



**Responses to Public Comments
On the Low-level Radiological Time-Critical Removal Action
Received May 27 through July 26, 2013
Former Naval Station Puget Sound
Sand Point in Seattle, Washington**



**March 2014
NAVFAC Northwest**

INTRODUCTION

On May 27, 2013, the U.S. Navy (Navy) provided the public an opportunity to comment on a low-level radiological Time-Critical Removal Action (TCRA) at the former Naval Station Puget Sound, Sand Point in Seattle, Washington. This area is currently located in the confines of Warren Magnuson Park. The public comment period was originally scheduled to last approximately 30 days. However, the public comment period was subsequently extended, and it was officially closed on July 26, 2013. The Navy announced the public comment period and the extension through public notices published in the Seattle Times, on a Navy website, and by Press Release. The Navy also distributed the public notice and fact sheets at a Public Meeting/Open House held on the 29 May, 2013. The Navy Public Meeting/Open House was held at the Mountaineers Club on Magnuson Park, Seattle, and was attended by over 150 people. The comment period and Open House were widely reported as a news story by local Seattle media. The Administrative Record/Information Repository was made available at the Northeast Branch of the Seattle Public Library at 6801 35th Ave N.E, in Seattle, and the Naval Facilities Engineering Command Northwest offices at 1101 Tautog Circle in Silverdale. The actions were taken to meet the requirements as specified in the National Oil and Hazardous Substances Pollution Contingency Plan, 40 Code of Federal Regulations, Parts 300.415(m) and 300.820(b).

During the Navy's public comment period, Washington State Department of Ecology (WDOE) also held a Public Meeting and Hearing on July 18, 2014, and took comments under a separate WDOE public comment period, which ran from July 12 to August 31, 2013. WDOE took comments on the Final Action Memorandum Time-Critical Removal Action (TCRA), Final Radiological Remedial Investigation Report, and Final Radiological Removal Action Work plan. All three of these documents are part of the Navy's Administrative Record/Information Repository. WDOE is responding to these comments.

This document recites the public comments and provides the Navy's response. The Navy received a total of 57 comments. They were submitted in writing during the Open House, by mail, and by e-mail. The responses are provided in no particular order. In most cases, the Navy chose to address each comment individually, even if comments were repeated. There is one exception to this. During the Navy's public meeting, Heart of America Northwest handed out a separate form for commenting with specific questions outlined. Due to the duplicative nature of the comments, the Navy grouped responses to these together. Comment responses were coordinated with WDOE, Washington Department of Health, and the City of Seattle Parks Department. All comments received equal weight, regardless of the method used to submit them. All commenter names have been removed to protect the privacy of individuals.

The Navy made a careful review of the comments received. Some examples of actions that were taken due to public comments received are: expansion of subsequent studies to include assessment of all areas of the Former Naval Station Puget Sound transferred under Base Realignment and Closure, update of the Navy website to include more site information, and weekly progress and planned activities reports, provide hard copy fact sheets on site, increased efforts to coordinate with Washington State Department of Transportation on transportation routes, added groundwater sampling as encountered, to the TCRA, placement of additional emphasis on diverting rainwater from the soil excavation areas, WDOE held a separate Public Meeting and comment period, and the Navy extended its public comment period.

These responses shall be included in the Administrative Record/Information Repository, placed on the Navy's website, and sent by e-mail or mail to the contact list. The Navy's website can be found at <http://goo.gl/ISMVJ2>.

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1	<p>Potential uses of all parts of Magnuson Park should all be included especially family housing required by the Navy of the city as a condition of the transfer. Recreational uses are all around these buildings on all sides.</p>	<p>The buildings and lands that are being assessed and cleaned up under this Time Critical Removal Action (TCRA) transferred in 1999 and 2002 from the United States of America to the City of Seattle under a Public Benefit Conveyance. The conveyance allowed for transfer if the property was used and maintained for public park or recreation purposes, in perpetuity. Therefore, public park and recreational use were evaluated for this specific TCRA.</p> <p>Areas not addressed in this TCRA that were transferred under Base Realignment and Closure (BRAC) will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow.</p>
2	<p>Nice job at open house. Previous public outreach on site would have been helpful No display on what your cleanup levels are Using EPA 15mrem/year is fine. Better info on what the exposure factors used would be helpful.</p>	<p>Thank you for the positive feedback regarding the open house on May 29.</p> <p>The Navy is preparing a Community Involvement Plan (CIP) to improve public outreach and communications. The CIP will identify outreach activities to address community concerns and expectations.</p> <p>Based on the comment context, we infer the comment references the radiological release criteria for the project. The radiological release criteria for the TCRA were developed by the Navy in consultation with Washington State Department of Ecology (WDOE) and Washington State Department of Health (WDOH).</p> <p>Detailed information about the release criteria and how it was derived using dose/risk computer models can be reviewed</p>

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		in the Final Action Memorandum and Final Removal Action Work Plan available on the Navy's website, the administrative record and the information repository.
3	<p>I would have preferred an open meeting with panelists from each relevant public sector organization, e.g., Navy, Dept of Ecology, DOH, Parks and Rec, etc.</p> <p>I am a regular visitor to Magnuson and have long lauded its conversion to peaceful uses - a model for that process or so I thought. I am concerned that information about contamination in a few sites where I regularly played indoor volleyball are only now coming to light. Signage indicating the possibility as well as the confirmation of radiation should have been posted as soon as it was known.</p>	<p>Thank you for your comment regarding the open house on May 29. Hopefully, you had an opportunity to attend the follow-up meeting that was held on July 18, which was hosted by WDOE with participation from the Navy. WDOE's meeting was organized as you recommended. Regarding the May 29 open house, the State regulatory agencies that were available included qualified technical experts that review and approve all of Navy's radiological investigation and cleanup activities at Magnuson Park.</p> <p>Areas where radiological contamination was identified in 2009 were immediately secured to prevent unauthorized access and signage was displayed according to state regulatory requirements. Areas of building 2 that were used for volleyball in 2010 were not impacted by radiological contamination.</p>
4	<p>Concern that time be appropriately given to review best method of cleanup. That is not to be rushed and that the public be included in the process. Also, that we have better run public meetings, chairs and microphones.</p>	<p>The Navy made the decision to conduct a TCRA due to an increasing number of unauthorized entries into Buildings 2 and 27. Additionally, the buildings were deteriorating, at a higher rate than anticipated, which increased the safety risk for remediation workers and the potential that contamination could spread.</p> <p>A TCRA is an expedited process that requires less public involvement than a non-time critical removal action. However, the Navy is doing more public outreach than required by communicating to the public earlier than usual for a TCRA, holding public meetings, and asking for public comment. The Navy recognizes that this did not totally satisfy the Magnuson Park</p>

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		<p>community. Accordingly, the Navy is striving to improve our public outreach and communication and we are preparing a CIP. The CIP will identify outreach activities that address community concerns and expectations.</p> <p>Thank you for your comment regarding the open house on May 29. Hopefully, you had an opportunity to attend the follow-up meeting that was held on July 18, which was hosted by WDOE with participation from the Navy. WDOE's meeting was organized as you recommended.</p>
5	<p>We would like deep soil sampling tests for radiation done in the Magnuson community garden specifically including the P-patch and children's garden.</p> <p>All on formal naval base property.</p>	<p>We infer from the comment that it is requesting further study of the P-Patch and children's garden, as they are all on former Naval Station Puget Sound.</p> <p>The Navy agrees with your comment that additional radiological assessment needs to be performed on other former Naval Station Puget Sound property. Areas not addressed in this TCRA that were transferred under BRAC, will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow.</p> <p>Note that there are areas of Magnuson Park that were not transferred under BRAC. Any additional environmental clean-up required in these areas would be handled under the Formerly Used Defense Site Programs, if transferred prior to 1986, which is managed by the US Army Corps of Engineers.</p>

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6	<p>I am concerned that the public was not made aware of the radiation exposure at Magnuson Park until now. I am also concerned that the cleanup process does not include the presentation of findings for the radiation studies along with several options for cleanup that the public can hear articulated and respond to so as to create not just local input, but local agreement about the best way to address the contamination. I am also concerned about the format for tonight’s gathering, as it assumes the local public is aware enough of the history here and contamination cleanup to be able to ask intelligent questions. Instead, much earlier it would have been useful to hear a panel discussion among experts who could explain the contamination and potential ways to address it.</p>	<p>To include the public in the TCRA process, the Navy, in coordination with the Seattle Parks and Recreation, expanded the public outreach from what is required by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), by communicating to the public earlier than usual for a TCRA, holding a public meeting, and asking for public comment. The Navy recognizes that this did not totally satisfy the Magnuson Park community. Accordingly, the Navy is striving to improve our public outreach and communication and we are preparing a CIP. The CIP will identify outreach activities that address community concerns and expectations. The City of Seattle Parks Department, as the property owner, has requested to lead all communication with the public in regards to the Magnuson Park Site. The Navy has limited their public communication to those public outreach requirements specified under CERCLA to support the TCRA at Magnuson Park.</p> <p>Detailed information about findings for the radiation studies and the rationale for the cleanup can be viewed in the 2011 Final Remedial Investigation and 2013 May TCRA Final Action Memorandum available on the Navy’s website, in the administrative record, and at the information repository.</p> <p>Thank you for your comment regarding the open house on May 29. Hopefully, you had an opportunity to attend the follow-up meeting that was held on July 18, which was hosted by WDOE with participation from the Navy. WDOE’s meeting was organized as you recommended. The State regulatory and Navy representatives that were available at both meetings to answer questions included qualified technical experts that</p>

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		review and provide input to project plans and documentation related to the Navy's radiological investigation and remediation activities at Magnuson Park.
7	Please have a formal forum with microphones and seating along with expert panel of speakers. Q&A afterwards.	Thank you for your comment regarding the open house on May 29. Hopefully, you had an opportunity to attend the follow-up meeting that was held on July 18, which was hosted by WDOE with participation from the Navy. WDOE's meeting was organized as you recommended. The State regulatory and Navy representatives that were available at both meetings to answer questions included qualified technical experts that review and provide input to project plans and documentation related to the Navy's radiological investigation and remediation activities at Magnuson Park.
8	The public should be protected from all unnecessary risk. We won the war now is time to clean up the mess do the normal process and clean at least to state standard. Our family has given a lot to defense of this country, protect us now. Thanks!	<p>The Navy is committed to protecting the public from all unnecessary risk. To that end, the areas with radiological contamination have been secured and monitored by a state accredited radiological contractor who performs weekly security inspections and monthly radiation surveys. Signs were placed in accordance with WDOH requirements. The Navy reviews all the survey data to ensure the public is protected and there are no impacts on the environment.</p> <p>The cleanup will be conducted in accordance with applicable State of Washington regulations and oversight. The Final Report for the TCRA, with project survey data, will be provided by the Navy to the Washington Departments of Health and Ecology for review and concurrence to ensure that the public and environment is protected in accordance with State standards.</p>

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		<p>Areas not addressed in this TCRA that were transferred under BRAC, will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow.</p> <p>Detailed information about the project, including updated project status and timelines, can be found on the Navy's website, in the administrative record, and at the information repository.</p>
9	<p>The Navy Process is not adequate and is too hurried without sufficient analysis of alternative remediations and without opportunity for public comment and input.</p>	<p>The Navy made the decision to conduct a TCRA due to an increasing number of unauthorized entries into Buildings 2 and 27. Additionally, the buildings were deteriorating, at a higher rate than anticipated, which increased the safety risk for remediation workers and the potential that contamination could spread.</p> <p>A TCRA is an expedited process that requires less public involvement than a non-time critical removal action. However, the Navy is doing more public outreach than required by communicating to the public earlier than usual for a TCRA, holding public meetings, and asking for public comment. The Navy recognizes that this did not totally satisfy the Magnuson Park community. Accordingly, the Navy is striving to improve our public outreach and communication and we are preparing a CIP. The CIP will identify outreach activities that address community concerns and expectations.</p>

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10	When they are tearing Building 27 South Shed down I think there should be people on the other side of the wall in the building checking for radiation so that if radiation in the building comes they can get rid of it to keep the public safe. We don't want to find out about contamination before it's too late!	We are conducting air monitoring for radiological contamination opposite the Building 27 South Shed (Arena Sports side) while remediation and demolition is occurring to ensure protection of the public. The Navy's contractor is also installing barriers to seal off work areas and if necessary will work during times when the facility is closed to ensure public protection is maintained. Work on or near the adjoining wall will be closely monitored to ensure that work controls and surveys are adequate to protect the health of public utilizing the Sports Arena complex.
11	Excellent format. Thank you for all the info, I wish we could eliminate public housing (more condos and apartments) from this beautiful park. Thank you for sending the info flyer. We appreciate the historical Navy buildings at the park they are in, I hope many are preserved.	The Navy appreciates your positive feedback regarding the open house on May 29 and flyer.
12	Another public meeting prior to process initiation would be useful with briefing for the logistics driving the testing and potential plans. It is concerning that no testing has been done along the water front beach areas when it is clear radiation made it into the sewage/drainage pipelines. Sites of radiation suggest unclear mode of radiation transfer - moving dirt perhaps. What other projects have happened that could have resulted in broader distribution of radiation?	Thank you for your comment regarding the open house on May 29. Hopefully, you had an opportunity to attend the follow-up meeting that was held on July 18, hosted by WDOE with participation from the Navy. Areas not addressed in this TCRA that were transferred under BRAC, will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. The assessment includes evaluating potential radiological impacts to near shore soil and possibly sediments in Lake Washington from the area that the TCRA is being conducted. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow.

