Risk Assessment and Step 3A of Baseline Ecological Risk Assessment at SWMUs 1 and 2. It is not clear that the background data sets used in the ADCR are the same as those used in the October 17, 2006, Revised Final Background Report. Consequently, any differences between the background data set in the Revised Final Background Report and the background data set used in the ADCR could potentially impact the risk drivers selected for SWMUs 1 and 2. NAPR should clarify whether or not the results of the Revised Final Background Report have any impact on the inorganics previously eliminated, and therefore, the risk drivers selected for further analysis in Steps 3b and 4 of the Baseline Ecological Risk Assessment (BERA) for SWMUs 1 and 2.

2. Section 5.2 indicates that one of the criteria to be used to determine whether the selected reference areas are acceptable is that reference area concentrations of potential ecological risk drivers must not be statistically elevated above background concentrations presented in the Revised Final Background Report. It is not clear that this approach will adequately confirm the acceptability of the proposed upland and estuarine wetland reference areas. The limited set of chemical risk drivers selected for SWMUs 1 and 2 may not adequately capture constituents that could be present in, and influence the toxicity test results of, media collected from the proposed reference areas. NAPR should include in the reference area analyses a suite of all parameters that could potentially impact the toxicity test results, and the determination of which analyses to include should be based on surrounding land uses and chemical fate and transport considerations.

3. Given that SWMUs 1 and 2 fall within the designated critical habitat area for the yellow-shouldered blackbird (*Agelaius xanthomus*), and that upland foraging habitat for this species exists at these SWMUs, the BERA problem formulation should specifically discuss how the BERA will evaluate risks to this species. For example, if the American robin (*Turdus migratorius*) can be protectively used as a surrogate receptor to evaluate risks to the blackbird, this should be noted in relevant sections of the Steps 3b and 4 BERA document.

SPECIFIC COMMENTS

Table 5-3

1. Laboratory parameters for estuarine wetland sediment listed in this table include copper, lead, and zinc, but do not include mercury. Because mercury is a risk driver for upper trophic level food web exposures in the estuarine wetland, and fiddler crab tissue from the estuarine wetland will be analyzed for mercury, it would also be useful to include mercury in the list of sediment analytes. These data will allow NAPR to better quantify mercury exposure to avian receptors via direct ingestion of sediment, and to better relate crab tissue concentrations to sediment concentrations if calculated risks indicate the need for remedial action. Table 5-3 and other relevant tables and text sections should be revised to include analysis of mercury in SWMU 2 estuarine wetland sediment samples.

2. Because the ADCR reported detection limits that exceeded screening levels for the majority of organic analytes in SWMU 2 estuarine wetland sediments, NAPR may wish to consider analyzing a broader suite of parameters in the sediment samples collected from this area. NAPR should understand that, if toxicity is observed in the benthic invertebrate toxicity tests that cannot be attributed to the selected risk drivers, then additional evaluation may be needed to ensure that site-related constituents are not the cause of the toxicity. Inclusion of a broader suite of analytes in the current effort may prevent unnecessary additional toxicity testing in the future.

Appendix C

3. If available, a list of plant species observed at the control area, as well as the relative abundances of plant species observed at the SWMUs and the control areas, should be included in Appendix C. These data would better support the conclusion in Section 3.3 that the plant community at SWMUs 1 and 2 have not been unacceptably altered.