



# MARYLAND DEPARTMENT OF THE ENVIRONMENT

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N60921.AR.000447 Section: 03-01  
NSWC WHITE OAK Site 20903-5640 (White Oak)  
5090.3a Doc. #: 0031

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Lt. Governor

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Deputy Secretary

October 16, 2002

Mr. Walter Legg  
Engineering Field Activity Chesapeake  
Washington Navy Yard, Building 212  
1314 Harwood Street SE  
Washington DC 20374-5018

Re: Addendum – Human Health Risk Evaluation for Post Removal Soil, Site 4 – Chemical Burial Area, Former Naval Surface Warfare Center (NSWC) White Oak, Silver Spring, Maryland, dated July 2002

Dear Mr. Legg:

The above-referenced report presents the results of the human health risk assessment for post removal of soil at Site 4 - Chemical Burial Area at the former NSWC White Oak. This risk assessment is an addendum to the risk assessment for Site 4 presented in the Resource Conservation and Recovery Act Facility Investigation for Sites 2, 3, 4, 7, 8, 9 and Paint Branch, dated October 2000. The evaluation presented was performed to account for removal actions that occurred at the site in June through August 1999.

The Federal Facilities Section (FFS) of the Maryland Department of the Environment's Waste Management Administration has reviewed this submittal. It appears that in the selection of potential chemicals of concern (PCOCs), specific reference has been made to not retaining inorganic constituents at concentrations indicative of background levels. The Maryland Department of the Environment understands that the Navy is adhering to the Chief of Naval Operations Policy of *September 2000 on the use of background chemical levels*. This Navy policy requires that baseline risk assessments should not be conducted on chemicals that are present at levels less than background chemicals.

The U.S. Environmental Protection Agency's (EPA) 1998 *Risk Assessment Guidance for Superfund* cautions against the elimination of PCOCs based on background (either because concentrations are below background level or are attributable to background sources) as this may result in the loss of important risk information for those potentially exposed, even though cleanup may or may not eliminate a source of risks caused by background levels. EPA's most recent policy recommends a baseline risk assessment that retains constituents that exceed risk based screening concentrations and involves addressing site-specific background issues at the end of the risk assessment.

*"Together We Can Clean Up"*

Mr. Walter Legg  
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As there is an apparent conflict between Navy policy and EPA guidance, the FFS, in light of the Comprehensive Environmental Response, Compensation and Liability Act, Chapter 103 § 9620, believes the Navy should revise the subject document to conform to current EPA guidance with regard to how background should be addressed in the risk assessment process.

If you have any questions, please contact me at (410) 537-3440.

Sincerely,

A handwritten signature in black ink, appearing to read "M. A. Callaghan", with a long, sweeping flourish extending to the right.

Mark A. Callaghan  
Remedial Project Manager  
Federal/NPL Superfund Division

MAC:bjm

cc: Mr. Bruce Beech  
Mr. Scott MacEwan  
Mr. Scott Nesbit  
Mr. Richard Collins  
Mr. Karl Kalbacher