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13	<p>Thank you for the information presented tonight. One comment I have is to please advertise the precise dates of the Bldg. 27 shed destruction and cleanup. As a member of MAC, I want to be able to consider not attending the facility during this time. It would also be nice for MAC members to have the health club present pertinent info or links to the Navy/Dept. of Ecology/Dept. of Health updates as they occur. Most folks would go straight to the MAC or Arena sports web sites. Thanks!</p>	<p>Weekly progress reports are being posted to the Navy's website. The reports outline the work that was conducted during the prior week and the planned work for the upcoming week.</p>
14	<p>Please hold another event where the public can sit, hear experts and listen to each other's concerns. This was quite disorganized and not very helpful to my understanding. There should be uniform standards for allowable limits of radiation exposure at all cleanup sites. It appears that EPA, DOE, DOH each have different ones.</p>	<p>Thank you for your comment regarding the open house on May 29. Hopefully, you had an opportunity to attend the follow-up meeting that was held on July 18, which was hosted by WDOE with participation from the Navy. WDOE's meeting was organized as you recommended.</p> <p>We agree that having differing standards from various regulatory agencies complicates the selection of applicable/relevant standards for cleanup projects. Developing uniform standards for allowable radiation exposure across regulatory agencies is beyond the scope of the TCRA or the authority of stakeholders.</p> <p>The radiological release criteria for the TCRA were developed by the Navy in consultation with WDOE and WDOH.</p> <p>Detailed information about the release criteria and how it was derived using dose/risk computer models can be reviewed in the Final Action Memorandum and Final Removal Action Work Plan available on the Navy's website, the administrative record and the information repository.</p>

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15	<p>The maximum exposure level for radiation should be uniform across government entities.</p> <p>The public should be informed immediately when a contamination site is discovered. Signs need to be posted to protect the public.</p> <p>We need a real public meeting on the Magnuson park radiation.</p>	<p>We agree that having differing standards from various regulatory agencies complicates the selection of applicable/relevant standards for cleanup projects. Developing uniform standards for allowable radiation exposure across regulatory agencies is beyond the scope of the TCRA or the authority of the stakeholders.</p> <p>A TCRA is an expedited process that requires less public involvement than a non-time critical removal action. However, the Navy is doing more public outreach than required by communicating to the public earlier than usual for a TCRA, holding public meetings, and asking for public comment. The Navy recognizes that this did not totally satisfy the Magnuson Park community. Accordingly, the Navy is striving to improve our public outreach and communication and we are preparing a CIP. The CIP will identify outreach activities that address community concerns and expectations. As between the Navy and the Seattle Parks and Recreation, the City has the lead for communications with the public in regards to the site with the exception of public outreach for the TCRA and other requirements under CERCLA, the Navy has respected the City of Seattle Parks Department's request that they lead communication with the public in regards to the site, except for public outreach to support the TCRA and other requirements the Navy has under CERCLA.</p> <p>Signs are currently posted at all access points for the removal action and will remain in place until the removal action is complete. The building areas with identified contamination are not in use, are secured, and have signs posted. Signs have been</p>

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		<p>installed since the Navy began the Remedial Investigation.</p> <p>Hopefully, you had an opportunity to attend the follow-up meeting that was held on July 18, hosted by WDOE with participation from the Navy.</p>
16	<p>Thanks for the beautiful land and buildings. You did a great job in BRAC cleanup. DOE or City should consider testing at a higher level.</p>	<p>The Navy appreciates your interest in the work that has been conducted and is currently being undertaken.</p> <p>The Navy infers from your comment that you feel we should consider more testing of areas at the Former Naval Station Puget Sound, outside of the TCRA area. Areas not addressed in this TCRA that were transferred under BRAC, will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow.</p> <p>Note that there are areas of Magnuson Park which were not transferred under BRAC. Any additional environmental clean-up required in these areas would be handled under the Formerly Used Defense Site Programs, if transferred prior to 1986, which is managed by the US Army Corps of Engineers.</p>
17	<p>I work in the Park (Bldg. 5) and also have a P-patch east of the Brig – at the Brig, there are children programs and programs for the elderly. I would hope that monitors for airborne contamination would be placed in that area and also near the community gardens, my concern is about contamination south of where it's been identified.</p>	<p>Air monitoring is being conducted in and around the removal action work areas. Air monitoring stations are located in buffer zones around the project, and one is located across the parking lot from the P-patch. Details associated with the air monitoring locations and procedures can be found in the Air Emissions Plan in Section 5 of the Radiological Removal Action Work Plan which is available on the Navy's website.</p>

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18	<p>I know the intentions were good but the format didn't seem to work to fulfill its mission. Presentations to the crowd followed by comments could have been more effective. The timing of notification will also continue to be an issue. I recommend posting every public comment you get with the Navy's answer on a dedicated web page. I think that would help showcase concern for the public and the facts.</p>	<p>Thank you for your comment regarding the open house on May 29. Hopefully, you had an opportunity to attend the follow-up meeting that was held on July 18, which was hosted by WDOE with participation from the Navy. WDOE's meeting was organized as you recommended.</p> <p>Weekly progress reports are posted to the Navy's website with reports which outline the work that was conducted during the prior week and the planned work for the upcoming week.</p> <p>All comments received by the Navy from the public and responses are posted on the Navy's website.</p>
19	<p>I encourage the Navy to host formal public hearings as there is clearly concern and confusion regarding this cleanup process. It's unclear to me if this is being conducted according to the state requirements, some documents state one thing, others something else. There is a lot of good will to be gained from everyone being above board, thorough and honest in their statements and non-inflammatory. From the documents available to the public, I don't know who or what to believe.</p>	<p>Hopefully, you had an opportunity to attend the follow-up meeting that was held on July 18, which was hosted by WDOE with participation from the Navy. WDOE's meeting was organized as you recommended.</p> <p>This TCRA is being conducted per CERCLA 42. U.S.C. 9601-9675, as amended by the Superfund Amendments and Reauthorization Act. The Navy follows the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 Code of Federal Regulations (CFR) 300, which is the regulation that implements CERCLA. The Washington State Model Toxics Control Act (MTCA), Chapter 70.105D Revised Code of Washington (RCW), is considered an Applicable or Relevant and Appropriate Requirement under the NCP, and as such, all substantive requirements, to the extent practicable, will be followed in the performance of the TCRA. Applicable or Relevant and Appropriate Requirements are an integral part of the CERCLA process and</p>

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		<p>guide the cleanup action. Other Applicable or Relevant and Appropriate Requirements are identified in the 2013 May TCRA Final Action Memorandum, Section 5.3 and Table 5, available on our Navy website, in the administrative record and in the information repository.</p> <p>The radiological release criteria for the TCRA were developed by the Navy in consultation with WDOE and WDOH.</p>
20	<p>When trucks are scheduled to haul away contaminants, signs should be posted a week before letting the public know that such and such street/bridge/SR will be closed on (date/times of closure). Notices should be clearly posted on all sides of the affected routes. Trucks should be scheduled between 11P and 4A and on weekends if possible.</p>	<p>The Navy appreciates your input concerning project waste transportation and the Navy is coordinating closely with Seattle Department of Transportation (SDOT) and Seattle Department of Parks and Recreation to establish the best transportation routes and times for waste transport. The trucks must meet Washington State Department of Transportation and United States Department of Transportation requirements for containerization, weight, height, and placards. Conditions will change as road work progresses in the area and the Navy contractor will coordinate with Washington State Department of Transportation and Seattle Department of Parks and Recreation. Weekly progress reports are being posted to our Navy website. The reports outline the work that was conducted during the prior week and the planned work for the upcoming week, and provide notice when wastes will be shipped off site.</p>
21	<p>I see many assurances of testing that will be done (and monitoring). However, with the track record of the agencies in charge of this project, I have no confidence that the public will be made aware of the results in a timely manner. Let people know exactly what risks they face rather than saying “don’t worry”. Whenever</p>	<p>The Navy appreciates your concern. In order to keep people up to date and informed, we have made project-related documentation, including weekly progress reports about the TCRA, available to the public on our website. Other project-related documentation is also available in the administrative record, and in the information repository. After the TCRA is complete,</p>

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	<p>someone tells me not to worry, this is when I start to worry. Decisions like these made without meaningful public input are almost always flawed, because of the inherent tunnel vision of the experts under contract with the project.</p>	<p>radiological surveys will be performed to ensure there is no residual contamination above release limits established in coordination with WDOE and WDOH. Once the results of the surveys are known, they will be published in a final report that will be available to the public. If any data collected during the removal action indicates that there are potentially unacceptable risks or unresolved issues in buildings, soil or storm drains, additional evaluation will be considered at that time.</p> <p>We acknowledge that we need to improve our public outreach and communication, and we are preparing a CIP. The CIP will identify outreach activities for us to use, addressing community concerns and expectations. It will include detailed information regarding how the public can acquire information and stay involved in the cleanup process.</p>
22	<p>Am very concerned about public health risks from this radioactive contamination. Many people use the park regularly and could be exposed. This includes my family. I want a full evaluation of all potential contamination pathways (including, dirt, air, plants, water, dust, future excavation, etc.) and cleanup alternatives to be presented for public comment and careful deliberation before a cleanup plan is adopted. The US Navy has a terrible reputation for pollution. Please show this is wrong and clean this up right.</p>	<p>All identified areas that have elevated risk due to radioactive contamination have been secured in locked building areas and outside fenced areas to prevent access. The areas have also been posted in accordance with WDOH requirements to properly communicate the hazard to you and your family. Additionally, these areas are under the control of a contractor licensed by WDOH to maintain controls in accordance with state radiation protection standards.</p> <p>The Navy has worked closely with our state regulatory agencies, WDOH and WDOE, to ensure work controls and radioactivity monitoring during TCRA remediation operations meet Washington State's standards to protect public health and the environment. Additionally, both WDOH and WDOE are routinely providing oversight during site work operations to</p>

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		<p>ensure appropriate controls are being maintained.</p> <p>Areas not addressed in this TCRA that were transferred under BRAC, will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow. Further radiological investigations and remediation may also be undertaken based on the results of surveys conducted after the completion of the TCRA.</p> <p>Note that there are areas of Magnuson Park that were not transferred under BRAC. Any additional environmental clean-up required in these areas would be handled under the Formerly Used Defense Site Programs, if transferred prior to 1986, which is managed by the US Army Corps of Engineers.</p>
23	<p>Bldg 2 has soil contamination at the SW door where Sandpoint Gym was. In the past few years there have been bad floods from rain where the water out these doors entered the gym and would flood at least 60 ft into the building. The gym members cleaned this area themselves not knowing the contamination. Soil from the volleyball group that left remained and the water would touch this soil as well. I highly recommend “insist” actually that you retest in that area!</p>	<p>The soil containing radium contamination, found outside the southwest corner of Building 2, is buried beneath 6 to 12 inches of soil, and is only slightly above project release criteria. This area is also covered by thick grass preventing erosion, as well. Rain, flood water, and/or surface muds could not have easily transported this contamination into Building 2. However, the Navy is conducting additional soil surveys of this area, and will include surveying inside the doorway of Building 2 to address your concern.</p>
24	<p>I want Magnuson Park to be safe and happy place for the public to use forever.</p>	<p>The Navy, in consultation with WDOE and WDOH, are undertaking this TCRA to ensure that the park is a safe place for the public to use.</p> <p>Areas not addressed in this TCRA that were</p>

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		<p>transferred under BRAC will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow. Further radiological investigations and remediation may also be undertaken based on the results of surveys conducted after the completion of the TCRA.</p> <p>The Navy appreciates your interest in the work that is currently being undertaken and will continue to communicate with the public as the results of removal action are available. Note that weekly updates on the progress of the removal action are being posted to the Navy's website.</p>
25	<p>Give WA DOE the responsibility for preparing and disseminating the materials, which should comply with MTCA and SEPA reqs. Correct the misstatements and omissions in the Navy materials (of emissions from Sr-90) Stipulate 5 millirem exposure/yr as target for cleanup Follow CERCLA and MTCA calculations for summing potential exposures of radium, radon and Sr-90.</p>	<p>This action is being conducted under CERCLA 42 U.S.C. 9601–9675 as amended by the Superfund Amendments and Reauthorization Act. The Navy, as the lead agency, follows the NCP, 40 CFR 300, which is the regulation that implements CERCLA. The Washington State MTCA, Chapter 70.105D RCW, is considered an Applicable or Relevant and Appropriate Requirement under the NCP, and as such, all substantive requirements, to the extent practicable, will be followed in the performance of the TCRA. Applicable or Relevant and Appropriate Requirements are an integral part of the CERCLA process and guide the cleanup action. Other Applicable or Relevant and Appropriate Requirements are identified in the 2013 May TCRA Final Action Memorandum, Section 5.3 and Table 5, available on our Navy website, in the administrative record and in the information repository.</p> <p>As this action is taken under CERCLA and</p>

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		<p>is federally funded, the State Environmental Policy Act (SEPA) does not apply, and CERCLA is the functional equivalent of the National Environmental Policy Act (NEPA).</p> <p>WDOE and WDOH are involved with the project and review all work performed, including doing site inspections, taking their own samples and analyzing them as verification of Navy sampling, and reviewing work plans and reports.</p> <p>It is unclear what Navy material the commenter is referring to in regards to misstatements and omissions. All documents prepared by the Navy have been factual, based on information that was available at the time. The Navy has identified that Strontium 90 (Sr-90) was found during the remedial investigation. The documents are available on our Navy website, in the administrative record, and in the information repository.</p> <p>We make every effort to ensure that information is complete and factual, to the best of our abilities and given the information we have currently available to us. The Navy acknowledges that there has been information published or distributed by others which was not wholly accurate. We can only infer that the comment pertains to such information.</p> <p>The radiological release criteria that are being applied during the TCRA were developed in consultation with WDOE and WDOH, using RESRAD. RESRAD is a computer model designed to estimate radiation doses and risks from residual radioactive materials, and is accepted by the U.S. Environmental Protection Agency (EPA), WDOE and WDOH. The State regulatory agencies that provide oversight</p>

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		<p>for the Navy’s radiological investigation and remediation activities at Magnuson Park, WDOE and WDOH, include qualified technical experts that review and provide input for all project plans and documentation, including the target cleanup goals. The cleanup goals for the removal action are based on exposures that are protective of the public, based on the current and future use of the property.</p> <p>Once sampling is completed, the final sampling results for all radionuclides of concern will be modeled and summed to ensure that their dose in unity does not exceed the chosen EPA guidance dose.</p>
26	<p>Transportation of material removed from contaminated sites should be done on the safest routes; no detours should ever be approved.</p> <p>The use of motor boats for whatever reason should be immediately and permanently stopped at the North Shore Recreation Area.</p> <p>Parking lots at the NSRA should have berms/vegetation special treatment so toxins cannot flow over the impervious surface and into Lake Washington.</p>	<p>The Navy appreciates your input concerning project waste transportation and the Navy is coordinating closely with SDOT and Seattle Department of Parks and Recreation to establish the best transportation routes and times for waste transport. The trucks must meet Washington State Department of Transportation and United States Department of Transportation requirements for containerization, weight, height, and placards. Conditions will change as road work progresses in the area and the Navy contractor will coordinate with Washington State Department of Transportation and Seattle Department of Parks and Recreation. Weekly progress reports are being posted to our Navy website. The reports outline the work that was conducted during the prior week and the planned work for the upcoming week, and provide notice when wastes will be shipped off site.</p> <p>The use of motor boats or other uses which involve continual re-suspension or disturbance of sediments in shallow areas are prohibited in Pontiac Bay.</p>

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		<p>Please contact the property owner, the City of Seattle Department of Parks and Recreation, if you have questions regarding stormwater discharges. During the TCRA, we are implementing a stormwater pollution prevention plan that includes measures to contain runoff from the site and other best management practices, to mitigate potential impacts to the surrounding environment, including Lake Washington.</p>
27	<p>I would like to hear from the physicians at Seattle Children’s Hospital and get their UNBIASED input on the subject. If there is another public meeting, you should actively pursue their participation. Also, a “risk comparison” would be helpful, i.e., describe the natural levels of radiation in the environment, describe other exposures such as pesticides, etc.</p>	<p>The Navy agrees that input from independent technical experts would be valuable to support future public meetings. In the future the Navy will consider involving third party experts during public outreach events related to radiological actions at Magnuson Park.</p> <p>After remediation is complete, radiological surveys will be performed to ensure there is no residual contamination above release limits established in coordination with WDOE and WDOH. Once the results of the surveys are known, the levels will be modeled to ensure that the public and environment is protected in accordance with applicable state standards. These results will be published in a final report that will be available to the public. The report will describe levels of radiation measured in background locations to help provide some context into how levels in the remediation areas compare to naturally occurring conditions. When completed, the document will be available on available on the Navy’s website, in the administrative record and the information repository.</p>

