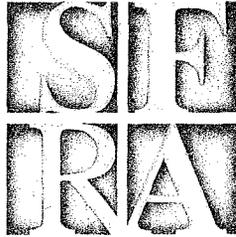


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May 2, 2001

450-01401-190

Mr. Richard G. Mach
Department of the Navy
Southwest Division BRAC Office
1220 Pacific Highway
San Diego, CA 92132-5190

Subject: Comments: Draft Petroleum Hydrocarbon Corrective Action Plan,
Parcels C, D, and E, Hunters Point Shipyard

Dear Mr. Mach:

City staff reviewed portions of the subject document and have the following comments. The Navy's Draft Parcel C, D, and E Corrective Action Plan (CAP) contemplates establishing two different soil cleanup criteria within the top ten feet of soil. These two restrictions, or Institutional Controls are in addition to the three other depth-based soil criteria that the Navy has proposed for the Shipyard. This complex array of Institutional Controls cannot be feasibly implemented in a successful manner. The City is greatly concerned about this proposal and cannot support it. The only practical way to ensure successful implementation and enforcement of the Navy's soil criteria is to make the depth restrictions placed on petroleum and CERCLA substances consistent within the top 10 feet of soil.

The City requests that for petroleum-contaminated soil, the Navy and the BCT adopt the 0 to 10-foot depth as the range within which one soil cleanup criteria each for petroleum and CERCLA substances will apply. Under the Navy's current proposal, the City is facing up to five (5) unique depth-based soil criteria that will have to be maintained in perpetuity. These criteria include (for parcels C, D and E) 1) one set of petroleum concentrations in the 0 to 4-foot areas; 2) a different set of petroleum concentrations in the 4 to 10-foot areas; 3) a set of CERCLA hazardous substance concentrations in the 0 to 2-foot "Buffer Zone" areas; 4) another set of CERCLA hazardous substance concentrations in the 0 to 4-foot ecological protection areas; and 5) another set of CERCLA hazardous substance concentrations in the 0 to 10-foot areas.

The complexities of enforcing and maintaining one depth-based soil remediation scheme is daunting. It is not practical to redevelop the site while maintaining five different depth-based criteria. The Navy's proposal is not feasible and will not result in a long-term remedial solution. To alleviate this impractical situation, it only makes sense to establish a consistent depth of 0 to 10 feet for both petroleum and CERCLA substances.

The City is available to meet and discuss our comments in order to reach a mutually acceptable resolution to these issues.

Sincerely



A. Don Capobres
Project Manager

cc:

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