



DEPARTMENT OF THE NAVY

NAVAL STATION NEWPORT
690 PEARY STREET
NEWPORT, RI 02841-1522

IN REPLY REFER TO:

NAVSTANPTINST 5090.27A

ENV

AUG 27 2012

NAVAL STATION (NAVSTA) NEWPORT INSTRUCTION 5090.27A

From: Commanding Officer, Naval Station Newport

Subj: LAND-USE RESTRICTION AT FORMER BLDG. 86 COASTERS HARBOUR ISLAND (CHI) AND BLDG. 355 CODDINGTON POINT (CP)

Ref: (a) Rhode Island Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases ("Remediation Regulations")

Encl: (1) Restricted Property at Former Bldg. 86
(2) Restricted Property at Bldg. 355

1. Purpose. The purpose of this instruction is to issue land-use restrictions for the property at former Bldg. 86CHI and Bldg. 355CP shown in enclosures (1) and (2), respectively.

2. Applicability. This instruction is applicable to any soil disturbing activities at the property.

3. Background. The property has been determined to contain soil and possibly groundwater which is contaminated with Polychlorinated Biphenyls (PCBs) in excess of applicable industrial/commercial direct exposure criteria pursuant to reference (a). The land-use restrictions are needed with regard to the use, occupancy, activities of, and to prevent exposure to or migration of PCBs and to abate hazards to human health and/or the environment at the property.

4. Policy. The land-use restriction on the property is as follows:

a. The use, occupancy, and activity of and at the property is restricted as follows:

(1) No residential use of the property shall be permitted.

(2) No groundwater at the property shall be used as potable water.

AUG 27 2012

(3) No soil at the property shall be disturbed in any manner.

(4) Humans engaged in activities at the property shall not be exposed to soils containing PCBs in concentrations exceeding the applicable direct exposure criteria set forth in reference (a).

(5) Water at the property shall be prohibited from infiltrating soils containing PCBs in concentrations exceeding the approved leachability criteria set forth in reference (a).

(6) No subsurface structures shall be constructed on the property over groundwater possibly containing PCBs in concentrations exceeding the Groundwater Objectives set forth in reference (a).

(7) The engineered controls (i.e. 6 mil plastic and clean fill/soil cover) at the property shall not be disturbed and shall be properly maintained to prevent humans engaged in industrial/commercial activity from being exposed to soils containing PCBs in concentrations exceeding the industrial/commercial direct exposure criteria in accordance with reference (a).

(8) The engineered controls at the property shall not be disturbed and shall be properly maintained so that water does not infiltrate soils containing PCBs in concentrations exceeding the leachability criteria set forth in reference (a).

b. No action shall be taken, allowed, suffered, or omitted at the property if such action or omission is reasonably likely to:

(1) Create a risk of migration of PCBs.

(2) Create a potential hazard to human health or the environment.

(3) Result in the disturbance of any engineered controls utilized at the property.

AUG 27 2012

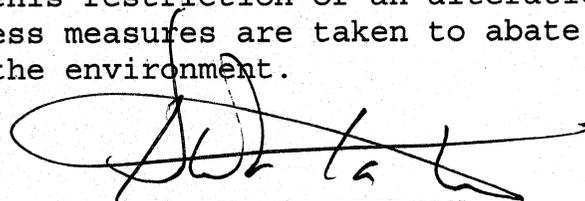
c. In the event of any emergency which presents a significant risk to human health or to the environment, including but not limited to, maintenance and repair of utility lines or a response to emergencies such as fire or flood, the application of the paragraphs above may be suspended, provided such risk cannot be abated without suspending such paragraphs and the following items are used to manage the emergency:

(1) Limit the extent and duration of the suspension to the minimum period reasonable and necessary to adequately respond to the emergency.

(2) Implement reasonable measures necessary to prevent actual, potential, present, and future risk to human health and the environment resulting from such suspension.

(3) Continue to implement the emergency response actions to ensure that the property is remediated in accordance with reference (a), or restored to its condition prior to such emergency. Emergency maintenance and repair of utility lines shall only require restoration of the property to its condition prior to the maintenance and repair of the utility lines.

d. The release of this restriction or an alteration of the site is not allowed unless measures are taken to abate hazards to human health and/or the environment.

