

Long-Term Stewardship Assessment Report
BAE Systems Maritime Solutions Norfolk Inc.
750 West Berkley Avenue, Norfolk, Virginia 23523
EPA ID No. VAD003175072

Prepared by: Tara Mason

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Remedy Review Summary

The Long-Term Stewardship Assessment showed that engineering and institutional controls identified in a Uniform Environmental Covenant Act (UECA) Compliant Covenant remain intact and undamaged.

Introduction:

Long-term stewardship (LTS) refers to the activities necessary to ensure that engineering controls (ECs) are maintained and that institutional controls (ICs) continue to be observed. The purpose of the EPA Region 3 LTS program is to periodically assess the efficacy of the implemented remedies (i.e., ECs and ICs) and to update the community on the status of the Hazardous Waste Cleanup facilities. In October 2024, EPA changed the name of its “Resource Conservation and Recovery Act Corrective Action Program” to the “Hazardous Waste Cleanup Program.” This rebranding is intended to increase broad understanding of the purpose of the program. The LTS assessment is conducted in two-fold, which consists of a record review and a field inspection, to ensure that the remedies are implemented and maintained in accordance to the final decision.

The Hazardous Waste Cleanup Program has identified key elements of effective Long-Term Stewardship for hazardous waste cleanups. The LTS Report took into consideration the following elements while preparing this report:

- Element 1 – Legal Authorities
- Element 2 – Information Regarding Engineering and Institutional Controls
- Element 3 – Long-Term Facility Oversight, Monitoring, and Maintenance
- Element 4 – Recordkeeping and Tracking
- Element 5 – Meaningful Engagement and Consultation
- Element 6 – Funding
- Element 7 – Enforcement
- Element 8 – Enforceable Mechanisms
- Element 9 – Dedicated Resources

Site Background:

BAE Norfolk Ship Repair (BAE NSR) is a 110-acre industrial area located on the eastern side of the Elizabeth River. The facility has been used to repair military and private commercial ships since 1915. Built on various fill material, the shipyard accommodates two dry docks and five piers. A variety of activities are present at the shipyard including ship repair, machine shops, offices, a waste water treatment plant, an oil recovery and treatment facility, grit blasting, painting, dry docks, metal works, hazardous material use and storage, scrap metal containers, fire protection services, and other shipyard related services. The facility is bounded on the east, west, and north by Interstate 464, the Elizabeth River and parking areas, respectively.

Current Site Status:

In 2009, interim measures were complete after the excavation of PAH impacted soils at RA-111. In 2011, EPA issued the Final Decision and Response to Comments (FDRTC). The [final remedy determination](#) is No Further Action with Controls. Controls include a Materials Management Plan and a residential land use restriction. No further action is required for groundwater. The final remedy detailed in the FDRTC is implemented through an Environmental Covenant between USEPA and BAE NSR dated September 28, 2012. The property is currently under continued use as described above. Additional background information can be found on the [EPA Facility Webpage](#) for the Facility. On March 13, 2017, EPA conducted the first [Long Term Stewardship Evaluation](#) for the facility. Technical Project oversight was subsequently transferred to DEQ.

We have reviewed the following elements of Long-Term Stewardship and summarized in the table below.

<u>Element</u>	<u>Description</u>	<u>Summary/Notes</u>
Legal Authorities (1), Enforcement (7), and Enforcement Mechanisms (8)	EPA Facility Lead Agreement UECA Covenant , February 13, 2013	Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) of 1976, and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. Sections 6901 and 6992k. Recorded in the Clerks Office, Norfolk Virginia This environmental covenant shall be enforced in accordance with §10.1-1247 of the Code of Virginia.
Engineering and Institutional Controls (2)	UECA Covenant , February 13, 2013	<u>Land Use Restriction</u> The Property may not be used for any purpose other than Industrial. There were no residential structures or residential uses of the property observed at the time of the visit. BAE NSR continues to use the property as a ship repair facility and is in compliance with the land use restriction. <u>Materials Management Plan</u> The Materials Management Plan (MMP) details how all excavated soils will be handled and disposed in areas of known contamination (RA-114 and SWMU-105). Soils removed from MMP areas must be sampled, characterized and handled accordingly.

