

**NAVAL AIR STATION ALAMEDA RESTORATION ADVISORY BOARD
MEETING SUMMARY**

**NAS Alameda Combined Officers Quarters
NAS Alameda, California**

Tuesday, September 3, 1996

ATTENDEES

See the attached list.

MEETING SUMMARY

I. Co-Chair Announcements

Ken O'Donoghue, the community co-chair, called the meeting to order at 7:07 p.m. Mr. O'Donoghue introduced Steve Edde, the Base Realignment and Closure (BRAC) Environmental Coordinator (BEC) and Navy co-chair. Mr. Edde made the following announcements.

- The Restoration Advisory Board picnic will be canceled if there is no objection in the coming week; Naval Air Station (NAS) Alameda Environmental Office received only one confirmation of attendance.
- Mr. Edde presented and distributed a sheet of highlights from the BRAC Cleanup Team (BCT) monthly tracking meeting held on August 20, 1996.
- In response to a RAB request, Mr. Edde gave a brief update on the status of the underground storage tank (UST) dirt stockpiles at NAS Alameda (see attached). He stated that the community group Alamedians Interested in Recreation and Reuse (AIRR) has also requested an update on the dirt piles. He explained that he will prepare a presentation for AIRR and RAB members will be invited to attend.
- Mr. Edde introduced Teresa Bernhard who gave an update on the Natural Resources Focus Group meeting at which the Draft Ecological Assessment Report Revision 2 was discussed. Ms. Bernhard stated that Tom Okey and Tira Foran attended the meeting and provided comments about the ecological assessment follow-on work. As a result of the comments, the Navy will, (1) re-sample where elevated levels of polychlorinated biphenyls (PCB) were detected, (2) add sample points that correlate with the runway, (3) move sample locations closer to breakwater beach front.

Mr. O'Donoghue made the following community co-chair announcements.

- Mr. O'Donoghue stated that the RAB has shown new enthusiasm in participating in the Process Action Teams (PAT). He stated that the next crucial issue to be addressed is cultivating new membership for the RAB. He stated that there is a need to initiate community outreach and find interested people for new membership.

- Mr. O'Donoghue announced his resignation as the RAB community co-chair. He stated that members should consider who they want as a replacement. He stated that nominations are due at the October 1, 1996, RAB meeting, and the RAB will vote for a new community co-chair at the November 5, 1996, RAB meeting.
- In response to a RAB request at the August 6, 1996, RAB meeting, Mr. O'Donoghue stated that he drafted a letter to the Navy, California Department of Toxic Substances Control (DTSC), and Environmental Protection Agency (EPA) expressing concern about the dispute over background determination. He stated that copies of the letter and the response from the Navy, DTSC, and EPA are available.
- Mr. O'Donoghue announced that on Wednesday, September 11, 1996, the California EPA Advisory Group will be meeting from 9:30 a.m. to 4:30 p.m. at the San Francisco State Downtown Center, 425 Market Street, 7th Floor, Room 704. He encouraged anyone interested to attend.
- Mr. O'Donoghue announced that tonight's meeting will be the last for RAB facilitator Heidi Gitterman whose contract has expired. He thanked Ms. Gitterman for her work with the RAB.

Bert Morgan requested a list of current RAB members for members to use in nominating a community co-chair. Mr. Edde stated that the list will be mailed with the minutes.

Mr. Okey thanked Ms. Bernhard for attending the Natural Resources Focus Group meeting to discuss the ecological risk assessment follow-on work, and for her responsiveness in receiving comments. Mr. Okey stated that he was disappointed that he had not been contacted about the ecological risk assessment follow-on work prior to the focus group meeting. Mr. Okey criticized several portions of the document, such as (1) plans to evaluate exposure to organisms are not included, (2) tissue residue test for organisms in San Francisco Bay are excluded, (3) exposure pathways for organisms living in the bay need to be defined (he said this had only been done at the on-site wetlands), and (4) sediments samples are needed in a gradient away from shore. He stated that these issues are integral in determining the source of contamination. He stated that the logic of the ecological risk assessment is backwards in that the Navy intends to not take samples if there is no indication of contamination. Mr. Okey said, that in order to determine if there is or is not contamination, the Navy needs to take samples. He said he just wants the Navy to take responsibility for its share of the contamination in the Bay. Mr. Jim Haas said that the follow-on ecological assessment work may lead to more sampling depending on the results of the initial samples.

Ms. Bernhard stated that ecological risk assessments are complex processes and cannot be succinctly talked about in a few minutes. She offered to arrange an additional focus group meeting so that the issue could be further discussed with anyone interested and that the Navy could respond in detail to any issues of concern. Ms. Hack stated that she would like the ecological assessment follow-on issues as an agenda item for a future RAB meeting.