A handwritten signature in black ink, appearing to read 'D. W. Mikatarian', is written over the printed name below it. The signature is stylized with a large loop at the beginning and a long horizontal stroke at the end.

D. W. MIKATARIAN

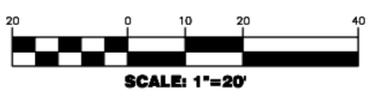
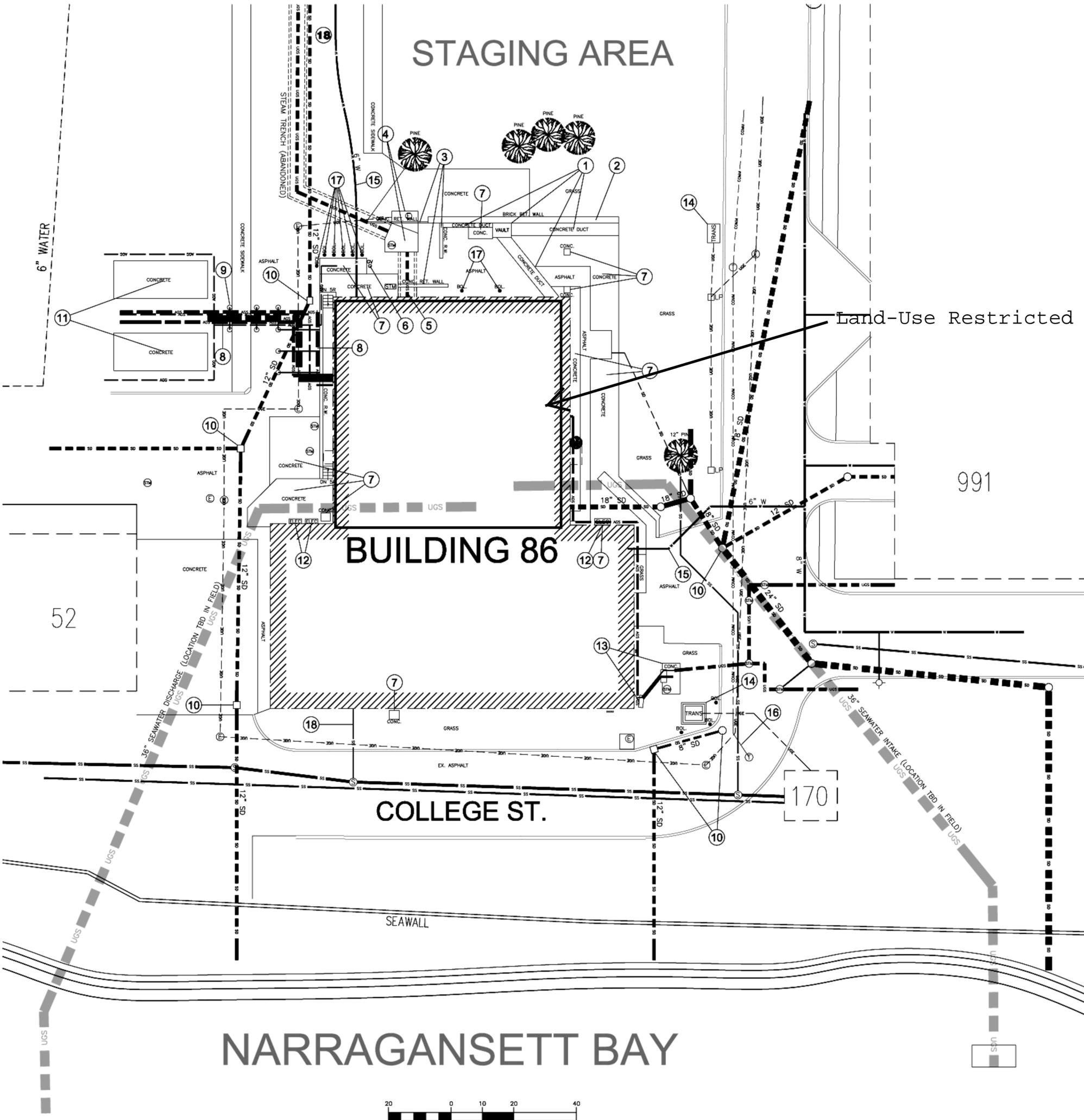
STAGING AREA

