



Department of Toxic Substances Control

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AR_N00217_001473
HUNTERS POINT
SSIC NO. 5090.3.A



Winston H. Hickox
Agency Secretary
California Environmental
Protection Agency

Gray Davis
Governor

October 8, 2001

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

PARCEL C DRY DOCK 4 EMERGENCY REMOVAL ACTION, HUNTERS
POINT SHIPYARD, SAN FRANCISCO, CALIFORNIA

Dear Mr. Mach:

California Department of Toxic Substances Control (DTSC) is in receipt of your notification via electronic mails on September 19, 2001, September 24, 2001, and additional information from Mr. David DeMars on September 21, 2001.

DTSC disagrees with the Navy's intent to seal the contaminated sediments in the culverts with cement and flood the Dry Dock 4 for the foreseeable future under an Emergency Removal Action. It is our understanding that the Navy takes this action because the lease for dry dock 4 is about to expire and the tenant is moving out. It is more economic for the tenant to flood the dry dock before they leave and the Navy wants to seal the contaminated sediments in place before the Dry Dock is flooded. DTSC does not believe this action should be taken because:

(1) It's not an emergency under the terms of CERCLA or FFA. The contaminated sediments are in its current state for the past four years and the emergency is driven by economic reasons.

(2) It's already determined that sealing the culverts with cement is not a viable alternative. The Navy had taken a removal action for the removal of sediments from the same culverts in 1997. The Navy's Action Memo for the removal action in 1997 stated that the sealing of contaminated

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sediments with cement in place is not a viable alternative. There is no assurance that the cement can reach all portions of the culvert and seal all contaminants in place.

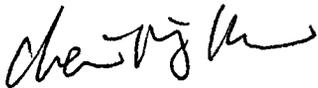
(3) Long term effectiveness The contaminated sediments consist large amounts of organic material such as heavy petroleum products which has been demonstrated that it doesn't bond very well with cement. The contaminants may need to be removed eventually as the cement deteriorates under sea water.

(4) Other alternatives may be more effective While the 1997 removal action shown the drilling of sediments is more difficult than it was thought to be, one alternative would be to remove the culvert entirely with sediments in it and replace the culvert if the dry dock is to be reused.

(5) Leaving hazardous waste in place may be in violation of RCRA waste disposal requirements. Based on the Navy's evaluation, the sediments contain chemicals exceeding hazardous waste levels and, therefore, making the contaminated sediments a hazardous waste. Leaving hazardous wastes on-site may not meet RCRA waste disposal requirements.

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

Sincerely,



Chein Ping Kao, P.E.
Senior Hazardous Substance Engineer
Office of Military Facilities

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