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Comment forms provided by Heart of America Northwest. 29 forms were submitted, and numbered from 28 to 57. Forms 31-46 were submitted blank. Addressed by question on form		
	<p>What would you like to see in a public information and participation plan?</p> <p><i>Form 28 – Testing at the P-patch.</i></p> <p><i>Form 29 – Public comments taken into plan design.</i></p> <p><i>Form 30 - Based on studies exactly what the levels of contamination are and what specific options exist for addressing them</i></p> <p><i>Form 47 – A clear agreement on an optimistic level of cleanup to ensure the health and safety of park users at the level where a “pea-patch” going in the soil can provide risk-free food.</i></p> <p><i>Form 48 – Identification of what elements will be addressed. Disclosure of radiation levels and the effects of these materials to human health from exposure. How they will determine when this is “clean”.</i></p> <p><i>Form 49 – Something better than a last minute meeting like 5/29! There should be multiple public meetings allowing public comment at each stage of the project. There needs to be publicized info about progress at each stage.</i></p> <p><i>Form 50 – A website organized to show topics and comments.</i></p> <p><i>Form 53 – Full disclosure.</i></p>	<p>1a. What would you like to see in a public information and participation plan?</p> <p>Form 28 – Testing at the P-Patch</p> <p>The Seattle Parks Department has records that show imported offsite soil was used at the P-Patch and children’s garden. This information can be found on the Magnuson Park website.</p> <p>The Navy agrees with your comment that additional radiological assessment needs to be performed on other former Naval Station Puget Sound property. Areas not addressed in this TCRA that were transferred under BRAC, will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow.</p> <p>Note that there are areas of Magnuson Park that were not transferred under BRAC. Any additional environmental clean-up required in these areas would be handled under the Formerly Used Defense Site Programs, if transferred prior to 1986, which is managed by the US Army Corps of Engineers.</p> <p>Form 29 – Public Comments taken into plan design</p> <p>The Navy has considered all public comments during implementation of the TCRA. To include the public in the TCRA process, the Navy, in coordination with the City of Seattle Parks Department, expanded the public outreach from what is strictly</p>

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	<p><i>Form 55 – Full disclosure, no spin.</i></p>	<p>required by regulation, i.e. CERCLA, by communicating to the public earlier than usual for a TCRA, holding a public meeting, and asking for public comment. We recognize that this did not satisfy the Magnuson Park community. Accordingly, the Navy is striving to improve our public outreach and communication, and we are preparing a CIP. The CIP will identify outreach activities that, address community concerns and expectations.</p> <p>Form 30 – Based on studies exactly what the levels of contamination are and what specific options exist for addressing them</p> <p>The Navy decided to conduct a TCRA to quickly remove contaminants of concern, in coordination with and approval of applicable state regulatory agencies to ensure appropriate protection of public health and the environment. The plan of action and proposed cleanup levels are presented in the Action Memorandum and Radiological Removal Work Plan that are available on the Navy’s website, in the information repository and in the administrative record. Once the TCRA has been completed, the Navy will conduct further assessment of the site to establish if there are any other areas that require further investigation and/or remediation. Information on levels found are reported in the Remedial Investigation Report, as well as the Action Memorandum, which are located on the Navy’s website, in the information repository, and in the administrative record.</p> <p>Form 47 – A clear agreement on an optimistic level of cleanup to ensure the health and safety of park users at the level where a “pea-patch” going in the soil can provide risk-free food.</p>

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		<p>The radiological release criteria that are being applied during the TCRA were developed in consultation with WDOE and WDOH, using RESRAD. RESRAD is a computer model designed to estimate radiation doses and risks from residual radioactive materials, and is accepted by EPA, WDOE and WDOH. After the removal action, modeling will be performed to ensure that there is no-unacceptable dose or risk to the public or workers. These results along with all other data collected during the removal action will be published in a final report that will be available to the public. If any data collected during the removal action indicates that there are potentially risks or unresolved issues in soil or storm drains, additional evaluation and remediation will be conducted as necessary.</p> <p>The buildings and lands which make up the property that is being cleaned up under this TCRA transferred in 1999 and 2002 from the United States of America to the City of Seattle under a Public Benefit Conveyance which allowed for transfer if the property was used and maintained for public park or recreation purposes, in perpetuity. Therefore, public park and recreational use were evaluated for this specific TCRA.</p> <p>Form 48 – Identification of what elements will be addressed. Disclosure of radiation levels and the effects of these materials to human health from exposure. How they will determine when this is “clean”.</p> <p>The plan of action and proposed cleanup levels are presented in the Action Memorandum and Radiological Removal Work Plan that are available on the Navy’s website. The radiological release criteria that are being applied during the TCRA</p>

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		<p>were developed in consultation with WDOE and WDOH, using RESRAD. RESRAD is a computer model designed to estimate radiation doses and risks from residual radioactive materials, and is accepted by EPA, WDOE and WDOH. The details concerning the scenario modeling decisions are presented in the Action Memorandum. After the removal action, modeling will be performed to ensure that the public and environment is protected in accordance with applicable state standards.. These results along with all other data collected during the removal action will be published in a final report that will be available to the public. If any data collected during the removal action indicates that there are potentially unacceptable risks or unresolved issues in soil or storm drains, additional evaluation and remediation will be conducted as necessary.</p> <p>Form 49 – Something better than a last minute meeting like 5/29! There should be multiple public meetings allowing public comment at each stage of the project. There needs to be publicized info about progress at each stage.</p> <p>The Navy appreciates the feedback regarding the open house on May 29, and will ensure any future Navy held public meetings are advertised as far in advance of the meeting day as possible. Hopefully, you had an opportunity to attend the follow-up meeting that was held on July 18, which was hosted by WDOE with participation from the Navy.</p> <p>To include the public in the TCRA process, the Navy, in coordination with the City of Seattle Parks Department, expanded the public outreach from what is required by CERCLA, by communicating to the public</p>

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		<p>earlier than usual for a TCRA, holding a public meeting, and asking for public comment. We recognize that this did not satisfy the Magnuson Park community. Accordingly, the Navy is striving to improve our public outreach and communication, and we are preparing a CIP. The CIP will identify outreach activities that, address community concerns and expectations.</p> <p>Weekly progress reports are being posted to the Navy’s website. The reports outline the work that was conducted during the prior week and the planned work for the upcoming week.</p> <p>Form 50 – A website organized to show topics and comments.</p> <p>The Navy has included site specific information on its website. This comment response is available on the website.</p> <p>Form 53 – Full disclosure.</p> <p>All documents used to support this TCRA are available on the Navy’s website, in the administrative record, and in the information depository.</p> <p style="text-align: right;">Form</p> <p>55 – Full disclosure, no spin.</p> <p>We infer from the comment that it is asking for more transparency in the Navy process for the TCRA. The Navy has made all project-related documentation, including weekly progress reports about the TCRA, available to the public on our website, in the administrative record, and in the information depository.</p> <p>Additionally, the Navy is striving to improve our public outreach and communication, and</p>

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		we are preparing a CIP. The CIP will identify outreach activities that, address community concerns and expectations.
	<p>Would you like a public meeting to offer comments?</p> <p><i>Yes's: 9</i></p> <p><i>No's: 0</i></p>	<p>Written comments were welcome at the Navy's May 29 Open House, and during the comment period. The Navy extended the comment period to allow people more time to review all the available documents. Response to this and other public comments can be found on the Navy's website.</p> <p>WDOE hosted a meeting on July 18, with participation from the Navy. WDOE opened the meeting to oral public comments.</p>
	<p>Are there other groups or community organizations which should be contacted for input or hold meetings?</p> <p><i>Form 47 – Put notice in paper, PCC newsletters, U.W. paper, ecological health registries (or web sites), Sierra Club.</i></p> <p><i>Form 55 – UW, WSU, Hanford cleanup specialists, toxic waste specialists.</i></p>	<p>Responses to Forms 47 and 55 were combined as the comments were similar enough that the answer was the same.</p> <p>The Navy will consider this comment in the preparation of the CIP.</p> <p>A Notice of Intent was published in the Seattle Times prior to the public meeting and the start of the TCRA, and again to announce the extension of the Public Comment Period.</p>

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	<p>Do you want to be on an official mailing list for the investigation and cleanup of Magnuson Park? (Note: Names, addresses and e-mails were removed by the Navy to protect privacy)</p> <p><i>Yes's: Form 27, 29, 30, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56</i></p>	<p>WDOE and the Navy have added all verifiable contact information to their official mailing list for Sand Point.</p>
	<p><i>How did you hear about tonight's meeting?</i></p> <p><i>Form 29 – Pollet</i></p> <p><i>Form 30 – Mailer and email from family member</i></p> <p><i>Form 47 – Newspaper</i></p> <p><i>Form 48 – Email</i></p> <p><i>Forms 49 – Postcard from Rep Pollet</i></p> <p><i>Form 50 – News</i></p> <p><i>Form 51 – Email from a friend</i></p> <p><i>Form 52 – Mailing</i></p> <p><i>Form 53 – Flyer</i></p> <p><i>Form 54 – MPAC</i></p> <p><i>Form 55 – Postcard from Rep Pollet</i></p> <p><i>Form 56 – Neighbor</i></p>	<p>The Navy appreciates your feedback regarding communication about planning of our public meetings and will take it into consideration for planning of future Navy public meetings. The Navy will announce any future meetings with an announcement in the local newspaper and with a notice on our website.</p>

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	<p>Did you feel that information from the agencies was accurate and adequate, or can be improved?</p> <p><i>Form 29 - Not adequate. Heavy on dates, low on data.</i></p> <p><i>Form 30 – It needed to be organized in a more coherent presentation.</i></p> <p><i>Form 47 – Vague.</i></p> <p><i>Form 48 – Would like to have seen documents on levels of radiation and why process was delayed. Discovered in 2010 not proposed to be remediated until July 2013.</i></p> <p><i>Form 49 – I need more time to evaluate. Postcard received 5/28 is first I heard there was a problem with radiation at Magnuson.</i></p> <p><i>Form 50 – Adequate – multiple rooms would be ideal for various topics – bit loud and hard to hear with so many topics and over chatter.</i></p> <p><i>Form 51 – Don’t know.</i></p> <p><i>Form 52 – Can be improved.</i></p> <p><i>Form 53 – Why not give one presentation versus multiple posters. This open house was not maximally effective in sharing similar information to everyone.</i></p> <p><i>Form 54 – Go public earlier. Cover up not good.</i></p> <p><i>Form 55 – I sense a lot of spin control and damage control and distrust of the public’s intelligence and ability to</i></p>	<p>The Navy appreciates the feedback regarding the open house on May 29 and will consider the suggested ideas and format for future Navy public meetings.</p> <p>To include the public in the TCRA process, the Navy, in coordination with the City of Seattle Parks Department, expanded the public outreach from what is required by CERCLA, by communicating to the public earlier than usual for a TCRA, holding a public meeting, and asking for public comment. We recognize that this did not satisfy the Magnuson Park community. Accordingly, the Navy is striving to improve our public outreach and communication, and we are preparing a CIP. The CIP will identify outreach activities that, address community concerns and expectations. As between the Navy and the City of Seattle Parks Department, the City has the lead for communications with the public in regards to the site with the exception of public outreach for the TCRA and other requirements under CERCLA, the Navy has respected the City of Seattle Parks Department’s request that they lead communication with the public in regards to the site, except for public outreach to support the TCRA and other requirements the Navy has under CERCLA.</p> <p>Information concerning the TCRA can be reviewed on the Navy’s website, in the administrative record and in the information repository.</p>

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	<p><i>not over react to the situation.</i></p> <p><i>Form 56 – I didn’t hear everyone speak. Meeting was disorganized, I would recommend a more formal format with all attending seated and the agencies up front (together) to speak and answer questions.</i></p>	
	<p>What do you think are the appropriate long-term uses of the Park and buildings which could lead to possible avenues for exposure to contamination? These are referred to as “exposure scenarios.” Please check those that you think should be</p>	<p>The buildings and lands, which make up the property that is being cleaned up under this TCRA, transferred in 1999 and 2002 from the United States of America to the City of Seattle under a Public Benefit Conveyance which allowed for transfer if the property was used and maintained for public park or</p>

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	<p>considered: (Note: Reflects number of forms checked)</p> <ul style="list-style-type: none"> -Gardens growing vegetables: 8 -Children playing in the dirt: 9 -Childcare: 6 -Watering and irrigation of plants and lawns: 9 -Housing, such as done with converting buildings elsewhere in the -Park: 7 -New construction which excavates dirt below levels proposed to be cleaned up: 8 -Wells for watering gardens or drinking: 7 -Beach and water access: 10 -Sailing and waterfront activities near stormwater discharges: 8 -Other ideas for activities which might lead to exposure of contamination left behind: <p><i>Form 47 - Cleanup to the highest degree – set a precedent that the Navy and Dept. of Ecology cares about public safety and health.</i></p> <p><i>Form 55- Dog park, swimming</i></p>	<p>recreation purposes, in perpetuity. Therefore, public park and recreational use were evaluated as the intended future land use for this specific TCRA. To address utility work and park/park tenant employees, the industrial worker scenario was also included in the evaluation and the more restrictive of the two scenarios were chosen as the project cleanup criteria.</p> <p>The basis for the selected cleanup criteria for this TCRA is contained in the Action Memorandum which can be accessed on the Navy’s website, in the administrative record and in the information repository.</p>
	<p>Yes or No: Do you believe that the cleanup should be based on future unrestricted use of the Park?</p> <p><i>Yes’s: 10</i></p> <p><i>No’s: 0</i></p> <p><i>Form 55 -I believe the “experts” should make the final call, without regard to the Navy’s reputation or the interest of business. Should be based solely on health of people, animals, and environment.</i></p>	<p>The TCRA is intended to remediate the radiological releases in these areas to meet the standards for the intended future land use. The buildings and lands, which make up the property that is being cleaned up under this TCRA, transferred in 1999 and 2002 from the United States of America to the City of Seattle under a Public Benefit Conveyance which allowed for transfer if the property was used and maintained for public park or recreation purposes, in perpetuity. Therefore, public park and recreational use were evaluated as the intended future land use for this specific TCRA. To address excavation of utilities,</p>

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	<p>Or do you believe it is appropriate to limit cleanup and leave contamination based on expectations that the only exposure will be limited to adult industrial workers or “recreationists” at the Park?</p> <p><i>Yes’s: 1</i></p> <p><i>Form 54 - Limit use and areas to be developed</i></p> <p><i>No’s: 6</i></p> <p><i>Form 56 - Otherwise the “park” should never have been developed.</i></p> <p>Do you believe the cleanup should be protective of such additional uses as future pea-patches growing food, residents, children playing in dirt, excavation of utilities or other construction exposing dirt with contamination?</p> <p><i>Yes’s: 9</i></p> <p><i>No’s: 1</i></p>	<p>the industrial worker scenario was also used in the calculation of the release criteria.</p>
	<p>Should the cleanup plan be amended to include investigating the sediments and shoreline of Lake Washington, where contaminated storm drain lines discharge?</p> <p><i>Yes’s: 10</i></p> <p><i>Form 47 - The environment is not limited to Bldg. 27 & 2, it’s a holistic interactive system.</i></p> <p><i>Form 48 - This is critical in the event</i></p>	<p>Areas not addressed in this TCRA that were transferred under BRAC will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. The assessment includes evaluating potential radiological impacts to near shore soil and possibly sediments in Lake Washington from the area that the TCRA is being conducted. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow.</p>

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	<p><i>that these materials may have migrated.</i></p> <p><i>Form 56 - The wetlands developed at the S end of the park should also be tested. There are many underwater springs in this area. Lots of flooding, runoff. Contaminants can travel through the soil, random soil sample throughout the park.</i></p> <p><i>Form 54 - Test soil</i></p>	<p>Note that there are areas of Magnuson Park which were not transferred under BRAC. Any additional environmental clean-up required in these areas would be handled under the Formerly Used Defense Site Programs, if transferred prior to 1986, which is managed by the US Army Corps of Engineers.</p>
	<p>Should the cleanup plan consider other hazardous substances left in the Park's soils around Buildings 27 and 2, including pesticides, gasoline and lead? Should lower cleanup levels be chosen based on these additional possible exposures if they are not cleaned up?</p> <p><i>Yes's: 8</i></p> <p><i>Form 47 - Do not compromise cleanup levels.</i></p> <p><i>Form 48 - Petroleum Hydrocarbons and pesticides are dangerous and should be included in the sampling plan and remediation</i></p> <p><i>No's: 2</i></p>	<p>The environmental cleanup of the Former Naval Station Puget Sound was completed prior to the transfer of property to the City of Seattle. Historic environmental work focused on chemicals associated with known sources of contamination. The WDOE issued a no further action addressing the non-radiological contamination and restricting use of portions of the property as a recreational park. Radiological contamination was first discovered in 2009. Since the source contamination is radiological in nature, the investigation and cleanup for this TCRA is focused on radiological constituents, not any existing known hazards that were accepted as part of the property transfer agreement. If additional sources of contamination are discovered during the removal action, then additional investigation and remediation may be conducted. The Work Plans currently address remediation of lead based paint and asbestos containing material.</p>
	<p>Should notice signs with warnings about contamination be posted?</p> <p><i>Yes's: 12</i></p> <p><i>Form 30 – Always</i></p> <p><i>Form 47 -Public needs to know, include phone numbers.</i></p>	<p>Upon learning of the potential for radiological impacts, the Navy took immediate steps to secure the areas of concern and protect the public. The areas with radiological contamination were secured, signage was posted, and monitoring is conducted by a state approved licensed radiological contractor to ensure there is no risk of exposure to the public. The Navy</p>

