

APPENDIX C

Draft 2006 Institutional Controls Primary Site Inspection Report
Dated December 4, 2006
ADEC Comments Submitted: December 27, 2006
Navy Responses Submitted: January 22, 2007

Comment #1: Page 2-32, Line 766

The text references photo 2-27, it should be 2-28.

Response:

The text will be revised accordingly.

Comment #2: Page 4-1, Section 4.1

Based on the September site inspection by the Navy, DEC, EPA and US Fish and Wildlife Service, the dig permit system is not working as intended and needs to be improved.

Response:

Since the implementation of the excavation notification program back in 2001, the incident this summer with Adak Cable and Telephone was the first instance where the Navy was not notified of planned excavation activities before construction work began. To improve the process, the Navy is planning to install some 80 signs at institutional control (IC) sites to notify locals, contractors and others that excavation at IC sites requires Navy notification prior to conducting any on-site excavation activities. The signage installation is planned for this summer. In addition, the Navy will work with TAC and the City of Adak more closely to ensure all planned on-island construction activities associated with IC sites includes Navy review.

Comment continued:

The text of this section indicates that excavation notifications are submitted to the City of Adak while AdakUpdate.com indicates that they are sent directly to NAVFAC NW.

Response:

The text is inconsistent with the Institutional Control Management Plan (ICMP) and will be changed to reflect the notification requirement to the Navy.

Comment continued:

This section should include more detail regarding the Excavation Notification process. Details should include the procedure for notifying visitors and contractors coming on island of the requirements for this program. If no procedures are in place for notification then specific recommendations for such procedure should be included. Additional specific recommendations to improve the program should be included on page 6-3. The report should also describe in detail how Excavation Notifications are processed (who reviews them, how decisions are made on whether the planned excavation is likely to encounter contaminated soils, who or whether a permit (or other approval) is issued, what types of stipulations may be attached if contaminated soil is likely to be encountered, and how DEC is notified and approval obtained if contaminated media will be generated or moved off-site. Specific recommendations on improving this process need to be included in the report.

Response:

The Navy does not agree that this information along with details regarding the excavation notification process and recommended improvements are appropriate for inclusion in the IC Inspection report. The IC Inspection report documents the results of the annual inspection and recommendations for change are usually general in nature. Detailed information on the excavation notification process and/or recommended changes should be documented in the ICMP which the Navy plans on updating later this year. A recommendation to improve the excavation notification process will be added to Section 6.

Comment #3: Page 5-2, Line 8

Text states “all were on island for work related activities.” This is incorrect, the interview sheet for Virginia Brown indicates that she was on island for bird watching. This brings to attention a shortcoming with the interview process.

Response:

This was an oversight and will be corrected in the text.

Comment continued:

Individuals that are on island for work related activities are more likely to be briefed regarding the institutional controls and ordnance awareness by their employers. The number of individuals that arrive on Adak for recreational activities is increasing annually. USFWS reported that over 200 caribou hunters visited the island and the Aleut Enterprise Corporation reported issuing 400-500 land use permits during 2006. It appears that with one exception (Virginia Brown) the survey missed this group of island visitors. Please include a recommendation that greater efforts be made in the future to include island visitors in the survey.

Response:

The recommendation will be added to Section 6.

Comment #4:

The report makes no mention of the status of the Ordnance Awareness program at the school. Was the DVD shown to the students? Was the Ordnance Awareness curriculum in use by the teacher? As part of this annual inspection a detailed interview should be conducted with the teacher to determine if these activities are occurring and to solicit feed back on possible improvements. If an interview was conducted the results should be summarized in the text. If not the teacher should be contacted to determine what Ordnance Awareness Activities have occurred at the school.

Response:

As a follow up to the inspection, the Navy contacted the school and was informed that not showing the video was intentional and not an oversight by the new school teacher or admin staff. The school made an administrative decision to show the video at the beginning of the winter session (January 2007) when the school attendance increases significantly with new students of workers associated with the fish processing plant. To further aid in the education of the students, the Navy has sent up additional handout and educational material to be used by the school as well as the medical clinic staff.

The Navy does agree that the survey could be more tailored to the types of individuals interviewed including the school teacher. Improvements in this area can be explored and refined during the update of the ICMP later this year.

Comment #5:

The interview summary sheet for Dacia Mitchell (age 10) indicates that she has not seen the Ordnance Awareness DVD. While she reports having been on island only 3 months that indicates a shortfall of the program.

Response:

It is important to keep in mind that the DVD video is only one mechanism whereby individuals living or visiting the island can get information on ordnance awareness. The interview also notes that Dacia was aware of the Ordnance Program and had also seen the coloring books. The Navy has distributed and will continue to distribute education materials to residents including school children and visitors alike. The Navy does agree that improvements to the Ordnance Awareness program are needed and are working to that end.