Land-Use Restricted Area

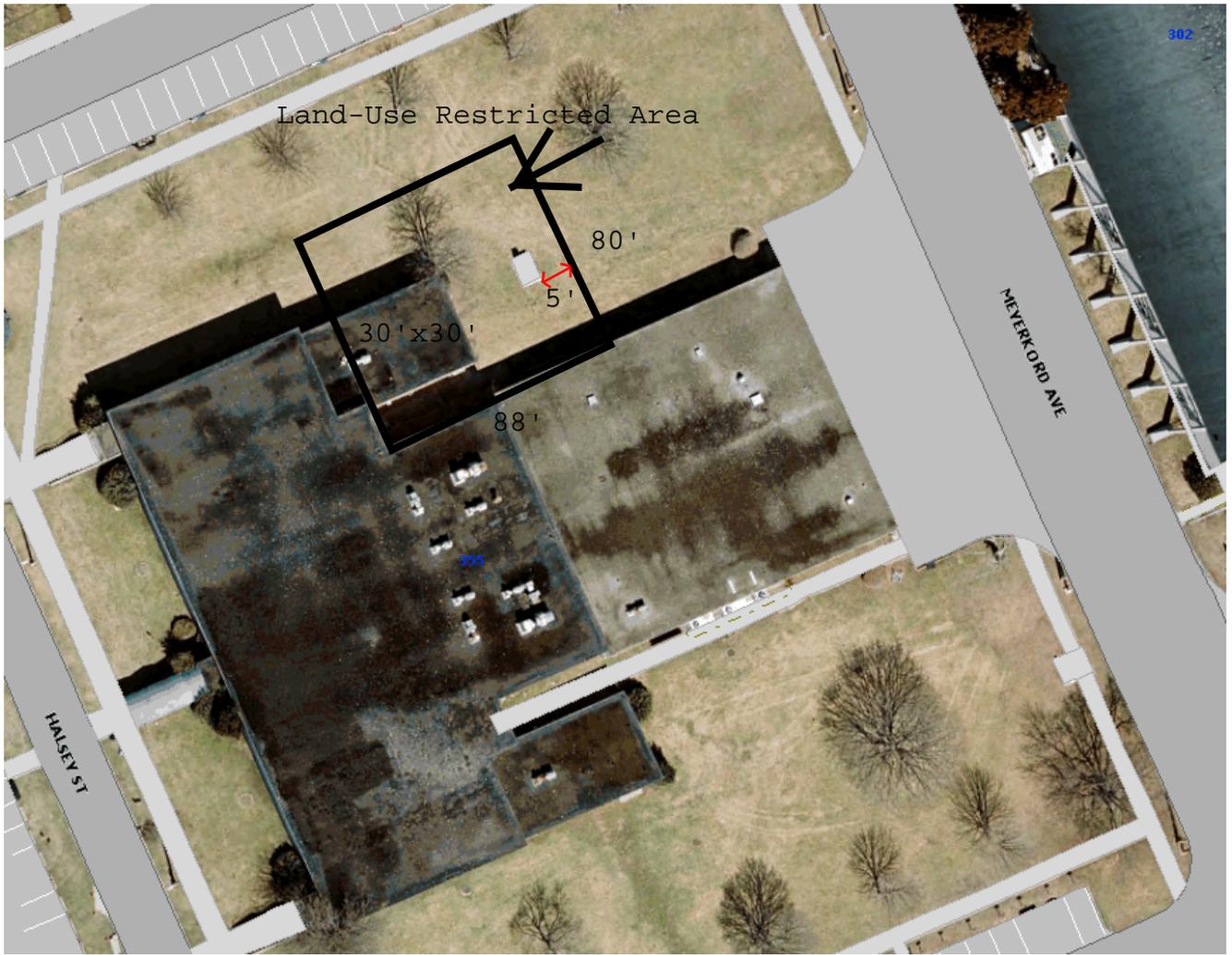
BUILDING 86

COLLEGE ST.

NARRAGANSETT BAY



Enclosure (1)



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