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	<p><i>Form 55 -Signs with correct comparisons of exposure as we see here tonight.</i></p> <p><i>Form 56 -Children naturally want to play wherever it says “keep out” or is fenced. The actual dangers need to be public knowledge (via Notice Signs)</i></p> <p><i>No’s: 0</i></p>	<p>reviewed all the survey data to ensure the public is protected in accordance with existing state regulations.</p> <p>Signs are currently posted at all access points for areas undergoing removal action and will remain in place until the removal action is complete. After the removal action is complete, radiological surveys will be performed to ensure there is no residual contamination above release limits.</p>
	<p>What are your thoughts about the appropriate cleanup standard which the cleanup should be based on? Our State’s hazardous substance site cleanup law (MTCA), administered by WA Dept. of Ecology, says that cleanup levels must not cause cancer risk from exposure to all contamination left on-site one additional cancer for every 100,000 persons exposed.</p> <p>State law also required use of permanent cleanup remedies – removing contamination – as opposed to leaving contamination under dirt or asphalt and relying on “institutional controls” to prevent exposures.</p> <p>The Navy proposes to use a cleanup standard allowing 15 millirem of radiation exposure per year to each radionuclide. For adults, 15 millirem is projected to result in 8 fatal cancers for every 10,000 adults exposed. Children and women are 3 to 10 times more susceptible to cancer from the same does as an adult male (the Navy’s proposed cleanup levels could result in 30 millirem of exposure combined from both Radium and Strontium – doubling these risks, e.g.,</p>	<p>Responses to some forms were combined as the comments were similar enough that the answer was the same.</p> <p>Form 30 – I prefer the highest level of cleanup, which feels like our responsibility to ensure as concerned citizens.</p> <p>Form 47 – Go for the safest level possible.</p> <p>Form 55 – Considering the sheer volume of children who use this park and facilities, I believe the cleanup effort should EXCEED the existing standards.</p> <p>We infer from the comments that they are in reference to the radiological release criteria for the project. The radiological release criteria that are being applied during the TCRA were developed in consultation with WDOE and WDOH, using RESRAD. RESRAD is a computer model designed to estimate radiation doses and risks from residual radioactive materials, and is accepted by EPA, WDOE and WDOH. Likely scenarios of exposure path ways, such as a recreationist and industrial worker, were used in the model. The results of the modeling scenarios were evaluated and the most restrictive levels for each radionuclide were chosen as the TCRA cleanup criteria. Once the remediation action is complete, the final sampling results for all radionuclides of concern will be modeled and summed to</p>

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	<p>to 16 fatal cancers for every 10,000 adults exposed).</p> <p><i>Form 30 – I prefer the highest level of cleanup, which feels like our responsibility to ensure as concerned citizens.</i></p> <p><i>Form 47 – Go for the safest level possible.</i></p> <p><i>Form 48 – Should be based on MTCA as most other facilities in the state that have undergone remediation have to follow and implement MTCA guidelines.</i></p> <p><i>Form 49 – The cleanup should be done to our state standards and include permanent cleanup remedies.</i></p> <p><i>Form 55 – Considering the sheer volume of children who use this park and facilities, I believe the cleanup effort should EXCEED the existing standards.</i></p> <p><i>Form 56 – A thorough cleanup must be done since this is at a public park. My answers may have been different for some questions if this were not the case.</i></p>	<p>ensure that their dose in unity does not exceed the chosen EPA guidance dose of 15 mrem per year. These results along with all other data collected during the removal action will be published in a final report that will be available to the public. If any data collected during the removal action indicates that there are potentially unacceptable risks or unresolved issues in soil or storm drains, additional evaluation and remediation will be conducted as necessary.</p> <p>Detailed information about the release criteria can be reviewed in the Final Action Memorandum and Final Removal Action Work Plan available on the Navy’s website, the administrative record and the information repository.</p> <p>Form 48 – Should be based on MTCA as most other facilities in the state that have undergone remediation have to follow and implement MTCA guidelines.</p> <p>Form 49 – The cleanup should be done to our state standards and include permanent cleanup remedies.</p> <p>The radiological release criteria and applicable dose basis being applied for the TCRA were developed in consultation with WDOE and WDOH. This action is being conducted under CERCLA 42 U.S.C. 9601–9675 as amended by the Superfund Amendments and Reauthorization Act. The Navy, as the lead agency, follows the NCP, 40 CFR 300, which is the regulation that implements CERCLA. The Washington State MTCA, Chapter 70.105D RCW, is considered an Applicable or Relevant and Appropriate Requirement under the NCP, and as such, all substantive requirements, to the extent practicable, will be followed in the performance of the TCRA. Applicable or Relevant and Appropriate Requirements are</p>

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		<p>an integral part of the CERCLA process and guide the cleanup action. Other Applicable or Relevant and Appropriate Requirements are identified in the 2013 May TCRA Final Action Memorandum, Section 5.3 and Table 5, available on our Navy website, in the administrative record and in the information repository.</p> <p>WDOE and WDOH are involved with the project and review all work performed, including doing site inspections, taking their own samples and analyzing them as verification of Navy sampling, and reviewing work plans and reports.</p> <p>Form 56 – A thorough cleanup must be done since this is at a public park. My answers may have been different for some questions if this were not the case.</p> <p>If any data collected during the removal action indicates that there are potentially unacceptable risks or unresolved issues in soil or storm drains, additional evaluation will be conducted as necessary.</p> <p>Areas not addressed in this TCRA that were transferred under BRAC, will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. The assessment includes evaluating potential radiological impacts to near shore soil and possibly sediments in Lake Washington from the area that the TCRA is being conducted. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow. Further radiological investigations and remediation may also be undertaken based on the results of surveys conducted after the completion of the TCRA.</p>

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		The Navy is committed to additional investigation and action if it is required to ensure the site is protective of its users.
58	<p>Regardless of regulations, the community should have been notified much earlier. Whether just an issue of perception or a reality, many people, including young children, use Arena Sports and potential excess radiation is a concern.</p> <p>Transportation of hazardous materials (contaminated soil) should not take place on primarily residential roads (i.e., NE 65th and NE 75th)</p> <p>Monitors should be placed near the P-patch around Arena Sports and at the playground.</p> <p>Additional testing should be performed between the contaminated sites and Lake Washington to check the extent of contamination along the gradient toward the shore.</p> <p>Inviting thoroughly neutral third persons, such as Scott Davis, a UN epidemiologist who studies radiation on health would lend credibility to the claims that the public should not be concerned regarding health.</p>	<p>The Navy is doing more public outreach than strictly required by regulation, i.e. CERCLA, by communicating to the public earlier than usual for a TCRA, holding public meetings, and asking for public comment. However, the Navy recognizes that this did not totally satisfy the Magnuson Park community. Accordingly, the Navy is striving to improve our public outreach and communication and we are preparing a CIP. The CIP will identify outreach activities that address community concerns and expectations. As between the Navy and the City of Seattle Parks Department, the City has the lead for communications with the public in regards to the site with the exception of public outreach for the TCRA and other requirements under CERCLA, the Navy has respected the City of Seattle Parks Department's request that they lead communication with the public in regards to the site, except for public outreach to support the TCRA and other requirements the Navy has under CERCLA.</p> <p>The Navy appreciates your input concerning project waste transportation and the Navy is coordinating closely with SDOT and Seattle Department of Parks and Recreation to establish the best transportation routes and times for waste transport. The trucks must meet Washington State Department of Transportation and United States Department of Transportation requirements for containerization, weight, height, and placards. Conditions will change as road work progresses in the area and the Navy contractor will coordinate with Washington State Department of Transportation and Seattle Department of Parks and Recreation.</p>

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		<p>Weekly progress reports are being posted to our Navy website. The reports outline the work that was conducted during the prior week and the planned work for the upcoming week, and provide notice when wastes will be shipped off site.</p> <p>Air monitoring is being conducted in and around the removal action work areas. Air monitoring stations are located in buffer zones around the project, and one is located across the parking lot from the P-patch. Details associated with the air monitoring locations and procedures can be found in the Air Emissions Plan in Section 5 of the Radiological Removal Action Work Plan which is available on the Navy's website.</p> <p>The Navy is conducting an assessment to evaluate potential radiological impacts to near shore soil and possibly sediments in Lake Washington.</p> <p>The Navy agrees that input from independent technical experts would be valuable to support future public meetings. In the future the Navy will consider involving third party experts during public outreach events related to radiological actions at Magnuson Park. It should be noted that the State regulatory agencies that were available at the open house included qualified technical experts that review and provide input for all project plans and documentation related to the Navy's radiological investigation and remediation activities at Magnuson Park.</p>

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59	<p>Levels of Radiation in Magnuson Park Soils Include Some Very Dangerous Levels, Not Just "Low" Levels as the Navy Has Claimed: The levels of radioactive contamination in Magnuson Park include areas of soil which the public was exposed to for years as high as 1.4 millirem per hour. Every 7 hours of exposure at the Hot Spot west of Building 27 (which houses Arena Sports) would give the equivalent of a full chest x-ray.</p> <p>The dose from continual exposure to the soil at this spot would be 12,264 millirem per year. While no one sat on the soil there year round, that level of exposure would be 1,226 x-rays per year. Another way of looking at this exposure and the need for cleanup is that 76% of adult males exposed year around annually would be projected to get cancer from exposure to the soil at this site. The risk to women and children from the same level of exposure (dose) is even higher. Based on the consensus National Academy of Science estimate of risk from radioactive exposures updated in 2006, 124% of women would be expected to get cancer based on annual lifetime exposures at this level. Children are 3 to 10 times more susceptible to get cancer from the same radiation dose as an adult.</p> <p>As discussed below, the Navy gave presentations and issued materials which falsely sought to present to the public that the sole radioactive contamination was Alpha particles, which do not penetrate paper. The soil levels at hot spots are, however, from</p>	<p>The Navy acknowledges that the levels of the radiation detected within areas proposed for remediation are above acceptable levels, which is the basis for the Navy's decision to secure these areas and prevent unauthorized access, place metal plates over specific areas to reduce exposure levels through shielding and expedite cleanup through a TCRA. The nomenclature, low-level, is a term that is used by the radiological health and safety experts to distinguish sources. The use of this terminology is not intended to marginalize the risks or diminish the importance of characterizing and remediating impacts to the public and environmental health and safety at Magnuson Park.</p> <p>The radiological release criteria that are being applied during the TCRA were developed in consultation with WDOE and WDOH, using RESRAD. RESRAD is a computer model designed to estimate radiation doses and risks from residual radioactive materials, and is accepted by EPA, WDOE and WDOH.</p> <p>It is unclear what Navy issued material or presentations the commenter is referring to in regards to false information. All documents prepared by the Navy have been factual, based on information that was available at the time. The documents are available on our Navy website, in the administrative record, and in the information repository.</p> <p>We make every effort to ensure that information is complete and factual, to the best of our abilities and given the information we have currently available to us. The Navy acknowledges that there has been information published or distributed by</p>

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	<p>a combination of Gamma and Beta penetrating several feet of soil. The Navy fails to have any report disclosing these risk levels. As discussed in these comments, under both state and federal laws (MTCA and CERCLA), the Navy is required to produce reports revealing these risks and the risks from the levels of radioactivity which the Navy proposes to leave behind in the soils.</p>	<p>others which was not wholly accurate. We can only infer that the comment pertains to such information.</p> <p>The Navy has communicated the findings of the Remedial Investigation, which indicated that Radium 226 (Ra-226) is the primary radionuclide of concern and that Cesium 137 (Cs-137) and Sr-90 were also detected and considered as radionuclides of concern. The majority of identified contamination for this site is Ra-226 and the greatest risk to the public would be exposure to alpha particles through inhalation, ingestion, or injection through the skin. Ra-226, Cs-137, and Sr-90 are all associated with potential sources at the site and, collectively, these radionuclides represent alpha, beta, and gamma emitters. The 2011 Remedial Investigation that reports these findings can be reviewed on the Navy’s website, in the information repository, and in the administrative record.</p>
	<p>The Navy Should Not Use a Secret Process to Justify a Secret Process <i>The Navy concealed the presence of contamination from the public for three years after confirming that serious levels of contamination existed within Magnuson Park. Now, the Navy continues to throw the veil of secrecy over records needed by the public and regulators to review the extent of contamination, adequacy of the investigation, to comment on potential impacts, and to propose alternative cleanup actions.</i></p> <p>Given the secret nature of the Navy’s process, few things are absolutely certain. The one thing that is absolutely certain, however, is that the Navy – with the complicity of its “partners,” has taken steps to conceal the contamination and keep the project a secret from the public for as</p>	<p>We infer that you intended was to reference 40 CFR 300.415 versus 300 CFR 300.415, as 300 CFR 300.415 does not exist. The Navy has complied with the requirements of CERCLA with respect to public involvement. However, we acknowledge that, although we met all legally required notifications, we need to improve our public outreach and communication. We are preparing a CIP, as required. The CIP will identify outreach activities for us to use, addressing community concerns and expectations. We expect that executing the CIP will improve our community outreach.</p> <p>The City of Seattle identified potential radiological issues in Buildings 2 and 27 in 2009 and advised the Navy. Upon learning of the potential for radiological impacts in 2009, the Navy took immediate steps to secure the areas of concern and protect the public, and contacted the appropriate state</p>

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	<p>long as possible. There is no other explanation for why the Navy chose to not notify the public for <i>three years</i> about radioactive contamination in a high-use public park. Nothing else explains why the Navy designed signs that do not say “radioactive contamination” or even “contaminated area,” as is the standard to warn the public but rather small white (8.5 x 11 inch) signs that say “controlled area.”</p> <p>The Navy and Seattle Parks were well aware that these inadequate signs – along with gaps in fencing – would not keep people out of contaminated areas or buildings. State rules require contaminated areas be posted with large signage (e.g., land use style four foot by six foot) informing the public of contamination and how to obtain information. Federal and state rules, including the Navy’s, require that radiological contamination areas be posted with explicit radiological contamination warnings. The Navy failed to post such signage on the fencing surrounding the contaminated areas and the outside access points of the buildings. This is a serious on-going violation of occupational health and public safety rules.</p> <p>It is plain as day that the Navy violated 300 CFR 300.415 for their first Time-Critical Removal Action in 2010-2011 in which they conducted a Remedial Investigation while removing especially hot sections of pipe. Navy documents refer to this as a Time-Critical Removal Action (in addition, there is no other logical explanation for it) and basic requirements of such an action were not met.</p>	<p>and federal environmental regulatory agencies including EPA, WDOE, and WDOH. The areas with radiological contamination were secured; signage was posted in accordance with the Navy contractor’s radioactive material license requirements that were invoked under reciprocity with WDOH. The radiological contractor also conducted routine inspections and surveys to ensure there was no risk of exposure to the public. The signs were reviewed and inspected by WDOH on multiple occasions to verify compliance with state requirements.</p> <p>The first reports of the radiological contamination, provided by the City of Seattle Park’s Department, indicated that the contamination was localized to discrete piping within non-occupied areas of buildings 2 and 27. The Navy intended to conduct a TCRA, per 40 CFR 300.415, to remove the contaminated piping, but based on results of scoping surveys conducted at the site, the Navy determined not to conduct a TCRA at that time. The Navy instead initiated a Remedial Investigation per section 40 CFR 300.430.</p> <p>All actions taken by the Navy were in accordance with applicable laws and conducted with the knowledge and involvement of applicable state regulatory agencies and the property owner. Records of the Navy’s actions are public record and site specific records are available on our Navy website, in the administrative record, and in the information repository.</p> <p>During the conduct of the Radiological Remedial Investigation, it was necessary to remove piping and other materials in order to send them to a laboratory for further analysis, in much the same way we take</p>