Comment #6:

Improvements to the Ordnance Awareness Education Program should be included as a recommendation on page 6-3.

Response:

The recommendation will be added to Section 6.

Comment #7:

The report does not include a description of the IC inspection for OUB-2 Sites. The ICMP specifies IC's and annual inspection for these sites. Please include a section in this report detailing the inspection of these controls.

Response:

The only IC related to OUB2 sites is the Ordnance Awareness program. Although not an IC, signage and fencing is inspected on an annual basis at locations around Parcel 4. Because of known trespassing into Parcel 4 in the past, Navy personnel conducted the inspection last summer to determine areas where security improvements could be made. As such, the IC inspection contractor was not contracted to duplicate this effort. A work plan will be prepared showing the planned improvements for Parcel 4. They include additional signage, fence repairs and upgrades, gate installation and improvements, etc. The work plan will be provided to the agencies for review and comment. The Parcel 4 improvements are planned for this field season. The work will be combined with the excavation notification signage installation referenced above and other planned Ordnance Awareness program improvements. The Navy proposes no change to the IC Inspection report based on this comment.

U. S. Environmental Protection Agency Comments on Draft 2006 Institutional Controls Primary Site Inspection Report, NAS Adak, December 4, 2006
EPA Comments Submitted: 26 January 2007
Navy Response Submitted: February 12, 2007

Comment #1: The Report only addresses Operable Unit A sites. Although Section 1.2 states the purpose is to perform inspections at Institutional Control (IC) Sites in accordance with the OU A ROD, OU A ROD amendment, the OU B-1 ROD, and the Adak Island Institutional Control Management Plan, there is no evaluation regarding the munitions response sites in OU B-1 or whether the Ordnance Awareness Program for munition response sites in Parcel 4 were evaluated. The title and document should clarify the scope of the I.C. inspections.

***Response:** The annual inspection focuses on institutional and engineering controls as required by the OU A ROD including amendments. The inspection also includes an evaluation of the Ordnance Awareness program as required by the OU B1 ROD. The evaluation is limited to the results of the educational survey. The inspection does not evaluate the munitions response at OU B1 sites or the Ordnance Awareness program for sites within Parcel 4. Since the bulk of the annual inspection focuses on OU A sites, the title of the report will be changed to read: "2006 Institutional Controls Primary Site Inspection Report, Operable Unit A, NAS Adak, Alaska." Section 1.2 will be revised to reflect this change.*

Comment #2: Section 1.1, p. 1-1, line 33: The number of acres listed as transferred is 71,171 acres. Please check the number of acres to confirm. (Draft FSS, p. 1-14 states 47,500 acres of OU B-1 acres were transferred from Navy to BLM to TAC. Draft Final RI/FS for OU B-2, p. 1-3, line 3 states approximately 47,271 acres were transferred).

***Response:** The text will be revised to read: "The land exchange agreement conveyed 47,271 acres of the former Naval Air Complex to TAC in exchange for TAC's relinquishment of similar acreage of prioritized, valid ANCSA surface and subsurface property. The transfer was finalized on March 17, 2004." The source of the conveyed acreage is the Interim Conveyance #1874, Attachment D-1, Comprehensive Monitoring Plan.*

Comment #3: Section 1.2, lines 54-63: It would be ideal to have the referenced legal documents included as attachments, or scanned and contained on the CD. If any of them were required to be filed with the State or municipality the dates they were would be helpful too. The idea is to be able to verify these mechanisms have been implemented appropriately and where they can be located for review.

***Response:** The land transfer was accomplished by the Interim Conveyance #1874 issued by the United States, Department of the Interior, Bureau of Land Management*

dated March 17, 2004. A reference will be added and a copy of the Interim Conveyance will be included as an Attachment.

Comment #4: Figure 1-2 and 1-3: The figures do not include the OU B-1 Sites. The ordnance site depictions do not match other figures for Parcel 4/OU B-2 or OU B-1. These comparisons are made with Figure 1-2 of the Draft RI/FS for OU B-2 Sites and Figure 2-2 (inset) of the Draft Final Feasibility Study Supplement for OU B-1 Sites. Ideally there would be a master map which included all sites and layers of that map would be used to show the particular AOC's or Parcels which a particular document or subject is discussing. This is especially relevant for the Site wide Institutional Controls that this document is meant to address. EPA suggests the Navy utilize one master map and have all subsequent documents to utilize it.