II. RAB Mission Statement

Ms. Dailey stated that after the issue identifying RAB meetings in June and July 1996, several RAB members took on the task of finishing the project of creating a RAB mission statement. Ms. Dailey introduced the mission statement (see attached) and explained that the mission statement had been worked on by a group of RAB members at meetings since the last RAB meeting. She explained that all RAB members were invited to the meeting to participate. Ms. Dailey then read the statement aloud. She stated that she hoped that the RAB would reach consensus about the mission statement at tonight's meeting.

Several RAB members engaged in a discussion about the wording of the mission statement. Mr. Okey expressed concerns that the language in the mission statement did not express that cleanup to the greatest extent possible should be the priority. Mr. Mooney said that he disagreed and that reuse was important and should be considered with cleanup. Ms. Dailey said that the language was debated at the mission statement meetings and it was agreed that cleanup must be linked to reuse. Lyn Stirewalt reiterated that the language in the mission statement had been debated and the particular version presented this evening is the result of those debates. Mr. Haas stated that it has taken the RAB two years to get a mission statement and he would like to see it approved and implemented.

There was further discussion by RAB members regarding the particular wording in the mission statement. After the discussion, Mr. Lanphar introduced a method for determining consensus that involved using colored cards to indicate approval or degree of concern regarding the mission statement with the following changes: (1) in the first paragraph, second sentence, move the "1)" to after "the cleanup of NAS Alameda;" and (2) in the first paragraph, first sentence, delete the phrase "in advising the Base Realignment and Closure Cleanup Team (BCT)." After a short discussion, the mission statement was approved with Mr. Edde indicating that he had "serious concerns about the changes but would not block consensus."

III. Background Determination

Mr. O'Donoghue stated that in response to RAB member requests at the August 6, 1996, RAB meeting, Mr. Edde and Mr. Lanphar will give presentations regarding the informal dispute between the Navy and the Department of Toxic Substances Control (DTSC) regarding background determination. He explained that central to the dispute is how to consider the contamination found in the dredged fill material which was used to create most of the land at NAS Alameda.

Mr. Edde began his presentation with the announcement that a meeting is scheduled for DTSC, EPA, and the Navy on September 11, 1996, and it is hoped by all participants that there will be some resolution to the background issue.

Mr. Edde said the collective goal of everyone involved is to clean up the air station in a way that is protective of human health and the environment, is consistent with the reuse vision and appropriate laws and regulations and allows the property to be used for the community's economic benefit in the future.

He stated that the way the Navy evaluates sites for reuse is based upon a two-step approach. In this process, we catalog properties in terms of whether a cleanup action is necessary or if they can be transferred immediately. This "two tiered approach" is consistent with the Fast Track

Program developed by the EPA and the Department of Defense and existing DTSC guidelines. This process also provides the framework for greater risk management decisions.

Mr. Edde explained that the first step is to take the measured concentrations of those chemicals we find at a site and compare them to a value determined by the EPA. These values are Preliminary Remediation Goals (PRGs), based on conservative assumptions, that help the EPA quickly evaluate risks at a site. Risks are calculated based upon proposed reuse and conditions specific to the site. If the site's chemicals are below the PRGs, it is available for reuse and transfer. Any site that does not pass this test is examined more closely. If the property does not pass either test, it is recommended for appropriate evaluation and cleanup action.

Mr. Edde also explained that the Navy is cleaning up property that needs it and speeding up the transfer of the rest that does not need cleanup. We have a very well developed and coordinated process which we apply to screen all property that is not presently being cleaned.

He pointed out that one of the areas of disagreement is background. Background refers to the condition of the soil prior to the Navy's arrival. This needs to be compared to the condition of the soil at the end of the Navy's use of the land. Our methodology ensures that we can properly identify all site releases, including those that occurred before the Navy's arrival. At NAS Alameda, we have some naturally occurring land and mostly engineered fill made up of bay and inner harbor dredging materials.

Mr. Edde concluded by saying that the Navy is working with the top scientists in this area to develop a method which will allow us to distinguish Navy contamination from background and we feel confident about this approach.

Mr. Lanphar began his presentation with an explanation of the laws and guidance governing DTSC oversight at NAS Alameda (see attached). Mr. Lanphar explained that the DTSC defines the "site" as the entire base, fence to fence. He said that as such, the entire base needs to be evaluated for potential hazardous waste. He explained that to date, 23 sites have been identified through previous investigations; however, the remaining property may also contain hazardous substance releases. He said the issue in the dispute is what approach will be employed in evaluating the property. He explained that DTSC's Preliminary Endangerment Assessment (PEA) process should be used to determine if hazardous waste releases have occurred on the remaining property. He stated that the use of the PEA, as opposed to the tiered screening approach suggested by the Navy, should be used to evaluate all the base property.