BAE Systems, Norfolk, VA
2026 Long Term Stewardship Inspection

		<p>RA-114 is currently an unused area of the facility where vegetation exists but is not maintained. The vegetation acts as a buffer zone between the facility and the Elizabeth River.</p> <p>The EPA Facility website figure has been updated with a Geospatial PDF showing the use restriction boundaries. The map was field-verified, and no issues were noted.</p>
Long Term Facility Oversight, Monitoring, Maintenance (3)		Compliance with the institutional controls is evaluated by the Owner on an annual basis and a copy of the evaluation is submitted to EPA and DEQ. The most recent submittal was received by DEQ on August 29, 2025.
Recordkeeping and Tracking (4)		The Facility Webpage maintains a key document repository and DEQ maintains the Administrative Record in its Electronic File System.
Meaningful Engagement and Consultation (5)		EPA provided the public a 30-day comment period on its proposed remedy. EPA maintains the Facility Webpage which is updated with key information.
Funding (6)		No financial assurance is required for Corrective Action at the Facility.
Dedicated Resources		The Performance Partnership Grant Workplan provides for Long-Term Stewardship activities.

Site Visit: On August 21, 2025

DEQ Hazardous Waste Inspection staff visited the site to conduct a Large Quantity Generator Inspection (Inspection Report dated October 3, 2025) at the facility and provided the following information to support this Long Term Stewardship Assessment:

The site remains an industrial shipyard and no "new" development was observed. BAE mentioned extending one of their piers to have the ability to take multiple vessels. The area where the extension would be constructed is currently an untouched area (land). Trees/bushes are still present and would have to clear this area of land for construction (if/when approved).

BAE Systems, Norfolk, VA
2026 Long Term Stewardship Inspection

No piles of soil/construction debris observed (did not appear any soil or debris was being moved around while on-site).

Hazardous waste appeared to be managed properly by both BAE and vessel contractors (there was a HW pick-up the day on 8/20, so accumulation areas were nearly empty).

The most recent annual compliance report for 2025 was submitted to USEPA on August 29, 2025. The MMP remained in effect, no soil disturbance project occurred in 2025, however, in 2024 there was one soil disturbance project to install a grease trap, which followed the approved MMP. Water continues to be provided by the city of Norfolk (no groundwater use).

Follow-up Activities:

No follow-up activities are required for this LTS evaluation.

Checklist

BAE Systems Maritime Solutions Norfolk Inc.

Checklist prepared by Tara Mason based on information collected during Hazardous Waste Inspection performed by DEQ Tidewater Regional Office on: 8/21/2025

<u>IC Review and Assessment Questions:</u>	<u>Yes</u>	<u>No</u>	<u>Notes</u>
• Have the ICs specified in the remedy been fully implemented? Implementation mechanism in place?	X		UECA in place
• Do the ICs provide control for the entire extent of contamination (entire site or a specific portion)?	X		
• Are the ICs eliminating or reducing exposure of all potential receptors to known contamination?	X		
• Are the ICs effective and reliable for the activities (current and future) at the property to which the controls are applied?	X		
• Have the risk of potential pathway exposures addressed under Corrective Action changed based on updated screening levels and new technologies?		X	
• Are modifications to the IC implementation mechanism needed? (i.e. UECA Covenant, Permit or Order)		X	
• Are there plans to develop or sell the property?	X		Potential pier construction work in previously undeveloped land.
• Have all reporting requirements been met?	X		

<u>Groundwater Review and Assessment Questions:</u>	<u>Yes</u>	<u>No</u>	<u>Notes</u>
• Is groundwater onsite used for potable purposes?		X	Groundwater for potable purposes is restricted by a Norfolk, Virginia ordinance. The UECA Covenant restricts groundwater usage.
• Is the Facility connected to a public water supply?	X		
• Have any new wells been installed at the facility?		X	

BAE Systems, Norfolk, VA
2026 Long Term Stewardship Inspection

• Are the current groundwater flow rate and direction similar as mentioned in the previous studies?	NA	NA	NA
• Groundwater contaminants stable or decreasing in concentration?	NA	NA	NA
• Are groundwater monitoring wells still in place (# wells)?	NA	NA	NA
• Any evidence or reason to re-evaluate the number and location of monitoring points and/or monitoring frequency?	NA	NA	NA
• For wells where groundwater monitoring is no longer required, have the wells been decommissioned?	NA	NA	NA
• Is there evidence of monitored natural attenuation occurring in groundwater?	NA	NA	NA

<u>Surface and Subsurface Soil Review and Assessment Questions:</u>	<u>Yes</u>	<u>No</u>	<u>Notes</u>
• Is the facility being used for residential purposes?		X	
• Have there been recent construction or earth-moving activities or plans for such?		X	

<u>Miscellaneous Review and Assessment Questions:</u>	<u>Yes</u>	<u>No</u>	<u>Notes</u>
• Current use of facility? Property use changed from Fact Sheet? Plans to change use of property?		X	
• MMP for any SWMU/AOC or Facility-wide?	X		All earth moving activities at the site must be done according to EPA's soil management plan.