

**DEPARTMENT OF TOXIC SUBSTANCES CONTROL**

REGION 2

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BERKELEY, CA 94710-2737

October 7, 1994

Mr. Richard Powell  
Mail Code 09ER1  
Western Division  
Naval Facilities Engineering Command  
900 Commodore Way, Building 101  
San Bruno, California 94066-0720

Dear Mr. Powell:

**PHASE I ECOLOGICAL RISK ASSESSMENT REPORTS**

On August 4, 1994, the California Environmental Protection Agency (Cal/EPA) received task summary reports, data summary and aquatic survey results for the Phase 1A ecological assessment for Hunters Point. As it was expressed in the cover letter, the submittal is not a deliverable under the Federal Facility Agreement (FFA). Nonetheless, because of the importance of the study, the Cal/EPA reviewed the reports and finds it pressing to forward the following comments for your consideration. The Cal/EPA hopes following comments would clarify our position with regards to the environmental contamination on Navy's property under the water.

To the question of whether the Navy will investigate the area under water, the Navy has informed the Cal/EPA that "it is a policy issue being evaluated by the Navy's management". Pursuant to the FFA sections 1, 3, and 5, the Cal/EPA holds the Navy responsible for investigating the environmental condition on Navy's property under the water (Property). The Property belongs to the Navy and is a part of Hunters Point Installation. According to the Navy's own report, the Property has been a disposal place for toxic wastes generated by industrial activities at the shipyard for 50 years. Should the investigations provide positive results, the Navy must take steps, pursuant to the CERCLA and FFA, in addressing mitigation measures.

Earlier investigation undertaken by the Navy in 1984 indicates a regular practice of discharging large quantities of toxic chemicals into the Bay. The Initial Study Assessment (IAS) undertaken by the Navy in October 1984, explains how and how much of illicit discharge of hazardous and toxic chemicals into the Bay occurred. The IAS reached logical conclusion of further



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investigating the off shore areas for extent and impact on the Bay.

Contrary to the findings of the IAS, the Navy seems to attribute the contamination to sources other than itself. For example, the Navy has placed an emphasis on Yosemite Creek for sources of contamination. However, the Navy must initially concentrate on its own property for nature and extent. The Cal/EPA believes it is imperative that the Navy thoroughly examine the Property to assess the nature and extent of contamination.

**SPECIFIC COMMENTS:**

Summary submitted to the agencies on July 7, 1994.

1. Page 3, top paragraph, there is no discussion on Parcel E contamination and migration of contaminants into the Bay. How do you know that the Yosemite Creek is a source of contamination in the Bay? Why there isn't a discussion on contamination migration via storm or sewer systems?
2. Page 4, section 3.2, when were these samples taken? These samples were not taken at the outfall locations.
3. Page 14, top paragraph, again Yosemite Creek, has been identified as a source. How do you know this? What about Parcel E? Is not Parcel E considered a source? Please refer to the IAS performed by the Navy.
4. Page 24, section 7.4.1, it is important to know to what extent HPA contaminants have impacted the sediments via storm/sewer systems, and migration off of Parcel E and B? This needs to be addressed. This data gap need to be incorporated.
5. Page 26, bullet 3, it must be noted that the groundwater serves as a pathway. Please delete "may".
6. Page 26, bullet 6, it is misleading to state that "clean" sediment site in the Bay may be contaminated as HPA. Please explain the intent of this statement. Are you trying to identify a reference point in the Bay? Are you saying that the Bay is uniformly contaminated?

Tasks 1 and 2 Summary Reports

1. Page 14, top paragraph, please explain why "the Navy may evaluate the feasibility of accelerated removal actions".

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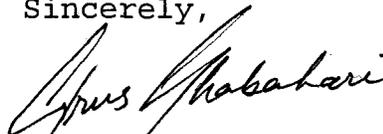
What does it mean? Further, the removals should focus both on the organics and inorganics. There does not seem to be a logical reason to separate the two, unless the Navy intends to exclude the inorganics from any mitigation measures. In addition, we disagree with what appears to be an arbitrary selection of factor of 1000 over Water Board's soil values. It is not clear where this factor has come from.

2. Page 16, first paragraph, there is no discussion on radiological contamination. The confirmation survey conducted by the Navy has identified some sources in the tidal zone. Radiological contamination needs to be included. Further, inorganic should be considered as chemicals of concern above groundwater soil.
3. Page 20, it is not clear if the recent discovery of VOC plume and existence of DNAPL have been incorporated. The text does not discuss the source of the data.
4. Page 27, there has to be a thorough discussion on past releases into the Bay via the drain system and off of Parcel E. The discussion on sediment contamination is very brief and incomplete at best. There has to be a discussion on the volume of contaminants discharged into the Bay as well.

The Cal/EPA thus is requesting the Navy to respond by November 21, 1994 of whether the Navy intends to investigate their property under water for contamination. The Cal/EPA urges the Navy to state their position clearly and free of any ambiguity. Should the Navy refuse to investigate and subsequently address the contamination on Property within the approved time frame, the Cal/EPA will elevate the issue for dispute resolution.

Should you have any questions, please call me at (510) 540-3821.

Sincerely,



Cyrus Shabahari  
Project Manager  
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cc: See next page

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