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	<p>300 CFR 300.415 requires: (n) <i>Community relations in removal actions</i> (1) In the case of all CERCLA removal actions taken pursuant to 300.415 or CERCLA enforcement actions to compel removal response, a spokesperson shall be designated by the lead agency. The spokesperson shall inform the community of actions taken, response to inquiries, and provide information concerning the release. All news releases or statements made by participating agencies shall be coordinated with the OSC/RPM. The spokesperson shall notify, at a minimum, immediately affected citizens, state and local officials, and, when appropriate, civil defense or emergency management services.</p> <p>(2) For CERCLA Actions where, based on the site evaluation, the lead agency determines that removal is appropriate, and that less than six months exist before on-site removal activity must begin, the lead agency shall:</p> <p>(i) Publish a notice of availability of the administrative record file established pursuant to 300.820 in a major local newspaper of general circulation within 60 days of initiation of on-site removal activity;</p> <p>(ii) Provide a public comment period, as appropriate, of not less than 30 days from the time the administrative record file is made available for public inspection, pursuant to 300.820(b)(2); and</p> <p>(iii) Prepare a written response to significant comments pursuant to 300.820(b)(3)</p> <p>In the interests of transparency, please provide proof of meeting each of</p>	<p>samples of soils and water to send to laboratories. It was through this process that we determined that SR-90 was an additional contaminate of concern in the removed piping.</p> <p>The Navy has published all required public notices and is developing a Community Involvement Plan in compliance with the NCP for the Former Naval Station Puget Sound. The plan will include detailed information regarding how the public can acquire information and stay involved in the cleanup processes. Information provided by the public in this comment, including contact information for interested members of the public, will be considered in the Community Involvement Plan.</p> <p>In regards to the TCRA the Navy is conducting in 2013, through weekly security inspections the Navy determined that incursions into the areas of concern by trespassers, copper thieves and vandals were increasing in frequency, and could not be deterred by fencing, signage or locks. Also, the deterioration of the buildings was increasing at a higher rate than anticipated posing both a safety risk for remediation workers and a potential risk for the spreading of contamination, although periodic monitoring continues to show this has not occurred. For these reasons, the Navy made the decision to conduct a TCRA, expediting cleanup and minimizing the potential for exposure to protect human health and the environment.</p> <p>Since the radiological contamination at this site was published by local television, radio and print media in March of this year; the Navy and the Park's Department have seen an increase in trespasses and attempted trespasses into secured areas. The most</p>

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	<p>these requirements. And if you attempt to, please also explain how it is possible the Navy fulfilled those requirements but the central purpose of those requirements – that the general public be notified of contamination in places like high-use public parks – still went unmet (which it clearly did for three years). If the Navy failed to meet the requirements, please acknowledge as much.</p> <p>By itself, the secrecy is outrageous. But, it gets worse. Now, after years of dillydallying and not dealing with the problem, the Navy is claiming another Time-Critical Removal Action is necessary – a process that bypasses a thorough analysis of alternatives and impacts as well as full public involvement provisions in the interest of time. The Navy claims that urgency is because of “trespassers” – trespassers that would have thought twice about entering a radioactive contamination zone had they known about it – from the proper notification signs warning of “radioactive contamination” that the Navy refuses to put up or a public involvement process as required by law that the Navy did not want to do in the interests of secrecy. The end point of all of this is in the pits of irony: the Navy’s justification for keeping secrecy through a Time-Critical Removal Action is a direct result of its decision to maintain secrecy all along.</p> <p>In addition, the Navy has known about the persistent and consistent problems of building deterioration and uninvited building intruders from the very beginning of the process.</p>	<p>recent reported attempted unauthorized entry was in November 2013. In order to re-secure the area, each trespass or attempted trespass requires the Navy to resurvey and inspect the area, at an additional cost of approximately \$2,000 each event.</p> <p>To include the public in the 2013 TCRA process, the Navy, in coordination with the City of Seattle Parks Department, expanded the public outreach from what is required by CERCLA, by communicating to the public earlier than usual for a TCRA, holding a public meeting, asking for public comment, and extending the comment period when requested by a single comment.</p>

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	<p>Indeed, these were known problems in this area well before the contamination was first discovered. By unnecessarily taking years to do a Non-Time Critical Removal Action – dragging its feet on finalizing an EE/CA and notifying the public – the Navy has, again, attempted to create its own justification for Time-Critical Removal Action by ignoring common-sense and legally required signage and other steps to prevent intrusion.</p> <p>The Time Critical Removal Action process, as the Navy seeks to implement it, bypasses the thorough analyses and public involvement that would accompany a legitimate clean-up project for Magnuson Park, such as preparing an Engineering Evaluation and Cost Analysis (EE/CA), Feasibility Study or EIS. Secrecy shouldn't justify secrecy. And waiting to do a clean-up shouldn't justify switching to a Time-Critical Removal Action to attempt to bypass the EE/CA and public involvement for it that should have been happening all along. This circumvention of the CERCLA process threatens the integrity and force of key provisions of CERCLA and must be stopped. We ask the Navy to reverse course, produce an EE/CA for public review before proceeding, and – at the very least – do soil removal and investigation of environmental contamination through the normal full CERCLA and MTCA process.</p>	
	<p>The Navy Should Produce a Community Relations Plan, Extend the Comment Period, and Wait for the Comment Period to Close before</p>	<p>The Navy is preparing a CIP, as required per 40 CFR 300.415(n)(3). The CIP will identify outreach activities for us to use, addressing community concerns and</p>

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	<p>Commencing</p> <p>The public process has been wholly inadequate from the start. The Navy has not produced a community relations plan are required by federal law (40 CFR 300.415(n)(3)). It has not made necessary documentation available for comments – indeed, hours before the comment period closed, the Navy informed us that it would not release vital records for review.</p> <p>The Navy totally failed to explain at the public meeting and hearing held on July 18, 2013 that the Navy’s comment period ends on Thursday, July 25 – despite an Ecology comment period that runs until August 31.</p> <p>The mailing and handout distributed instructs the public to send comments to Navy through August 31. The Navy acknowledges reviewing and approving the language of the handout and mailing. Yet, the truth is that the Navy does not plan to respond to comments received after July 25, 2013.</p> <p>At the public meeting, the Navy could have easily said: “get your comments in by July 25 if you want the Navy to respond because our period is closes.” Instead of better coordinating with regulators or communicating to the public, The Navy blamed the public’s confusion on Public Interest Groups likes ours spreading misinformation. The source of that misinformation comes straight from the confused news releases, communications, and decision-making processes caused by completely jumbled management of the project. That mismanagement is primarily the product of the Navy’s</p>	<p>expectations.</p> <p>All documents pertaining to the decision and supporting the TCRA are available in the administrative record and in the information repository. Many of these documents are available on the Navy’s website.</p> <p>Is response to a comment received from Ryan Strong of Heart of America Northwest and Heart of America Northwest Research Center, on June 17, the Navy extended the end of the TCRA public comment period from June 27 to July 25. We published a notice of extension in the Seattle Times on June 27, which also ran in the Seattle Times NW classifieds from June 27 to July 3, and sent out a Press Release with an article appearing in the June 26th Seattle Times. We too informed Mr. Strong by e-mail on June 24 that the comment period had been extended.</p> <p>Although the Navy mobilized to the site on July 8, the first few months were spent doing typical mobilization activities, setting up air monitoring, stormwater protection, and temporary drainage systems, obtaining approvals, clearing vegetation, and doing characterization, asbestos/lead sampling and surveys. The Navy’s contractor began removing contaminated building material in building 2 the week of September 9. This gave the Navy enough time to review the public comments received during the comment period and to determine if any changes were required in the removal action, and to implement them. Some examples of actions that were taken due to public comments received are: expanding subsequent studies to include an assessment of all areas of the Former Naval Station Puget Sound transferred under BRAC, weekly publication online of progress and planned activities of the TCRA, posted fact sheets on site, closer coordination with</p>

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	<p>intransigence and insistence on holding on to power over regulatory bodies who should legally be in charge (more on that later). But what is even more egregious is that the Navy is going forward with the clean-up before the public comment period closes. The Navy is going forward with cleanup actions before it responds to comments, and before the Navy can make any adjustments to its plans based on those comments. This is totally unacceptable. Public comments are not about citizens airing out their grievances – they are about citizens participating in the process of formulating the best possible clean up plan. <i>This role for the public to play is enshrined into our environmental laws for a reason – because it is a basic tenet of a democratic system of government.</i> We, therefore, request that the Navy join the Washington Department of Ecology in extending the comment period until August 31, 2013; and halt all action until: The Ecology comment period ends and the Navy considers all comments received through August 31st (justified by the fact that the Navy itself has led the public to believe that it will accept and respond to comments submitted until August 31, 2013 via public statements, omission and signing off on the Ecology mailing, which specifically states that comments may be submitted to both Ecology and the Navy until August 31st); The Navy releases all requested public records and provides at least 30 days for regulators and the public</p>	<p>SDOT on transportation routes, addition of groundwater sampling if encountered to the TCRA, placing additional emphasis on diverting rainwater from the soil excavation areas, placing more site information on the Navy website, and extension of the public comment period.</p> <p>The Public Meeting held on July 18 was a WDOE Public Meeting, and the Navy presented information as requested and reviewed by WDOE. The WDOE has their own public comment period, and upon request by WDOE the Navy is prepared to assist in the development of responses to comments.</p> <p>Given the nature of the vast majority of comments, that the Navy had already received a significant number of comments, and as the request for extension from Heart of America was already honored, the Navy did not feel it was necessary to further extend the comment period. No other requests were received requesting an extension except from Heart of America. Other than the comments received by the Navy from Heart of America, no additional comments were received after the June 27th deadline. The Navy shared the comments received with WDOE, WDOH, and the City of Seattle.</p> <p>The Navy has complied with the requirements of the Freedom of Information Act (FOIA). As FOIA is separate from the CERCLA process, comments on FOIA will not addressed here.</p> <p>Areas not addressed in this TCRA that were transferred under BRAC, will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. The</p>

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	<p>to review those records requested pursuant to the Freedom of Information Act (and drops efforts to charge requesters hundreds of dollars for the records); Ecology and the Navy consider and respond to public comments; The Navy produces a Feasibility Study or Cleanup Plan and Environmental Impact Statement pursuant to MTCA, or an equivalent EE/CA, for the public and regulators to review potential impacts from the Navy's proposed actions along with reasonable alternative cleanup plans which may be more protective of health or the environment; A draft public involvement plan is prepared for public comment and Ecology review and approval, including commitments to provide adequate notice of the availability of the documents referred to above and summaries of the information contained in the required, but missing, reports and analyses; Further investigation of all potential contaminated areas and media occurs in full compliance with MTCA and CERCLA, including EPA approval of all sampling and analysis plans (as required by law and described in these comments), followed by preparation of the required analyses for public and regulator review.</p>	<p>assessment includes evaluating potential radiological impacts to near shore soil and possibly sediments in Lake Washington from the area that the TCRA is being conducted. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow. Further radiological investigations and remediation may also be undertaken based on the results of surveys conducted after the completion of the TCRA. In the short-term the Navy does intend to complete the planned TCRA and is committed to additional investigation and action if it is required to ensure the site is protective of its users.</p> <p>Neither MTCA nor CERCLA require that EPA approve sampling and analysis plans for a TCRA. The Navy has kept EPA informed, and provided them all documents pertaining to the site. EPA has asked the Navy to continue working with the State of Washington.</p>
	<p>The Navy Should Correct its Misstatements that Alpha Radiation Was the Sole Form of Radiation of Concern at the Site The Navy has made several statements that are clearly false. For example, the Navy stated in an official fact sheet, which went through multiple layers of review,</p>	<p>It is unclear what Navy issued material, presentations, or statements the commenter is referring to in regards to alpha radiation. All documents prepared by the Navy have been factual, based on information that was available at the time. The documents, including the fact sheet, are available on our Navy website, in the administrative record, and in the information repository. The fact</p>

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	<p>that alpha radiation is the only type of radiation present on site. The Navy proceeded to note that the only radiation described as being on-site can be stopped by a piece of paper. However, contaminants on-site include Radium, Strontium, and Cesium and comprise alpha, beta, and gamma radiation. The main type of radiation tested for, sampled, and included in the Navy’s own Remedial Investigation, Action Memorandum, and Work Plan are gamma emissions that are dangerous to be in the vicinity of and most definitely cannot be stopped with a piece of paper, or even several feet of dirt. <i>This statement should be corrected for the record as part of the public process and as part of a new public involvement plan.</i></p> <p>As agreed to at our meeting of July 22nd, the Navy’s public involvement plan (community relations plan) should include a commitment to have stakeholders review informational materials and future notices to prevent such misstatements; and, include how the Navy will cure the misstatements made to date, e.g., only describing alpha radiation as being present.</p>	<p>sheet states “The TCRA is being conducted to address radium-226 (Ra-226), cesium-137 (Cs-137), and/or strontium-90 (Sr-90) contamination found during the 2010 investigation of the Building 27 South Shed, Building 2, and areas outside of Buildings 2, 12, and 27. The TCRA is intended to remove radiological contamination in these areas.” This is a factual statement.</p> <p>We make every effort to ensure that information is complete and factual, to the best of our abilities and given the information we have currently available to us. The Navy acknowledges that there has been information published or distributed by others which was not wholly accurate. We can only infer that the comment pertains to such information.</p> <p>The Navy has communicated the findings of the Remedial Investigation, which indicated that Ra-226 is the primary radionuclide of concern and that Cs-137 and Sr-90 were also detected and considered as radionuclides of concern. The majority of identified contamination for this site is Ra-226 and the greatest risk to the public would be exposure to alpha particles through inhalation, ingestion, or injection through the skin. However, Ra-226, Cs-137, and Sr-90 are all associated with potential sources at the site and, collectively, these radionuclides represent alpha, beta, and gamma emitters.</p> <p>The Navy is preparing a CIP, as required per 40 CFR 300.415(n)(3). The CIP will identify outreach activities for us to use, addressing community concerns and expectations.</p> <p>The Navy made no commitments at the July 22 informational meeting, held with WDOE, WDOH, Sen. David Frockt, and Heart of</p>