Mr. Lanphar explained the differences between PEA and the tiered screening approach for evaluating base property. He stated that a fundamental difference is that tiered screening looks only at human health, whereas the PEA also requires considering ecological and groundwater impacts. He said another key issue is that a PEA approach includes a public review process. He explained that the DTSC proposes using the PEA process to evaluate the property, fence to fence, which will provide the documentation for an appropriate "no further action" decision. He explained that the PEA process may also identify new sites which may expand existing operable units or require the creation of new ones.

Mr. Lanphar also explained the issues of the debate regarding the determination of background. He said that background is only one of the tools used to determine whether or not a release has occurred and to what level it needs to be remedied. He asserted that background should be used as a screening criteria in the PEA process. He said that DTSC sees background as limited to

metals. He explained that samples used to determine background must be taken from areas not impacted by conditions of the site.

Mr. Lanphar explained that another issue of dispute between the DTSC and the Navy is the consideration of fill material as having anthropogenic background levels of contamination. He explained that "anthropogenic" means that the contamination found in the fill is not naturally occurring nor is it site specific, but rather it is the result of broader human influences such as forest fires, industrial smoke, and car exhaust. DTSC considers the entire site, fence to fence, to be a site of potential contamination because it has been heavily industrialized and is constructed of fill material that is potentially contaminated. He explained that although the fill material may have been contaminated by industrial activity throughout the Bay prior to dredging, once the material is moved, potential exposure pathways are created and the contaminated fill is no longer considered anthropogenic background.

Lastly, Mr. Lanphar stated that it is important to determine: (1) if ambient conditions at NAS Alameda are elevated above background for the area or region; and (2) if risks are elevated at NAS Alameda compared to the area or region. He explained that if conditions are elevated above some ambient level, further risk evaluations will be necessary.

After Mr. Lanphar's presentation, RAB members engaged in a discussion and asked several questions, including the following.

- Mr. Haas asked about the methodology to be used in determining what sample sites would be used as references for determining base ambient conditions; he stated that the fill can not be its own reference. Mr. Mooney added that if off-site samples are to be used as references, there is the potential that a contaminated area may be inadvertently sampled resulting in a misleading sample. Mr. Lanphar explained that the selection of sampled sites is very important and is not done randomly, but very purposefully to ensure accurate sampling.
- A RAB member asked if more off-site samples are needed or are there already enough samples to go through the PEA process. Mr. Lanphar said that the existing data may be sufficient or additional samples may be needed.
- A RAB member asked if a metal is naturally occurring at elevated levels, will this condition be ignored by the Navy and DTSC. Mr. Ricks stated that there is disagreement between EPA and DTSC as to what is considered anthropogenic. He explained that EPA does not agree that the fill being moved from the Bay to create the land under NAS Alameda constitutes a potential release. Sophia Serda add that the EPA will look for potential pathways of exposure in the case of elevated levels of naturally occurring metals.
- Ms. Hack asked how long there has been conflict over these issues. Mr. Lanphar said that these issues have been worked on and debated for several months but have only moved into informal dispute in the last month. Ms. Hack stated that she is concerned that the RAB has not been involved in the process and has not been able to voice its concerns and offer advice regarding these issues.

