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Ser 1811WW/L2141
06 FEB 1992

BY FACSIMILE TRANSMISSION
Ms. Virginia Lasky
Department of Toxic Substances Control
700 Heinz Ave., Suite 200
Berkeley, CA 94710

Subj: INTERMEDIATE MAINTENANCE FACILITY (IMF) FIELD INVESTIGATION
REPORT, NAS ALAMEDA

Dear: Ms. Lasky:

This letter is in answer to your letter of January 29, 1992, in which you direct the Navy to prepare and submit an Engineering Evaluation/Cost Analysis (EE/CA) and a schedule of major milestones for implementing a removal action in the vicinity of the B-7 boring (hereafter referred to as the "proposed removal action".)

As a preliminary matter, we note that the Navy has programmed a thorough environmental response action for the Oil Refinery Site (Site 13), which includes the Intermediate Maintenance Facility (IMF) site and the area of the B-7 boring. The particulars of this proposed response action are detailed in the Final Remedial Investigation/ Feasibility Study (RI/FS) Sampling Plan (February 1990) that we previously submitted to the regulatory agencies on February 20, 1990.

As the RI/FS work plans demonstrate, the Navy is committed to undertaking all necessary and appropriate response actions at the Oil Refinery Site (Site 13), which includes the IMF site. However, we believe it is much more reasonable to conduct the proposed removal action in conjunction with the Site 13 remedial action rather than the stand-alone removal action contemplated in your January 29, 1992 letter. Our reasoning is as follows:

First, we are not aware of any compelling evidence to suggest that the high lead levels and low pH concentrations found in the vicinity of the B-7 boring pose any short term environmental risk. As indicated in the Draft Final IMF Field Investigation Report, the high lead and low pH condition is localized and occurs only at one discrete elevation at the IMF-06 boring. With the exception of one sample obtained by Harding Lawson Associates at the B-7 boring, none of the soil samples exceeded the State of California Total Threshold Limit Concentration (TTLC) regulatory standards of 1,000 mg/l for lead. The soil samples with TTLC lead concentrations above ten times the State of California Soluble Threshold Limit Concentration (STLC) were tested for soluble lead. None of the samples exceeded the STLC or the Federal Toxicity Characteristic Leaching Procedure (TCLP) regulatory standards of 5 mg/l for lead. In addition, groundwater in the vicinity of the B-7 boring did not contain lead above a detection limit of 2 ug/l as determined by a State of California certified laboratory .

The acknowledged source of the low pH concentrations is a "black petroleum coke-like material with a plastic texture". (Draft Final IMF Field Investigation Report, January 3, 1992) This petroleum substance is apparently a byproduct generated by the Pacific Coast Oil Refinery, which operated at the site from 1879 to 1903 and is thought to have disposed of refinery wastes and asphaltic residues at the site. The source of the lead contamination is not clear; however, it appears likely that it has been at the site as long as the petroleum product, and certainly at least since the 1940s when the Navy surfaced the site.

601

5090
Ser 1811WW/L2141
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Subj: **INTERMEDIATE MAINTENANCE FACILITY (IMF) FIELD INVESTIGATION
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Accordingly, the Navy concludes that the current lead/pH conditions have existed at the site for at least 52 years, and possibly as long as 113 years. In light of these findings, it is not readily apparent to see how the health and safety of the public and the environment could be adversely affected, to any measurable degree, if the proposed removal action response activities are conducted in approximately two years, under the Navy's Site 13 remedial action as opposed to undertaking the action in this year, pursuant to the January 29 letter.

Given this conclusion, and given the fact that the Navy is currently undertaking remedial action planning at the Oil Refinery Site, we see no merit in the determination under Health and Safety (H&S) Code 25358.3 (a) that a removal action is warranted at this time.

Second, the additional time, expense and effort occasioned by a separate stand-alone removal action (as opposed to the Navy's proposed site remediation program), is disproportionate to any potential benefit the former could produce, and could actually lengthen the overall remedial action schedule.

The stand-alone removal action would require the Navy to prepare an EE/CA and a schedule. This effort would require the Navy to formalize, fund, and then issue a contract task order for the provision of these documents. After the EE/CA and schedules have been finalized, the Navy will have to undertake separate contract actions to advertise, solicit and award the removal action construction contract. Federal activities are required to comply with a strictly prescribed formal procurement process. This process is labor intensive and subject to a variety of administrative appeal and claim procedures.

Since the Navy will have to undertake an identical, though more extensive, effort for the Site 13 remedial action program in approximately 2 years, performing a stand-alone removal action will essentially double the amount of work and time associated with the procurement action to achieve the same goal.

As there is likely to be no measurable increase in the nature or extent of lead contamination occasioned by waiting for the Site 13 remedial effort, there is no tangible benefit to accelerating the site cleanup. Instead, we believe that undertaking the proposed removal action would force us to expend personnel and financial resources that could better be used to address other environmental concerns such as the ongoing RI/FS and the Ecological Assessment.

It is our hope that after reviewing the matters raised in this letter, the Department of Toxic Substances Control (DTSC) will agree that the benefits of conducting an immediate stand-alone removal action are significantly outweighed by the considerable increase in time and labor required by such an action.

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If DTSC declines to amend the requirements set out in the January 29 letter, we request that the DTSC articulate the specific findings upon which it bases its determination that there is an imminent and substantial endangerment to the public. We particularly request that the DTSC respond to this request in the context of our assertion that there is likely to be no measurable increase in the nature or extent of lead contamination occasioned by waiting for the Site 13 remedial effort to be implemented.

We also request that DTSC state the specific basis for determining that the Navy is a proper responsible party for the purpose of the issuance of an Order in this matter.

In an ideal setting, the Navy (and the regulatory community) would have sufficient funds, time and resources to address all their cleanup sites simultaneously. But current circumstances do not allow for that. Therefore, we must manage our resources with an eye to ensuring that our assets are employed in the most efficient manner consistent with preserving human health and the environment. In furtherance of that objective, we respectfully request that you allow the Navy to consolidate all proposed response actions within the Oil Refinery Site into a single coordinated effort as recommended in the IMF Field Investigation Report.

Sincerely,

Original signed by:

LOUISE T. LEW
Head, Installation Restoration Section

Copy to:
California Regional Water Quality Control Board (Attn: Lester Feldman)
NAS Alameda (Attn: Randy Cate)
Planning Research Corporation (Attn: Duane Balch)
James M. Montgomery Consulting Engineers (Attn: Steve Newton)

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