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	<p>The Navy Should Correct its Misstatements that there is “No Contamination” in the Sewer Line Under Building #27, which houses Arena Sports and the Magnuson Athletic Club</p> <p>Another claim that the Navy had reason to believe was false but said over and over is that the storm drain line under building #27 was “clean,” had “no contamination,” and had “no elevated levels.”</p> <p>Clean means clean, no contamination means no contamination, and no elevated levels means no elevated levels. Those words/phrases do not mean 17,000 counts per minute of gamma radiation in areas of that pipe under Building 27.</p> <p>Navy representatives have repeatedly made statements that this drain line is “clean.” Yet, buried in the Navy’s own Remedial Investigation is documentation of very serious levels of contamination. The contamination may be far higher, but the crawler equipment had to stop due to water in the line.</p> <p>If 17,000 counts per minute is within the Navy’s project release criteria, the Navy’s project release criteria is inadequate to protect public health or prevent contamination of surface waters (the line runs into Lake Washington by the boating beach and dock), ground water and soils. 17,000 counts per minute is not what the Navy said: which was “no contamination.”</p> <p>These misstatements and false statements were intended to, and did, impact public comment. Therefore, it is essential that new public comment</p>	<p>The Navy’s statements referenced in the comment concerning the storm lines were based on Remedial Investigation results that were compared to the 2010 and 2011 Remedial Investigation cleanup criteria. The Navy has established a lower release criterion for storm drains as part of the TCRA action, as documented in the Action Memorandum and therefore additional evaluation of the storm drains is being conducted as part of the TCRA. The results of this evaluation will be used to determine if additional storm drain action is warranted. The results of this evaluation will be available for review on the Navy’s website.</p>

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	<p>periods occur after correction and after other required analyses and investigations are completed and released for public review, as part of a new public involvement plan. <i>The false statement should be corrected for the record as part of the public process.</i></p>	
	<p>The Navy Should Produce an Engineering Evaluation and Cost Analysis (EE/CA) as Required by Federal Law (CERCLA) 40 CFR 300.415(b)(4) is clear: when more than six months of planning time is scheduled from discovery of the contamination to when the removal activity must begin, an EE/CA must be conducted and available for public review. 40 CFR 300.415(b)(4) states: (4) Whenever a planning period of at least six months exists before on-site activities must be initiated, and the lead agency determines, based on a site evaluation, that a removal action is appropriate: (i) The lead agency shall conduct an engineering evaluation/cost analysis (EE/CA) or its equivalent. The EE/CA is an analysis of removal alternatives for a site. (ii) If environmental samples are to be collected, the lead agency shall develop sampling and analysis plans that shall provide a process for obtaining data of sufficient quality and quantity to satisfy data needs. Sampling and analysis plans shall be reviewed and approved by EPA. The sampling and analysis plans shall consist of two parts: Even if we count the Remedial Investigation as the discovery of contamination related to this project,</p>	<p>An Engineering Evaluation and Cost Analysis (EE/CA) is not required for a TCRA. The comment references requirements for a non-time critical removal actions being conducted under CERCLA, which are not applicable to the TCRA being conducted by the Navy at Magnuson Park. Also, this comment misinterprets 40 CFR 300.415, as the six months of planning does not start when the discovery is made, but when the lead agency determines, based on a site evaluation, that the removal action is appropriate, i.e. a decision is made to do a removal action. A decision can be made to do a removal action at any time in the CERCLA process, when it is deemed warranted by the lead agency.</p> <p>The Navy acknowledges that the commenter disagrees with the CERCLA action method chosen by the Navy. The Navy, with stakeholder input, has chosen what it deemed appropriate given the site conditions. The Navy is committed to conduct this action in accordance with applicable state and federal regulations and to the satisfaction of state regulatory agencies tasked with ensuring public and environmental health and safety.</p> <p>As to concerns about area posting, areas with radiological contamination were posted with signage in accordance with the Navy contractor's radioactive material license requirements that were invoked under reciprocity with WDOH. The radiological</p>

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	<p>the Navy had well over a year of time between this remedial investigation and commencement of removal action and must conduct an EE/CA.</p> <p>The Action Memorandum states that the Navy was preparing an EE/CA for the project under a Non-Time-Critical Removal Action but then abandoned it. In discussions with state agencies and us on July 22, 2013, Navy managers stated that the EE/CA was abandoned in favor of a Time-Critical Removal Action. Navy managers stated that they switched from a Non-Time Critical to a Time Critical Removal Action because of “trespassers” and “building deterioration.” The Navy managers have contended that an EE/CA is not required for a TCRA. However, as cited above an EE/CA is required if there is more than six months available. The Navy had years in this case.</p> <p>Trespassers would not have been an issue if the Navy had posted signs saying the areas were “controlled” due to radioactive contamination, instead of solely posting signs that said “controlled area”. The Navy deliberately sought to avoid disclosure of the existence of contamination on the outside of the fence lines or outside of the buildings – so, having a trespass problem was not surprising, and does not justify a TCRA.</p>	<p>contractor also conducted weekly inspections of the site to ensure there was no risk of exposure to the public. The signs were reviewed and inspected by WDOH on multiple occasions to verify compliance with state requirements.</p>
	<p>A Time-Critical Removal Action for the soil was never warranted, and the appropriate full CERCLA process should be undertaken!</p> <p>The Navy’s decision to “switch” from a Non-Time Critical Action to a Time-Critical Action threatens to gut</p>	<p>Through weekly security inspections the Navy determined that incursions into the areas of concern by trespassers, copper thieves and vandals were increasing in frequency, and could not be deterred by fencing, signage or locks. Also, the deterioration of the buildings was increasing</p>

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	<p>key provisions of CERCLA by rendering them meaningless. All agencies have to do is plan a “Non-Time Critical Action” while they take their sweet time planning a project that is clearly not urgent, then suddenly six months before removal action is finally set to begin, claim that it is an urgent action (all of a sudden because they waited so long) in order to bypass the EE/CA and Community Participation requirements that they were supposed to be completing all along. That is exactly what the Navy did here and allowing it would have the effect of gutting a very important provision of CERCLA setting timelines. No crazy additional contamination or truly extraneous circumstance propped up necessitating the switch: evidence shows trespassers (that the Navy claims were never exposed) and building deterioration have happened throughout and were quite predictable.</p> <p>Additionally, public records and other evidence makes it more than clear that the Navy was scheming well over six months in advance of late July 2013 (when action removal activity “must” begin) to do a Time-Critical Removal Action. For example, a 1,000 page work plan was sent to parties in January 2013. For it to be true that the switcheroo decision was made in that same month (allowing six months to July), the same people (the Navy) who claim it will take them years to do a shorter EE/CA document had to complete the 1,000 page work plan draft in a matter of days. That is because the Navy cannot start a work plan without finishing its</p>	<p>at a higher rate than anticipated posing both a safety risk for remediation workers and a potential risk for the spreading of contamination. For these reasons, the Navy made the decision to conduct a TCRA, expediting cleanup and minimizing the potential for exposure to protect human health and the environment.</p> <p>The Navy recognizes that community involvement is a critical difference between a TCRA and a Non-Time Critical Removal Action. Therefore, in coordination with the City of Seattle Parks Department, we expanded the public outreach from what is required for a TCRA, by communicating to the public earlier than usual for a TCRA, holding a public meeting, and asking for public comments. In March, the Navy also extended invitations for briefs to key stakeholders.</p> <p>The Navy is preparing a CIP to improve public outreach and communications. The CIP will identify outreach activities to address community concerns and expectations.</p>

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	<p>EE/CA and going through the public comment process like it was supposedly still planning to do in December 2012 before it switched. The work plan invariably hinges and is completely based on the outcome of the EE/CA. Additional evidence, including emails between parties discussing schedules, will show even more clearly that this was planned as a Time-Critical Action too far in advance, thus not qualifying as one (TCRA fieldwork must begin within six months to satisfy the six-month EE/CA requirement).</p> <p>In conclusion, our official comment is simple: the Navy is required to do an EE/CA for this removal action and make it available for public comment. Its decision to illegally forgo that process may result in legal action.</p>	
	<p>The Sampling Plans Do Not Include Groundwater, Key Soil Areas, and Lake Outfall Sediments; and, the Navy has Failed to Have EPA Review and Approve Sampling Plans: 40 CFR 300.415(b)(4) is clear: Sampling plans must be submitted and APPROVED by EPA. The Navy has no approved sampling and analysis plans.</p> <p>40 CFR 300.415(b)(4) states: (4) Whenever a planning period of at least six months exists before on-site activities must be initiated, and the lead agency determines, based on a site evaluation, that a removal action is appropriate: (i) The lead agency shall conduct an engineering evaluation/cost analysis (EE/CA) or its equivalent. The EE/CA is an analysis of removal alternatives for a site. (ii) If environmental samples are to be</p>	<p>The referenced regulatory requirements apply to a non-time critical removal action and are not applicable to the TCRA being conducted at Magnuson Park. Neither MTCA nor CERCLA require that EPA approve sampling and analysis plans for a TCRA. However, the Navy has provided the work plan, including the Sampling and Analysis Plan, to the EPA for review. The Navy has kept the EPA informed, and provided them all documents pertaining to the site work. EPA has asked the Navy to continue working with the State of Washington.</p> <p>During the course of the TCRA, a significant amount of additional data will be collected from soil sampling, and excavations. If groundwater is encountered during any of the removal actions, it will be sampled and analyzed for the radioisotopes of interest. After the TCRA is complete, radiological surveys will be performed to ensure there is</p>

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	<p>collected, the lead agency shall develop sampling and analysis plans that shall provide a process for obtaining data of sufficient quality and quantity to satisfy data needs. Sampling and analysis plans shall be reviewed and approved by EPA. The sampling and analysis plans shall consist of two parts: Further, the Navy has no plans to do any sampling or analysis for: groundwater; lake sediments in the vicinity of historic known contaminant discharges from sewer lines and on-going potential discharges from storm drain lines; soils from areas under and surrounding storm drain lines, including under buildings and under parking lot areas – despite the very close contact with groundwater and potential for migration The potential for migration is heightened by the Navy’s refusal to prepare an EE/CA evaluating alternatives which would end use of the contaminated storm drain lines.</p>	<p>no residual contamination above release limits established in coordination with WDOE and WDOH. Once the results of the surveys are known, the levels will be reviewed and modeled to ensure that the public and environment is protected in accordance with applicable state standards. These results along with all other data collected during the removal action will be published in a final report that will be available to the public. Also, an evaluation of the storm drains is being conducted as part of the TCRA, as identified in the Action Memorandum. If any data collected during the removal action indicates that there are potentially unacceptable risks or unresolved issues in soil, storm drains or groundwater, additional evaluation will be considered at that time. The results of the evaluations will be available for review on the Navy’s website, as part of the final report for the removal action.</p> <p>Additionally, areas not addressed in this TCRA that were transferred under BRAC, will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. The assessment includes evaluating potential radiological impacts to near shore soil and possibly sediments in Lake Washington from the area that the TCRA is being conducted. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow.</p>
	<p>The Navy Failed to Investigate All Potential Radium Use Areas at Magnuson Park / Former Sand Point Naval Station: The Navy failed to investigate all hangar and other buildings which may have housed radium, Strontium or Cesium use and disposal areas.</p>	<p>The Navy agrees that further investigation of land areas transferred under BRAC at Magnuson Park is warranted. To that end, areas not addressed in this TCRA that were transferred under BRAC, will be assessed by the Navy beginning in 2014. The assessment will determine the potential use and disposal of radiological materials in</p>

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	<p>Instead, the Navy improperly limited its contractors' investigation to specific portions of the former Naval Station released to the City of Seattle. Areas excluded include facilities at the former Naval Station under National Atmospheric and Oceanic Administration (NOAAA) control. These hangar and other facilities, which are in close proximity to Buildings 2, 12 and 27, likely housed similar operations. Contamination from those facilities, including discharges to storm drain and sewer lines likely contribute to cumulative risks and impacts to groundwater, health, surface waters and biota. Further, radium or Strontium may have been used on runways and other external features of the Naval Air Station, which the Navy excluded from the scope of its investigation. The Navy has refused to release public records requested pursuant to the Freedom of Information Act which would detail the limitations placed on the investigation and which facilities at risk were not investigated. Furthermore, the Navy has failed to provide any description of the source for Strontium and Cesium contamination. Therefore, the exclusion of similar facilities from the scope of the investigation was arbitrary and capricious – and, creates a significant on-going health risk.</p>	<p>these areas. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow.</p> <p>Additional radiological investigations and remediation may also be undertaken based on the results of surveys conducted during and after the completion of the TCRA. In the short-term the Navy does intend to complete the planned TCRA and is committed to additional investigation and action if it is required to ensure the site is protective of its users.</p> <p>Note that there are areas of Magnuson Park that were not transferred under BRAC. Any additional environmental clean-up required in these areas would be handled under the Formerly Used Defense Site Programs, if transferred prior to 1986, which is managed by the U.S. Army Corps of Engineers.</p> <p>The Navy has complied with the requirements of the FOIA. As FOIA is separate from the CERCLA process, comments on FOIA will not be addressed here.</p> <p>To address your comment regarding the existence of cesium and strontium at former Naval Station Puget Sound: Cesium and strontium exist at Magnuson Park, as with land areas worldwide, from atmospheric fallout from nuclear weapons testing and reactor events such as Chernobyl and the more recent event in Fukushima, Japan. Additionally, both isotopes were used by the Navy. Radioactive strontium was used as a replacement in some radioluminescent items which the Navy would have purchased and used, and cesium was used in aircraft as engine igniters. Records indicate that aircraft engine maintenance was conducted</p>

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		<p>by the naval facility formerly located at Magnuson Park.</p> <p>The Navy will continue to evaluate the possible sources for the strontium and cesium contamination under the planned assessment of historical uses of the property. Information gathered during the TCRA and the assessment should help provide illumination on sources.</p>
	<p>Freedom of Information Act Request The Navy has failed to provide key public records needed to review and comment on the Navy's plans, which we requested pursuant to the Freedom of Information Act (FOIA). The Navy's response to the FOIA request was due no later than July 12th. Instead, the navy has delayed and avoided disclosing records. Hours before the Navy's comment deadline the Navy belatedly sent an email informing us that it would not release critical records unless we paid \$880. Obviously, even if we paid this large sum, the records would not be available in time for submitting comments. The Navy must not only release the records without charge, it should be extending the comment period to allow for at least 30 days review of all records. Records we requested include key records which regulators do not have and which are necessary for any informed review of the remedial investigation; e.g., records regarding any other nearby facilities used for radium other than buildings 2 and 27 (i.e., hangars used by NOAA); records of drafts of an EE/CA and explanation of why preparation was abandoned; records regarding public</p>	<p>The Navy has complied with the requirements of the FOIA. As FOIA is separate from the CERCLA process, comments on FOIA will not be addressed here.</p> <p>All documents pertaining to the decision to conduct the removal action are available to the public in the administrative record/information repository.</p>

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	<p>involvement or community relations plans; sources of strontium and cesium (the RI report fails to address the sources – knowing the source is essential to determine if the investigation has been adequate). As part of a good-faith public involvement process, the Navy should not unnecessarily delay responding to relevant, timely, and reasonable requests for public records that would enhance public understanding of the project. While certain parties, such as Parks, respected this – the Navy did not seem to grasp this basic concept that democratic governments should abide by. The whole purpose of open government laws such as the Freedom of Information Act is for cases like this: the public wants to have some independent insight into and enhanced information about serious radioactive contamination at a public park before it makes comments on the project. FOIA was created – and the time limits imposed - exactly because lawmakers believed that is a right citizens have under a democratic system of government. Unfortunately, the Navy used every single weapon in its arsenal to try to delay responding to the most important aspects of that FOIA request including by making the laughable assertion that this situation requires a non-profit public interest group to pay the Navy thousands of dollars so that these critical records can be released. That is extremely disappointing. The Navy’s comment period should be extended to allow a reasonable period of time for citizen and agency review of the requested records before the comment period closes.</p>	