- Mr. Mooney asked if NAS Alameda were a National Priorities List (NPL) site, would there still be disagreement regarding the background issues. Dan Murphy said that there are Federal Facility Site Remediation Agreements (FFSRA) that apply to non-NPL sites that contain provisions for federal agencies seeking concurrence with the state; should the concurrence not be forthcoming, there are mechanisms for the state to dispute decisions. Mr. Murphy said that the lead regulatory agency at an NPL site is the EPA. Mr. Ricks said that if NAS Alameda were an NPL site, there would be a different approach to issues regarding fill material.
- Mr. Mooney asked if in determining background, samples are taken only from fill sites. Mr. Lanphar said that sampling locations are yet to be determined. He said that elevated levels of various hazardous materials in the Bay area such as serpentine from gold mines and pesticides from orchards. The Navy needs to determine if levels at NAS Alameda are above those in the rest of the Bay area.
- Ms. Dailey expressed concern that the tiered screening approach proposed by the Navy does not include public participation. Ann Klimek said that the Environmental Baseline Study is gathering data for analysis for finding of suitability to lease (FOSL); once property has met cleanup criteria, public participation will be solicited. Ms. Klimek stated that she is concerned that the discussion is not allowing for an accurate representation of the Navy's proposed approach. She distributed a summary outlining the Navy's reasoning for proposing a tiered screening approach as opposed to the DTSC's suggested PEA process. She stated that she would be happy to discuss these issues with any RAB members who needed clarification. Ms. Klimek further stated that the tiered screening approach would facilitate the referral of new sites into existing programs. She said that the Navy's goal is to identify all potential release sites and to address them in the appropriate program.
- Mr. Lanphar said that the primary difference between the two approaches was the public participation aspect. Several RAB members expressed concern about the public participation of the tiered screening approach. Ms. Klimek stated that public participation and its comments are taken seriously and will be responded to by the Navy.
- Mr. Lanphar asserted that another primary difference between the PEA process and the tiered screening approach is the consideration of ecological and groundwater impacts. He said that the tiered screening approach looks only at human health risks. Ms. Serda and Ms. Klimek stated that the tiered approach does a qualitative ecological risk assessment which is the same kind of assessment performed under the PEA process. Ms. Serda stated that a qualitative ecological assessment involves considering surveys that have already been completed. Ms. Serda continued that the question is not that the state's approach is more conservative, but rather which data should be used in the screening process.
- Ms. Stirewalt asked if the concern is that using the Navy's approach would result in hazardous material being left in place. Mr. Lanphar stated that that is the implication; DTSC believes that its approach would be more protective in better identifying releases.
- Camille Garibaldi made several comments in response to the discussion. She explained that: (1) the PEA guidance requires a qualitative ecological risk assessment, which is the

same requirement under the tiered screening approach; and (2) the Navy cannot and will not walk away from the cleanup issues at NAS Alameda. She explained that if an environmental problem is discovered after the transfer of property, the Navy is legally bound to return and address the problem. She stated that until March 1996 there was no disagreement on the issue of methodology; the disagreement is over what background data are considered. She added that since March 1996, the state has also expressed disagreement regarding the methodology.

- Karen King asked if the tiered screening approach has been used in the leasing process. Ms. Klimek explained that site-specific EBS data were used. She stated that basic human health effects for industrial reuse were considered. She said pathways were also considered. If potential contamination exists, but there are no pathways, then the area would not be investigated for the purposes of interim reuse. As an example, Ms. Klimek said that if soil is potentially impacted but is covered by pavement, there is no pathway for human exposure. She also explained that volatile organic compounds (VOC) levels are compared to preliminary remediation goals (PRG). David Rist of DTSC added that property being considered for interim reuse is screened for leasing only. He explained that before transfer, the property will go through the CERCLA process if it is contaminated. Ms. Klimek stated that whether or not a parcel was investigated under CERCLA would depend on the level and type of contamination and when the release may have occurred. Contaminated parcels might be reviewed under other environmental programs.
- Mr. Lanphar made a statement about the differences between the tiered screening approach and the PEA process. The state is involved throughout the PEA process and will therefore be able to endorse the outcome. In the tiered screening approach, the state comments on the process, but state concurrence is not required and the Navy may proceed.
- Mr. Okey asked if the Navy's approach would make it easier to attribute a hazardous material to background. Mr. Lanphar stated that the DTSC does not want the fill to be used as a reference that may result in releases in the fill not being identified as such. Ms. Garibaldi said that the Navy's approach will consider the fill strata, and fill histories as opposed to a regional reference. She explained that the Navy wants to avoid both kinds of errors; missing the identification of release sites in the fill, and misidentifying other areas as release sites. Mr. Lanphar said that DTSC agrees with Navy except for the assertion that the fill is background or ambient.
- Several RAB members discussed the possibility of a mid-month meeting to gather more information on the dispute between DTSC and the Navy. Mr. Edde agreed to provide feedback on the results of the September 11, 1996 meeting of the principle parties involved.

IV. Action Items

- The Navy will mail a current list of active RAB members for identifying nominees for the community co-chair position. This list will be mailed with the meeting minutes.

- Mr. Edde will present to the RAB the results of the September 11, 1996 meeting addressing the issues in the dispute between the Navy and DTSC.

The meeting was adjourned at 10:10 p.m.

The next meeting will be held at 7:00 p.m. on Tuesday, October 1, 1996, at the Combined Officers Quarters, NAS Alameda.

ATTENDANCE LIST

03 SEPTEMBER 1996 RESTORATION ADVISORY
BOARD MEETING SUMMARY

THE ABOVE IDENTIFIED LIST IS NOT AVAILABLE.

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