



# Department of Toxic Substances Control



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May 16, 2001

Commanding Officer  
Department of the Navy  
Naval Facilities Engineering Command  
Southwest Division  
1220 Pacific Highway  
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Attention: Richard Mach

## FIELD SAMPLING PLAN (FSP) ADDENDUM FOR THE PHASE II GROUNDWATER DATA GAPS INVESTIGATION, HUNTERS POINT SHIPYARD, SAN FRANCISCO, CALIFORNIA

Dear Mr. Mach:

This letter is our point-by-point response to your letter dated April 23, 2001, regarding the Field Sampling Plan (FSP) Addendum for the Phase II Groundwater Data Gaps Investigation.

1. California Department of Toxic Substances Control (DTSC) acknowledges receipt of your draft version of response to our comments to the above-mentioned document. However, DTSC was not completely satisfied with the response to comments, therefore DTSC provided additional clarifying comments in our letter dated April 18, 2001.
2. DTSC recognizes the Navy's intent to shorten FFA schedules by consolidating Treatability Study (TS) results into the Feasibility Study (FS) report. We just want to clarify that the TS results are not reviewed or concurred and, in the case that the TS results are not conclusive, the FS report may be disputed.
3. Our main point regarding the investigation of the dense non-aqueous phase liquid (DNAPL) is that there is not a schedule proposed for the investigation. We are glad to see the Navy

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at [www.dtsc.ca.gov](http://www.dtsc.ca.gov).*

recognizes this as well and we are still waiting for the Navy to propose a schedule to address the DNAPLs.

4. In the last sentence of the response to our comment 9, the Navy stated: "A detailed evaluation of data will be provided in the FS." We were concerned that the Navy, by entitling their report as an "information package", was not going to provide an evaluation of the data until FS. We are glad that you clarified in your letter that the second data package, which we assume is the "Phase II Information Package" as listed in the FFA schedule, will include a data evaluation, as requested by DTSC.
5. DTSC's primary concern on the Navy's response to "missing wells" is that they "will be located prior to transfer". We feel it's important to have all wells accounted for at all times. The missing wells should be located much earlier than property transfer. We would like the Navy to locate all remaining wells by July 2001.
6. This comment is to follow the above point that all wells should be accounted for at all times. We have requested a tracking table with a summary of all the well construction details and the current conditions. This table will make future tracking of any particular well much easier and provide an excellent reference for data review and evaluation. A schedule for the well construction and tracking table should be provided.
- 7&8. Both these two points concern DTSC's early input during meetings. DTSC provides its concurrence and approval of any document through its comment or concurrence letters. We have consistently announced, before each meeting, that our participation during the Navy's presentation of a document allows us to get familiar with the document and provide early input, if any. However, preliminary comments made during such presentations are in no way to be considered conclusive or final. DTSC final comments or approval of a document will be in writing. For the Navy to assume that our silence means concurrence after only a momentary glance at the document in the meeting is a serious shortcoming of these meetings.

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Similar issues were also brought up in our April 18, 2001 comment letter regarding the Navy's frequent reference to minutes of meetings in their response to comments--in lieu of providing a direct answer to the questions asked. Once again, we re-iterate that our participation during these meetings is not to provide you with final comments or concurrence but to get familiar with the document, get clarifications, and provide you with some initial reaction to the document. We will reevaluate our future participation during document presentation meetings should this continue to be a problem.

9. No response needed
10. No response needed
11. Sometimes when we make a comment, we intend to provide the Navy with an opportunity to explain or provide additional information to supplement the document. When the Navy hands over the information requested in a meeting, it defeats the purpose of providing this information to the general public who also reads the document. In this case, additional information on the field test for iron was requested. The information requested should have been included in the FSP and in the Navy's response to comments. However, if the information is provided in the data package evaluation, that will suffice.

This same point can also apply to the Navy's responses which simply note that an agreement was reached in meeting minutes, while not providing any direct response to the issue in question. When the Navy does provide full responses to comments, they can become part of the document by incorporation as attachments and it is often not necessary to revise the document. We expect the Navy to directly respond to each comment in full so that documents (with attached responses to agencies' comments) are "stand-alone documents" containing all relevant information.

If you have any questions, please contact me at (510) 540-3822.

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Sincerely,



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