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	<p>The Navy Has Failed to Follow or Apply Washington State’s Cleanup Standards and Law (MTCA), Which is Applicable and Governs This Cleanup:</p> <p>Washington State’s cleanup law is the Model Toxics Control Act (RCW Chapter 70.105D), called “MTCA”. MTCA governs cleanup of all releases of hazardous substances in Washington State, either as the applicable standards for cleanup of a federally owned and operated facility, or a facility on the federal Superfund (CERCLA) National Priorities List (NPL); or, directly as the state’s cleanup law.</p> <p>Magnuson Park is owned and operated now by the City of Seattle and its Parks and Recreation Department.</p> <p>The Park is no longer a federally owned and operated facility. Thus, the provision of CERCLA (Sec. 120) under which the Navy seeks to proceed is not applicable. The law is clear; CERCLA applies to federally owned and operated facilities, not formerly federally owned and operated facilities which now fall under the jurisdiction of a state cleanup law.</p> <p>Thus, the Navy is obligated to prepare the Feasibility Study, Cleanup Plan and environmental impact statements required under state laws and standards – even if it is proceeding under the voluntary action provisions of MTCA.</p> <p>Even if CERCLA provided the authority for the Navy to proceed solely under CERCLA processes, CERCLA still requires the Navy to meet Washington’s cleanup standards</p>	<p>The Navy, WDOE, WDOH, Parks, and the Washington Attorney General’s Office met with Heart of America and other stakeholders to discuss a number of issues related to the radiological cleanup of Magnuson Park. One of the topics discussed was the appropriate regulatory scheme for the cleanup. This comment is not accurate where it pertains to CERCLA. As explained in the meeting, this action is being conducted under CERCLA 42. U.S.C. 9601–9675 as amended by the Superfund Amendments and Reauthorization Act. The Navy follows the NCP, 40 CFR 300, as it is the regulation which implements CERCLA. The Washington State MTCA, Chapter 70.105D RCW, is considered an Applicable Requirement under the NCP, and as such, all substantive requirements, to the extent practicable, will be followed in the performance of the TCRA.</p> <p>Although the site property is currently owned and operated by the City of Seattle, the sole source of the historical release of contamination was from a facility under the jurisdiction, custody, and control of the Navy, as part of the Department of Defense. As such, Executive Order 12580 delegated the authority to clean up this site under CERCLA, as it is not on the National Priority List, to the Department of Defense, who in turn delegated it to the Navy, for the portions of the Former Naval Station Puget Sound transferred under BRAC.</p> <p>An engineering evaluation and cost analysis is required for a Non-Time Critical Removal Action, but not for a TCRA.</p>

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	<p>under MTCA. Ironically, as discussed above, the Navy has failed to even follow the basic procedural requirements of CERCLA, e.g., failing to produce an EE/CA for the public to review and comment on regarding alternatives and impacts prior to the Navy taking action; and, failing to have EPA review and approve sampling and analysis plans.</p>	
	<p>MTCA Risk-Based Cleanup Standards Apply Despite all of the legal questions and wrangling, one thing is crystal clear: our state’s risk-based cleanup standard for carcinogens contained in the Model Toxics Control Act applies to this project and must be met. Under CERCLA, the MTCA risk-based standard of one additional cancer per 100,000 people is an applicable standard. MTCA applies to radionuclides and the total cancer risk standard for residual contamination at a cleanup site includes cancer risk from radionuclides: MTCA rules clearly state: “radionuclides are hazardous substances under the act.” WAC 173-340-200. Also, see Ecology Explanatory Statement and Responses to comments on MTCA rule adoption stating that radionuclides are hazardous substances subject to the cleanup standards for MTCA – even without specific radionuclide cleanup levels established for soil or other media. MTCA defines the incremental excess cancer risk allowed in setting cleanup levels as 1E-6 and cumulative incremental cancer risk from</p>	<p>The radiological release criteria that are being applied during the TCRA were developed in consultation with WDOE and WDOH, using RESRAD. The RESRAD is a computer model designed to estimate radiation doses and risks from residual radioactive materials, and is accepted by EPA, WDOE and WDOH.</p> <p>Detailed information about the release criteria can be reviewed in the Final Action Memorandum and Final Removal Action Work Plan available on the Navy’s website, the administrative record and the information repository.</p> <p>The Washington State MTCA, Chapter 70.105D RCW, is considered an Applicable Requirement as an Applicable or Relevant and Appropriate Requirement under the NCP, and as such, all substantive requirements will be followed in the performance of the TCRA. Applicable or Relevant and Appropriate Requirements are an integral part of the CERCLA process and guide the cleanup action. Other Applicable or Relevant and Appropriate Requirements are identified in the 2013 May TCRA Final Action Memorandum, Section 5.3 and Table 5, available on our Navy website, in the administrative record and in the information repository.</p>

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	<p>exposure to all carcinogens on-site from all pathways as 1E-5 (one additional cancer for every one hundred thousand individuals). WAC 173-340-700.</p> <p>Thus, although Ecology has not had to adopt specific radioactive cleanup levels for soil and other media, the basic standard of total incremental risk from all carcinogens on site is an ARAR which must be met by the Navy pursuant to CERCLA (it is an applicable rule, not just relevant). The State Register explanation for adoption of WAC 246-246 noting that licensees are subject to other state laws regarding releases notes: “Where release of a hazardous substance, which may include radionuclides, occurs at a licensed facility, licensees may be subject to the requirements of the Model Toxics Control Act, Chapter 70.105D RCW, and regulations adopted pursuant to that law, Chapter 173-340 WAC. Licensees should consult the Department of Ecology for guidance regarding the application of the Model Toxics Control Act and its separate requirements.”</p> <p>The Navy wrongly cites the DoH license termination requirement (25 mrem) as an ARAR. Not only does this rule have no applicability to Magnuson Park because the Park was never a licensee, but it is not the relevant law for cleanup levels at releases of facilities governed by a DoH license. WAC 246-246 (5) notes that licensees must meet other applicable laws, and the State Register statement for the adoption of this rule states as noted above: MTCA will apply for the cleanup level</p>	<p>10 CFR 20.1402 and Washington Administrative Code (WAC) 246-246-020 are considered both relevant and applicable to actions at the site since the criteria provided specifically address cleanup standards and control of constituents of concern at a site for unrestricted land use. Since the site is not a licensed Nuclear Regulatory Commission (NRC) facility or licensed by the State of Washington, the requirements are not legally applicable for a remediation conducted at the site. Instead, both are considered relevant and appropriate requirements under the circumstances of the release of the hazardous substances at the site. Specifically, the medium and substances, the actions or activities, and the type of place regulated by the requirements are sufficiently similar to the circumstances at the site and the requirements are well-suited to the site.</p> <p>Regarding Washington State standards, WDOH has stated on their website for the Magnuson Park radiological cleanup: “U.S. Environmental Protection Agency guidelines call for cleanup for any site where tests show radioactivity higher than 15 mrem per year. State Department of Health guidelines call for cleanup at or above 25 mrem per year. There is no other state guideline for radiation cleanup.”</p> <p>The Navy, after reviewing the assessments and, in consultation with WDOE and WDOH, concluded the 15 millirem (mrem) per year annual dose best fits the site work. The 15 mrem per year is not a federal requirement, but is guidance from the EPA, and is more restrictive than the NRC’s federal requirement of 25 mrem per year for a licensed site. It should be noted that the Navy will conduct dose modeling based on the final status survey samples after</p>

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	<p>required for release of hazardous substances. MTCA includes radionuclides as hazardous substances.</p> <p>We interpret the Navy’s inclusion of the DoH’s 25 mrem standard as an “appropriate and relevant standard” on its Action Memorandum as an attempt to dodge the MTCA standard and pretend that the DoH standard is the state’s standard. To be clear: the DoH standard is not applicable nor appropriate and relevant – and certainly not the correct state standard - for a number of reasons including: According to the Navy itself, it does not apply squarely since it is a de-licensing requirement not a clean-up requirement because the DoH doesn’t oversee clean-ups. The Department of Ecology does that.</p> <p>According to the Navy’s own Action Memorandum (less than 20 pages above where they listed this DoH standard), the Navy states that “only those promulgated state requirements that are...more stringent than corresponding federal requirements” may be applicable or relevant and appropriate. That same Memorandum concludes that the federal requirement is 15 mrem. Since 25 mrem is almost double 15 mrem, it is clearly not as stringent and, thus, judging by the Navy’s own statements, should not be included. The only reason to include it (the Navy certainly isn’t using it) is to try to argue that 25 millirem is somehow the state’s clean-up standard. That just isn’t correct. The DoH has admitted that the 25 millirem standard is not a clean-up standard and other standards may apply, specifically referencing</p>	<p>remediation has been completed and provide the finalized dose results in the final status survey report.</p> <p>The State regulatory agencies, WDOH and WDOE, who provide oversight for the Navy’s radiological investigation and remediation activities at Magnuson Park, include qualified technical experts that review and provide input for all project plans and documentation, including the target cleanup goals. The cleanup goals for the removal action are based on exposures that are protective of the public, based on the current and future use of the property.</p>

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	<p>radionuclides. See included quotes just above.</p> <p>The DoH has already settled a lawsuit acknowledging that 25 mrem is not protective of human health for clean-up projects. Those quoted statements are products of that settlement agreement.</p> <p>The Department of Ecology has a carcinogens clean-up standard based on additional cancer risk that applies to clean-ups statewide. It is the applicable standard. The Department’s official rules note that radionuclides are included in the standard. Why? Because the standard is a carcinogens risk standard and radionuclides are carcinogens. That is a matter of fact.</p> <p>The idea of using a risk-based standard instead of a dose rate is not some wild or ridiculous concept that is impossible to grasp or apply as the Navy claims. It is what the EPA uses to determine their clean-up standards in fact – it is just that the Navy has improperly translated the Navy’s risk-based standard of 1x10,000 additional (less than the State) to 15 mrem. In fact, it makes a lot of sense to use risk-based standards – after all, that is why we do clean-ups at the end of the day. The whole point is to protect public health and prevent cancer.</p> <p>In conclusion, our comment is simple: Clearly, our state’s MTCA risk-based clean up standard for carcinogens is applicable under the MTCA process as we allege applies. But, even under CERCLA, it is clearly applicable. So we request the Navy removes the DoH standard from its list of ARARs that is wrongly included for so many reasons (including the fact that your</p>	

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	<p>own memorandum says standards less stringent than federal law should not be included) and include the proper state standard under MTCA.</p> <p>CERCLA was written to protect states that want to have higher protective standards than the federal government and the State of Washington clearly has chosen to do just that. The Navy now must respect that state right and clean up the contamination in Washington State based on the laws of Washington State.</p>	

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	<p>Groundwater</p> <p>The plan, in general, does not put nearly enough emphasis on the threat to groundwater that this contamination poses. Groundwater is often the basis of a soil clean-up standard because the threat of soil contaminating groundwater that spreads and affects the public through runoff in a fresh body of water such as Lake Washington or drinking wells can be greater than exposure to soil itself. Of course, we don't know any of this because nobody has bothered to test or, better yet, monitor the groundwater yet as is standard for a project like this one. The severity of this problem is only enhanced by the fact that groundwater in this area is very shallow (2 to 8 feet according to the Navy itself), fluctuates greatly, and is so close to the Lake. To be clear, randomly sampling a couple of "hotspots" all the way down to the groundwater to see, supposedly, how much contamination is in contact is not enough (it is also not the standard or correct way of testing groundwater). For one thing, those samples will be done in the summer – when the groundwater is at its lowest. True groundwater samples need to be taken based on a sound sampling plan that takes into account prevailing flow pathways and all other relevant factors. Moreover, there should be a monitoring plan to be executed in concert with the soil extraction to ensure and prevent groundwater contamination caused by removal activities. Mr. Generous said there is no such plan because groundwater contamination has not been found. Groundwater contamination has not been found because the Navy has not wanted to find it and thus not tested⁶¹ for it – and, in any event, the point of groundwater monitoring is to prevent contamination not confirm contamination that tests already</p>	<p>During the course of the TCRA a significant amount of additional data will be collected from soil sampling and excavations. If groundwater is encountered during any of the removal actions, it will be sampled and analyzed for the radioisotopes of interest. After the TCRA is complete, radiological surveys will be performed to ensure there is no residual contamination above release limits established in coordination with WDOE and WDOH. Once the results of the surveys are known, the levels will be evaluated to ensure that there is no-unacceptable dose or risk to the public or workers. These results along with all other data collected during the removal action will be published in a final report that will be available to the public. If any data collected during the removal action indicates that there are potentially unacceptable risks or unresolved issues in soil, storm drains or groundwater, additional evaluation will be considered at that time.</p>

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	<p>The Navy and Seattle Parks Must End Use of Contaminated Storm Drain Lines Which Flow Into Lake Washington, and Which Are Also Likely Contributing to Soil and Possible Groundwater Contamination: The entire underground piping system needs further testing. Clearly, testing “manholes” and “catch basins” does not find all of the contamination because a crawler survey shows that – for some reason - as the crawler approached manholes, contamination dips sharply before spiking right when the manhole is passed (look at the one remaining crawler survey chart the Navy has in its RI document to see what we are referring to here). Furthermore, very high levels of contamination were found in a couple catch basins. We are looking forward to seeing full crawler surveys of all the storm lines. Moreover, since it is clear that:</p> <ul style="list-style-type: none"> the lines have radioactive contamination in it and; the lines discharge into Lake Washington and; the lines are active stormwater drainage system and; it rains in Seattle and; <p>When it rains in Seattle, basic science suggests that radioactive contamination flows with the water into the Lake.</p> <p>The storm drain lines are designed to leak. They are not sealed systems. They are set in gravel and porous materials – just a few feet above groundwater (which flows into the Lake or upwells in Park areas). Thus, contamination from the lines has almost certainly leaked with storm water into the gravels and porous</p>	<p>Radioactivity levels found in storm drain manholes downstream of the cleanup area were below the release limits used during the initial surveys. Now that more stringent cleanup levels have been developed (presented in the Action Memorandum, see page 5-1), additional investigation and remediation of storm drain manholes and lines will be conducted as part of the removal action to ensure that all impacted stormlines are remediated. Final surveys will be conducted after the removal action is complete to verify that radiological impacts have been remediated and that the regulatory approved cleanup goals have been met in manholes and pipelines.</p> <p>Areas not addressed in this TCRA that were transferred under BRAC, will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. The assessment includes evaluating potential radiological impacts to near shore soil, and possibly sediments in Lake Washington, from the area that the TCRA is being conducted. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow.</p> <p>Additional radiological investigations and remediation may also be undertaken based on the results of surveys conducted after the completion of the TCRA. In the short-term the Navy does intend to complete the planned TCRA and is committed to additional investigation and action if it is required to ensure the site is protective of its users.</p> <p>The gamma scan data is used as an investigative tool to identify areas that need further assessment. The results from these</p>

