



California Regional Water Quality Control Board

San Francisco Bay Region

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HUNTERS POINT
SSIC NO. 5090.3



Gray Davis
Governor

Winston H. Hickox
Secretary for
Environmental
Protection

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Commanding Officer
Department of the Navy
Naval Facilities Engineering Command
Southwest Division
1220 Pacific Highway
San Diego, Ca 92132-5190
Attention: Mr. Richard Mach

October 24, 2000
File 2169.6032 (LBJ)

Subject: Request for Extension, Comments on Hunters Point Shipyard Parcel F Validation Study.

Dear Mr. Mach:

Regional Board staff has reviewed the document titled Draft Final *Parcel F Validation Study Work Plan* dated September 12, 2000 (draft final work plan). In general, we find that while the draft final work plan is well designed, the Navy was not sufficiently responsive to our concerns. This letter documents our tentative agreement to resolve Regional Board concerns with the draft final work plan. Based on our review of the *Proposal for Bioaccumulation Line of evidence* dated August 7, 2000 (draft work plan), we identified two major concerns with the proposed work and communicated our comments to the Navy in a letter dated August 22, 2000. These concerns were:

1. Failure to adequately consider risks to piscivorous marine mammals from bioaccumulative chemicals, and
2. Excessive reliance upon comparisons to reference samples to evaluate and dismiss bioaccumulative risks.

The draft final work plan failed to adequately address the concerns of Regional Board staff. Subsequently, we notified the Navy that our reservations with the draft work plan had not been adequately addressed and that we would seek to have the dispute formally resolved via the process identified in the Federal Facilities Agreement.

On October 12, 2000, in a conference call with you and Mr. Michael Pound of your agency, we agreed that Regional Board staff would not request formal dispute resolution if the Navy takes the following steps:

1. Perform a robust human health risk assessment for Parcel F. By robust, we mean that both the subsistence fisher and the recreational user must be considered and that a significant portion of the fish consumer's diet must consist of fish with high site fidelity (such as white croaker and surfperch). Although we still assert that harbor seals are the maximally exposed receptors for PCBs and possibly other

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site pollutants, we believe that an adequate evaluation of human health risk can serve as a reasonable surrogate for a harbor seal risk evaluation. To this end, we reiterate our unwillingness to concur with any validation study report that does not include such a human health risk assessment

2. Revise the bioaccumulation portion of the draft final work plan so that both site and reference sample results are first screened against calculated safe tissue levels before comparisons are made between the site and reference samples. Such a revision allows one conclusion of the Validation Study to be that ambient conditions in the Bay already exceed risk thresholds. We concur with the Navy's position that comparisons to reference sample results are appropriate to guide remedial decisions, but we assert that they do not serve as a useful metric in determining the absolute level of risk posed by the pollution at the site, and should therefore be evaluated more in the context of feasibility.

By this letter, we are requesting an extension of the comment period for the Validation Study work plan until November 7, 2000. Provided that the Navy agrees to the above in writing, we anticipate that the Validation Study will result in a mutually agreeable series of decisions that will allow the site to proceed toward remediation. Alternatively, if the Navy does not agree to the above, please notify our agency before November 1, 2000, so that we may lodge our dispute in a timely manner.

We appreciate the efforts of the individuals involved in developing this plan and look forward to resolution of the above concerns. Should you have any questions regarding this matter, please contact me via email at lbj@rb2.swrcb.ca.gov or at (510)-622-2400.

Sincerely,

L. B. Job
by DLM

Brad Job, P.E.
Assoc. Water Resources Control Engineer

cc:

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