Response: *The only institutional control applicable to the OU B1 ROD is the Ordnance Awareness program. Since the OU B1 IC (Ordnance Awareness Program) is not site but OU specific, the Navy did not feel it necessary to include a map showing the location of OU B1 sites. The figure used in the report comes from the approved Institutional Control Management Plan (ICMP). The Navy agrees with the comment on one master map and is working to that end.*

Comment #5: Section 2.3, line 261 and 269. The text indicates five years of monitoring were required by the 2000 ROD for OU A. The text should explain how those five years of monitoring occurred in three years. Ie: Did the Navy start monitoring prior to 2000, and the ROD allowed that data to be included with the five years of monitoring? Text on page 2-11 implies this is what happened. Suggest rephrasing it to say that monitoring began in 1999 and completed in 2003.

Response: *Although the OU A ROD was not fully executed until early 2000, the marine monitoring requirements were agreed upon prior to the issuance of the draft final OU A ROD (September 1999). The text will be revised to state that the OU A ROD required 5-years of baseline data with data collection beginning in 1999 and ending in 2003.*

Comment #6: Section 2.7, Adak Island Ordnance Awareness – CERCLA: A brief explanation of why the 2006 IC inspections did not review all IC aspects of ordnance sites should be included. The primary concern here is the voluntary controls (fencing/signage) for Parcel 4 should be discussed. EPA acknowledges that these “controls” are not a remedy at this time.

Response: *Because of known trespassing into Parcel 4 in the past, the Navy elected to conduct its own inspection this last summer to look for areas where security could be improved around the perimeter of Parcel 4. A work plan is being prepared to document the changes recommended by the inspection as well as other sources of input on LUC improvements. The text will be revised accordingly.*

Comment #7: Section 3.0: Clarify in the title that this section only inspected IC's at OU A sites.

Response: The title will be revised as suggested.

Comment #8: Section 3.0, p. 3-1, line 24, Equitable Servitudes: A description of what property rights these covenants or deed restrictions withhold should be included. It appears that the restrictions are the three other bullets identified in this section. Recommend changing line 19 to read: "For the purposes of inspection and reporting, the following ICs identified in the Equitable Servitude to the property are required for the Remote Area CERCLA sites documented below:" (If that is correct)

Response: Concur. The sentence will be revised as suggested.

Comment #9: Section 3.1.5, p. 3-8, lines 154-155: There are seismic devices placed on the cap. This should be noted in the description of changes that have occurred after the cap was finished. A description of how they were authorized would be good at demonstrating that the procedures in place for authorizing excavation on a cap are effective. Provide any documentation, if available. If not explain. If no excavation occurred that should be noted.

Response: In August 2003, two solar-powered enclosures, approximately 4 feet by 4 feet by 5 feet high, were constructed by the Alaska Volcano Observatory (AVO). AVO held a permit from the Navy to use a 60 foot by 60 foot area for data collection. The enclosures house solar-powered radio receivers and transmitters which transfer data from nearby islands. The enclosures were installed by hand without the use of heavy equipment. The radio receiver and transmitter are located well off the landfill cap on the east side of the site. No excavation form was submitted for this project. The text will be revised accordingly.

Comment #10: Section 3.2.3, line 220: Although the landfill was capped consistent with the selected remedy, it would be appropriate to identify that not the entire landfill was capped, for engineering reasons one presumes.

Response: The text will be revised to indicate that a portion of the landfill (material/debris located within the ravine) was not capped due to steep slopes and other engineering constraints.

Comment #11: Appendix A: The appendix provides an Excavation Notification form submitted by Adak Telephone, Inc. There is no approval or disapproval indicated on the Form. However, the presence of a signature area for approval or disapproval implies that an authorized representative was to make a decision prior to the action proceeding. The form implies it is more of an application than a notification. Explain if this procedure is effective or if changes are proposed. It is noted that the requestor signed the form 24 days after the anticipated date for when the excavation was to start, versus three days prior as the form requires.

***Response:** The approval box was not checked because the Navy no longer has the authority to approve or disapprove construction projects planned for Adak excluding property retained by the government. This authority was relinquished with property transfer to TAC. The Navy did discuss with the contractor the need for the excavation to ensure that the planned activities are consistent with land use restrictions. The contractor submitted the completed form 10 to 14 days after our request. The excavation notification form and procedures will be updated later this year with the revision to the Institutional Control Management Plan (ICMP).*

Comment #12: During a Stakeholder visit to Adak in October 2006 it was apparent that significant trenching had occurred in the downtown core. There were anecdotal accounts of workers complaining of fumes and dizziness from exposure to the trenching operation. Although there may not be an unacceptable health risk to workers based on exposure to soils in the downtown area it should be identified as a potential hazard. It would be prudent to provide a notification to whoever is proposing to excavate, in areas suspected of being impacted from releases, that monitoring and safety precautions should be taken and their health and safety plans should provide for encountering contamination.

***Response:** Concur.*