

2.10.3 Modifying Criteria

State Acceptance. State involvement has been solicited throughout the CERCLA process. RIDEM, as the designated state support agency in Rhode Island, concurs with the Selected Remedy. RIDEM's concurrence letter is presented in Appendix A.

Community Acceptance. The public was notified of a formal public comment period, as described in Section 2.3, and was encouraged to participate in the process. No written comments were received during the formal public comment period (May 21 to June 20, 2014) for the Proposed Plan. The questions posed at the public meeting (informal session) on May 21, 2014, were general inquiries for informational purposes and were addressed at the public meeting. The formal public hearing, at which attendees were asked to state their comments for the record, took place immediately after the public meeting on May 21, 2014. These formal comments/questions and the Navy responses are summarized in Section 3.0. The transcript of the public hearing is provided in the Administrative Record for Site 19.

2.11 PRINCIPAL THREAT WASTE

The NCP at 40 CFR §300.430(a)(1)(iii)(A) establishes an expectation that treatment will be used to address the principal threats posed by a site, wherever practicable. Principal threat wastes are those source materials considered to be highly toxic or highly mobile that generally cannot be reliably contained or that would present a significant risk to human health or the environment should exposure occur. A source material is a material that includes or contains hazardous substances, pollutants, or contaminants that act as a reservoir for migration of contamination to groundwater, surface water, or air, or acts as a source for direct exposure. At OU5, the contaminant concentrations are not highly toxic or highly mobile; therefore, principal threat wastes are not present at the site.

2.12 SELECTED REMEDY

2.12.1 Rationale for Selected Remedy

The Selected Remedy for OU5 is Alternative 5, target dredging in open water areas, cap target areas under Pier 2, short-term and permanent LUCs, and monitoring, which was selected because it offers the greatest level of protection while maintaining a balance among the nine evaluation criteria.

Alternative 5 achieves RAOs by dredging target open water areas and installing a cap (engineered barrier) at target areas beneath Pier 2. The open water areas will be dredged in an arrangement and to a depth such that the area-average COC concentrations remaining in sediment at the site will be less than the cleanup levels while not relying on backfill to reduce area average concentrations and while minimizing sediment left in place under covers or caps. PRD Sediment Sampling will be conducted to assess whether there has been any change to contaminated sediment distribution from recent Navy construction projects at the marginal wharf and Pier 2 and within the footprint of the ex-Saratoga. This alternative achieves cleanup levels by removing the most amount of contaminated sediment and only covering contaminated sediment where it cannot be removed.

In accordance with Section 404 of the CWA, the Navy has determined that Alternative 5 is the LEDPA to protect wetland and aquatic resources because it provides the best balance of addressing contaminated sediment within and adjacent to wetlands and waterways with minimizing both temporary and permanent alteration of aquatic habitats on site. Although each of the sediment cleanup options would impact aquatic habitats during cleanup activities, Alternative 5 will permanently remove COCs in sediment and will provide a cap over a limited area of contaminated sediments located under Pier 2 to achieve cleanup goals on a surface-area weighted average basis, which will be a long-term benefit to the aquatic habitat in the bay.

RECORD OF DECISION

SITE 19 – FORMER DERECKTOR SHIPYARD MARINE SEDIMENT OPERABLE UNIT 5



NAVAL STATION NEWPORT
MIDDLETOWN/NEWPORT, RHODE ISLAND
SEPTEMBER 2014

