



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, Ca. 94105-3901

N00217.003187
HUNTERS POINT
SSIC NO.5090.3

December 14, 1993

Mr. Raymond E. Ramos
BRAC Environmental Coordinator
Western Division
Naval Facilities Engineering Command
900 Commodore Drive
San Bruno, CA 94066-2402

Dear Mr. Ramos:

The purpose of this letter is to report on the progress of informal negotiations at the project manager level on the Hunters Point Parcel A dispute issues pursuant to our letter to you dated November 12, 1993. In addition, we are also reserving our right by this letter to engage in the formal dispute resolution process in the event any of the disputed issues are not resolved informally at the project manager level. However, through our continuing effort to resolve these issues informally, we do not foresee formal dispute resolution to be necessary at this time.

As you know, Mr. Bill Radzevich of the Navy, the Remedial Project Manager for Parcel A, and myself together with Mr. Cyrus Shabahari, the Remedial Project Manager for Cal EPA, have been working closely since November 12, 1993 to resolve our differences on the disputed issues. In addition, the BRAC Closure Team comprising of yourself, Mr. Shabahari, and myself met today to resolve Dispute Item #2 regarding the sampling of the ground water in Parcel A. This particular item was considered the more controversial of the disputed items.

We have also reviewed your letter to us dated November 23, 1993 in response to our November 12, 1993 letter. The following is a brief summation of the progress and status of each of the disputed items:

1. Ground water data for UST S-812.

The point of contention is insufficient accounting for the differences in the results of two sampling events for UST S-812. Pages 56-61 of the Draft SI and the Addendum #4 report address this issue. Although the Navy agreed to expand its discussion of the results adequately to support its "no further investigation" conclusion in the Final SI, we would like to know earlier than the Final SI what is that

supporting rationale and added discussion. This item can be deleted from dispute resolution if this information is submitted to us in advance and we concur with the rationale and discussion.

2. Sampling of Parcel A ground water.

The point of contention is the lack of ground water sampling data for Parcel A. Although one of the four borings drilled for Addendum #3 encountered ground water (#PA50B011), the ground water was not analyzed for contaminants. After extensive discussion, the BCT reached agreement that the Navy will drill another boring next to #PA50B011 to procure a ground water sample and to analyze it for priority pollutants. The Navy will also sample seeps and springs along the hillside of Parcel A and analyze the samples for priority pollutants. Locations of the sampling points and methods are to be determined by representative EPA and Navy hydrogeologists collectively after a field trip to Parcel A on December 15, 1993. Subject to the above agreement, this item can be deleted from the dispute resolution process.

3. Ecological risk assessment.

The point of contention is the performance of an ecological risk assessment for Parcel A. EPA does not agree that an adequate assessment was done both in terms of the ecological survey and assessment of the risk. Consequently, EPA offered the services of its ecologist, Ms. Roxy Barnett, to perform the necessary ecological assessment in the interest of transferring Parcel A on a timely basis. Had we agreed that the Navy's ecological risk assessment was adequate, we would not have volunteered the services of Ms. Barnett. Some of the more critical factors being evaluated are the levels of residual contaminants left behind and the existence of exposure pathways to ecological receptors. Regardless of the Navy's differing viewpoint on the need for EPA's services, we do not wish to debate this point and will wait for the findings and conclusions of Ms. Barnett on this matter. With the Navy's agreement to incorporate EPA's ecological risk assessment into the Final SI, this item can be deleted from the dispute resolution process.

4. Cleanup values for lead.

The point of contention is whether the Navy's derivation method for lead values are "more technically conservative" than the California Leadsread model. Our technical support person is currently evaluating this issue. More importantly, it should be stressed that in the interest of time, the Navy should have used the California Leadsread model to derive its lead values because this is a method which has the regulatory agencies' "buy-in". Because the Navy's insistence on using its own derivation method, EPA

must now spend additional time and resources to evaluate the Navy's method to determine its adequacy even though the end result may very well be the same. We are requesting that you send us any additional information on the Navy's method which may facilitate our evaluation of the method.

5. Potential contaminants in storm drain sediments.

The point of contention is the lack of sampling data for the sediments in the storm drains. The Navy's initial position is that the storm drain sediments are not a concern because Parcel A sources were removed. Secondly, the Navy did not find any sediments to sample in places specified in its work plan along the storm drainage system. We basically feel that the Navy should have expended an additional effort to locate points along the storm drains where there are likely to be sediments to sample. However, this point is now moot since the Navy will remove the sediments from the storm drains with a vacuum truck and monitor the storm drains for sediments afterwards. We expect that the Navy will send us the necessary documentation for this sediment removal and monitoring activity. Upon completion of this activity, this item can be deleted as a disputed item.

6. Transfer decision document.

The main point here is the need for a transfer decision document. We agree with the Navy that this issue is more of a real estate issue not directly related to the SI document. We agree that this issue should not be an issue for this dispute resolution.

We appreciate the Navy's cooperative efforts in attempting to resolve these disputes quickly and informally. Please provide acknowledgement and/or comment on my report of the status for each of the above items. I will continue working closely with Mr. Radzevich, Mr. Shabahari, and yourself to resolve any remaining outstanding elements relating to these issues. Should you have questions about this matter, you may contact me directly at (415) 744-2366.

Sincerely,



RAYMOND SEID
Remedial Project Manager
Federal Facilities Cleanup Program

cc: Cyrus Shabahari, Cal EPA, DTSC, Berkeley
Barbara Smith, RWQCB, Oakland