

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

2101 WEBSTER STREET, SUITE 500

OAKLAND, CA 94612

(510) 286-1255



Mr. Chip Gribble
Department of Toxic Substances Control File No. 2189.8009 [EA]
700 Heinz Avenue, Bldg. F
Berkeley, CA 94710-2737

October 22, 1993

Subject: Summary of telephone conversations and status of Moffett Naval Air Station informal dispute on the Operable Unit 5 Remedial Investigation Report

Dear Chip:

This letter is to document the telephone conversations between our agencies on October 14, 18 and 19, 1993 and to inform you of the current status of the informal dispute regarding the Draft Final OU5 Remedial Investigation (RI) report and its conclusion for no further action and no feasibility study. All report comment letters and letters regarding this dispute have been sent to the DTSC project manager.

As previously discussed, the Draft Final OU5 RI presents a risk assessment based on future residential use of the site. The three exposure routes evaluated are ingestion of groundwater, ingestion of fruits and vegetables grown in soils on site, and inhalation due to exposure to groundwater through household use. The RI risk assessment concludes that there is the potential for human health risks greater than 10^{-4} to 10^{-6} from the groundwater contamination in OU5. The conclusion of the RI report states that no feasibility study is required due to the lack of a current and future exposure pathway. The Navy maintains that NASA Ames will be taking over the facility and therefore the groundwater will not be utilized as a drinking water source. NASA Ames has stated at several meetings that they can not guarantee their use of the site beyond the immediate future.

San Francisco Bay Regional Water Quality Control Board (RWQCB) staff has informed the Navy that the information in the Draft Final RI does not address certain future exposure pathways from groundwater movement. In addition, our agency's position is that a feasibility study should be conducted since the groundwater, except at three sites at Moffett Field, meets the total dissolved solids (TDS) and yield requirements of a potential drinking water source as stated in State Resolution No. 88-63. Navy personnel have stated that if no risk is present at a site then a feasibility study is not required and State requirements may not need to be addressed.

The EPA, Navy and State agreed to a period of informal dispute between the Federal Facility Agreement (FFA) parties in order to

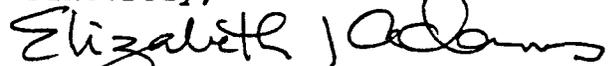
1944

attempt to resolve these issues as required in Section 10.4 of the FFA. EPA and RWQCB staff have submitted several letters to the Navy stating our disagreements with the conclusions set forth in the Draft Final OU5 RI. Currently, the Navy is waiting for the return of their counsel to further evaluate the positions of the agencies. All parties have agreed to meet one last time in order to include Navy counsel on Wednesday, November 3, 1993, at 10 AM, to discuss the issues before elevating the dispute to the Dispute Resolution Committee (DRC) and the formal dispute process.

RWQCB staff has communicated the status of these issues throughout the process, by telephone, to the DTSC remedial project manager (RPM). Additional information regarding comments on the OU5 RI and the State's position are included in our comment letters. The DTSC staff has been informed of the time and place of the meetings held to discuss the dispute informally by RWQCB staff. If these issues are elevated to formal dispute, the Chief of the Site Mitigation Unit of DTSC will be the designated member of the DRC as stated in Section 10.5 of the FFA. Please contact RWQCB staff if an individual other than the one designated in the FFA will be appointed to the DRC.

If you have any questions or concerns, please feel free to call me at the San Francisco Bay Regional Water Quality Control Board at (510) 286-3980.

Sincerely,



Elizabeth J. Adams
Project Manager

cc: Michael Gill, US EPA
Mail Stop H-9-2

Stephen Chao
Naval Facilities Engineering Command
Western Division
900 Commodore Way, Bldg. 101
San Bruno, CA 94066-0720