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	<p>soils, where it will concentrate. It is quite possible that concentrations around drain line leaks are far higher than inside the drain line (since the line, as with manhole areas, gets scoured in storms). Investigation of the contamination is needed – or, a reasonable alternative needs to be reviewed to end use of the lines, seal them and review what the likely migration of potential contamination from past leakage may be.</p> <p>The RI reveals extremely high levels of combined beta-gamma contamination at levels above 10 millirem dose per year at surface dozens of feet west of Building 27. Levels of contamination at Hotspots 1,3, 4, 5 and 6 reach 310,203 gross counts per minute (RI Page 4-28). (Actual counts of 332,754 and dose rates up to 1.4 millirem per hour were recorded in the actual survey Map Form Page 3 and Page 5, September 30, 2010.</p> <p>Please explain why the RI report fails to reflect the actual numbers in the Radiation Survey Map, and why the Hot Spot map Exploranium Gamma Spectrometry Locations in the RI and Work Plan fails to report any CPM above 187,277. It appears that the Navy failed to properly disclose the hottest levels found around Building 27 and underreported them in the RI body by nearly 50%.</p> <p>When asked on July 22nd, Navy representatives asserted that the contamination may have come from dumping of buckets from the second floor of the auxiliary building.</p> <p>This is not likely. Hot Spots are all dozens of feet west of the building and several are even further to the</p>	<p>surveys do not directly relate to actual dose or dose rate measurements. The TCRA will use instrument gamma scan data, compared to specific instrument background levels, to locate and investigate/remediate areas that indicate levels elevated above background in accordance with the work plan investigative criteria. Further investigation including soil sampling and excavation is being performed to assess contamination levels identified during the Remedial Investigation. These hotspot areas will be remediated during the TCRA.</p> <p>The Navy will continue to work with state regulatory agencies and Seattle Parks and Recreation to ensure that storm line investigations and potential remediation meets expected standards.</p>

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	<p>South of the auxiliary building. A far more likely explanation is leakage from the storm drain lines along the hot spots.</p> <p>Further, there are hot spots on the far side of the access road and to the north of the NOAA access road, which no human being could pitch a bucket to. But, there are storm drain lines.</p> <p>The lack of discharge permits and the impacts from discharging storm water through contaminated lines requires an end to use of these lines.</p>	
	<p>Endangered Species, Discharge Permit</p> <p>Lake Washington is a recognized critical habitat for endangered species. The Navy and Seattle Park have ignored this. It is not permissible to have contaminated storm drain lines discharging into Lake Washington without formal consultations under the Endangered Species Act, without discharge permits, without sampling of effluent flows....</p> <p>The Navy and Seattle Parks need to abide by the terms of the Endangered Species Act as well as obtain the proper discharge permits required for knowingly discharging storm runoff through known radioactively contaminated storm drain lines into the Lake – at a sailing dock and beach!</p> <p>A top priority must be examining alternatives for having an active storm drain line discharge radioactive contamination into the Lake every time it rains. The Navy must produce an EE/CA or Feasibility Study and EIS examining reasonable alternatives to continued use of the storm drain</p>	<p>Areas not addressed in this TCRA that were transferred under BRAC, will be assessed by the Navy in 2014. The assessment includes evaluating potential radiological impacts to near shore soil and possibly sediments in Lake Washington. The assessment evaluates potential human and biological receptors, including protected and endangered species. Formal consultations with appropriate agencies will be undertaken, as required, if warranted.</p> <p>CERCLA is the functional equivalent of NEPA, and so an Environmental Impact Statement (EIS) is not required, and as this specific action is being conducted as a TCRA, an EE/CA is not required.</p>

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	<p>lines, ranging from removal of the lines to the possibility of potentially plugging the lines, and hooking storm drains up to another line. The line could potentially be cleaned through a variety of methods, and other alternatives need to be presented rather than continuing the discharge from what is a certain contamination pathway that leads directly to the Lake.</p> <p>Monitoring: If the storm drain lines remain in use, discharge permits must be applied for which include radioactive contaminants coupled with a sampling program for in-line flows. The Navy's failure to conduct in-line flow monitoring near the end of the pipes is a serious omission from the remedial investigation.</p>	
	<p>Lake Sediment Testing Lake sediments from what is a surefire exposure pathway should be a priority not put on the backburner. There was rampant speculation amongst folks at the July 22nd meeting with agencies and citizen groups that any contamination in the Lake may not be that bad. While that may be a very convenient conclusion to draw, it certainly isn't a responsible or warranted one. Dilution is not a solution – especially for an alpha particle contaminant where ingestion of minute quantities could have fatal effects. For multiple years, radium, cesium and strontium went straight down a pipe, into the sewer, and out into Lake Washington. Ever since then (decades upon decades), whatever was left in those extremely hot pipes have likely slowly discharged into Lake Washington.</p>	<p>The Navy agrees that additional assessment of the shore land areas, and possibly Lake Washington need to be conducted. The Navy has funded and is conducting an assessment to evaluate potential radiological impacts to near shore soil and possibly sediments in Lake Washington. If areas are found that have a potential for radiological contamination, we will further investigate them, and evaluate the need to remediate them.</p>

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	<p>That contamination does not just go away. It is in those sediments right under where kids swim and sail. The fact that the sediment testing is not “funded” (as public records indicate the response to this concern has been) is not a particularly good excuse. The Navy has an obligation to clean up radioactive contamination sitting in a public park and needs to find the funding.</p>	
61	<p>The King 5 reporter said something about radon gas possible. This seems to be a couple of weeks as a window for clean up- is radon gas definite? Will kids playing in fields or tenants in apartments w/ windows open have a problem? Are they sealing the area after removal? It may not penetrate glass or walls but it may penetrate lungs/skin or leave residue on cars in parking lots.</p>	<p>In nature, radon gas is produced when radium decays and it is known that radon can seep into homes and accumulate if there is insufficient ventilation or air exchange. Radon gas generated in open areas or well ventilated areas quickly dissipates and has not been found to be a risk to the public.</p> <p>As far as the enclosed spaces at Magnuson Park, the Navy and WDOH have conducted sampling for radon gas in Buildings 2 and 27 and found levels that were below laboratory detection limits and well below EPA allowed levels.</p>
62	<p>Hanford is unexcusable. Magnuson Park is unbelievable - Radiating Seattlites? Cleanup to meet our state's stricter cancer risk cleanup standards to reduce exposures tenfold and increase cleanup; Investigation of whether there is contamination of the sediments in Lake Washington around the storm sewer outfalls and along the drain lines; Not trucking wastes on detour routes, or when there are backups, during Sand Point Way NE construction; Public input into development of a</p>	<p>The radiological release criteria that are being applied during the TCRA were developed in consultation with WDOE and WDOH, using RESRAD. RESRAD is a computer model designed to estimate radiation doses and risks from residual radioactive materials, and is accepted by EPA, WDOE and WDOH. Detailed information about the release criteria can be reviewed in the Final Action Memorandum and Final Removal Action Work Plan available on the Navy’s website, the administrative record and the information repository.</p> <p>Areas not addressed in this TCRA that were</p>

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	<p>Public Participation Plan by Washington's Department of Ecology (including notice and signage about the contamination); and, Ecology taking regulatory authority over the cleanup.</p>	<p>transferred under BRAC, will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. The assessment includes evaluating potential radiological impacts to near shore soil and possibly sediments in Lake Washington from the area that the TCRA is being conducted. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow.</p> <p>The Navy is communicating closely with SDOT and Seattle Department of Parks and Recreation to establish the best transportation routes and times for waste transport. The trucks must meet Washington State Department of Transportation and United States Department of Transportation requirements for containerization, weight, height, and placards. Conditions will change as road work progresses in the area and the Navy contractor will coordinate with SDOT and Seattle Department of Parks and Recreation. Weekly progress reports are being posted to our Navy website. The reports outline the work that was conducted during the prior week and the planned work for the upcoming week, and will provide notice when wastes will be hauled off site.</p> <p>We acknowledge that we need to improve our public outreach and communication, and we are preparing a CIP. The CIP will identify outreach activities for us to use, addressing community concerns and expectations.</p> <p>Although the property is currently owned and operated by the City of Seattle, the sole source of the historical release was from a facility under the jurisdiction, custody, and control of the Navy as part of the</p>

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		<p>Department of Defense. As such, Executive Orders 12580 delegated the authority to clean up this site under CERCLA, as is not on the National Priority List, to the Department of Defense, who has thus delegated it to the Navy for the portions of the Former Naval Station Puget Sound transferred under BRAC.</p> <p>WDOE and WDOH are very involved with the project and review all work performed, including doing site inspections, taking their own samples and analyzing them as verification of Navy sampling, and reviewing work plans and reports.</p>
63	<p>I won't be able to attend the public meeting this Wednesday, but I am concerned, primarily because of the lack of public notice and public process. I wanted to ask a few questions:</p> <p>What is Ecology's policy on public notice regarding the degree and type of contamination at cleanup sites? According to the email, the Navy, Seattle Parks and the Washington Department of Health agreed not to post information about possible hazards at the site, or even to indicate that the project was to clean up contaminated material. Is this even within the law or is the public required to be notified?</p> <p>According to the email, the Navy planned to start the cleanup project without any public review/comment, but at least they have released details of their plan. As the area is no longer owned by the military, is it appropriate for the cleanup to be done without the public process which would be required for any other responsible party?</p>	<p>For information on Ecology's policy on public notice, please refer to WDOE.</p> <p>The site is currently posted with project billboards and fact sheets that provide information concerning the TCRA project and how to obtain detailed information concerning the site cleanup, including the potential site hazardous. This signage and the information presented on it were chosen in consultation with the WDOE, WDOH, and Seattle Parks and Recreation.</p> <p>It is not clear to what e-mail the comment is referring too. There has been some misinformation distributed about the project. However, the Navy is doing more public outreach than required under the law by communicating to the public earlier than usual for a TCRA, holding public meetings, and asking for public comment. The Navy recognizes that this did not totally satisfy the Magnuson Park community. Accordingly, the Navy is striving to improve our public outreach and communication and we are preparing a CIP. The CIP will identify outreach activities that address community concerns and expectations.</p>

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	<p>Again according to the email, the proposal is to limit exposure to radioactivity to 15 mRem per year, combined from Radium and Strontium. This is apparently outside the state’s standards. Do the state standards have the force of law? What chemical contaminants (heavy metals, organic chemicals, etc.) are being removed, and is this being done in a forthright, public manner? Is testing being done to identify what, if any, areas may have been contaminated, and to what degree (e.g. sediments near sewer outfalls into the lake)? Can the Department of Ecology take responsibility for managing the cleanup operation? Citizens do not trust governmental agencies to be honest about cleanup issues, especially where exposure to nuclear contamination is concerned. This is because there’s been a history of abuse – not necessarily from the State Department of Ecology, but from the military, the federal Department of Energy, the NRA and other agencies – and, it appears, the State Department of Health and Seattle Parks. We don’t naturally assume that Ecology is different. You have to show us by demonstrating a pattern of openness and clarity, and by drawing attention to differences with other agencies when they are not forthright.</p>	<p>Although the site property is currently owned and operated by the City of Seattle, the sole source of the historical release was from a facility under the jurisdiction, custody, and control of the Navy as part of the Department of Defense. As such, Executive Orders 12580 delegate the authority to clean up this site under CERCLA, to the Department of Defense, who in turn delegated it to the Navy.</p> <p>The Navy, after reviewing the assessments and in consultation with WDOE and WDOH, concluded the 15 mrem per year annual dose best fits the site work and is protective of human health and the environment. WDOH has stated on their website for the Magnuson Park radiological cleanup: “U.S. Environmental Protection Agency guidelines call for cleanup for any site where tests show radioactivity higher than 15 mrem per year. State Department of Health guidelines call for cleanup at or above 25 mrem per year. There is no other state guideline for radiation cleanup.”</p> <p>The Washington State MTCA, Chapter 70.105D RCW, is considered an Applicable or Relevant and Appropriate Requirement for this action, and as such, all substantive requirements, to the extent practicable, will be followed in the performance of the TCRA. Applicable or Relevant and Appropriate Requirements are an integral part of the CERCLA process and guide the cleanup action. Other Applicable or Relevant and Appropriate Requirements are identified in the 2013 May TCRA Final Action Memorandum, Section 5.3 and Table 5, available on our Navy website, in the administrative record and in the information repository.</p>

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		<p>The State regulatory agencies that provide oversight for the Navy’s radiological investigation and remediation activities at Magnuson Park include qualified technical experts that have reviewed and provide input for all project plans and documentation, including the target cleanup goals. The cleanup goals for the removal action are based on exposures that are protective of the public, based on the current and future use of the property.</p> <p>The environmental cleanup of the Former Naval Station Puget Sound was completed prior to the transfer of property to the City of Seattle. Historic environmental work focused on chemicals associated with known sources of contamination. The WDOE issued a “No Further Action” determination addressing the non-radiological contamination and restricting use of the property as a recreational park. Radiological contamination was first discovered in 2009. Since the source contamination is radiological in nature, the investigation and cleanup is focused on radiological constituents. If additional sources of contamination are discovered during the removal action, then additional investigation and remediation may be conducted. Work plans currently address remediation of lead based paint and asbestos containing material. Waste being generated by the project will be characterized to ensure it is being disposed of in accordance with applicable state and federal regulations.</p> <p>Areas not addressed in this TCRA that were transferred under BRAC, will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. The assessment includes evaluating potential radiological impacts to near shore soil and</p>

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		<p>possibly sediments in Lake Washington from the area that the TCRA is being conducted. Additional testing is also being done for the TCRA. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow.</p> <p>The Navy understands the need for more and open communication about the TCRA project. We are publishing weekly updates on the progress of the removal action on the Navy's website, which also outlines planned actions for the next week.</p>
64	<p>Hello, I am a registered nurse, a mother of a young child and a resident of Matthews Beach neighborhood just north of Magnuson Park. Our family spends a lot of time playing at Magnuson and in the water near SailSandpoint. I am deeply concerned about the radioactive contamination in our backyard. I demand a full investigation of whether contamination is in the Lake Washington bay into which the contaminated storm drains run from the contaminated Magnuson Park buildings. I urge that the cleanup meet out state's cancer risk standards. I have spoken with all my neighbors. We will be following this issue closely, commenting, and attending public meetings. Our children and grandchildren deserve nothing less than full accountability and transparency in this process.</p> <p>Please add me to your mailing lists on this issue.</p>	<p>The Navy is conducting an assessment to evaluate potential impacts to near shore soil and possibly sediments in Lake Washington.</p> <p>The radiological release criteria that are being applied during the TCRA were developed in consultation with WDOE and WDOH and are protective of human health and the environment.</p> <p>The Navy appreciates your interest in the work that is currently being undertaken and will continue to communicate with the public as the results of the removal action are available. We are providing weekly updates on the progress of the removal action on the Navy's website.</p> <p>The Navy and WDOE have added you to our mailing lists.</p>

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65	<p>We are Seattle north-end residents who frequent Magnuson Park, one of the city's gems. We're disturbed and confused about the radioactive contamination there. We would like a more coherent explanation of the situation than has been presented as well as an investigation as to whether contamination has seeped into Lake Washington and a complete clean-up to meet WA state's cancer risk standards.</p>	<p>The Navy appreciates your interest in the work that is currently being undertaken and will continue to communicate with the public as the results of the removal action are available. Additional information regarding the radiological impacts at Magnuson Park at the Navy's website, in the administrative record, and in the information repository.</p> <p>The Navy is conducting an assessment to evaluate potential impacts to near shore soil and possibly sediments in Lake Washington. Additionally, the Navy will be performing an investigation of site storm drain lines to evaluate possible radiological impacts. Further cleanup action may be taken in consultation with WDOE, WDOH, Seattle Parks and Recreation, if warranted by the evaluation.</p> <p>The cleanup approach, including the established cleanup standards, have been reviewed and approved by Washington State regulators. Additional radiological investigations and remediation may also be undertaken based on the results of surveys conducted after the completion of the removal action. The Navy is committed to ensuring that radiological impacts are remediated so that the site is safe for public use. More information, including work plans, fact sheets, and decision documents, can be found on the Navy's website, in the information repository and in the administrative record.</p>
66	<p>The Northeast District Council (NEDC), representing 16 neighborhood and business groups in northeast Seattle, discussed your planned cleanup for the former navy base, now part of Warren G.</p>	<p>The Navy appreciates your interest in the work that is currently being undertaken and will continue to communicate with the public as the results of removal action are available. Note that weekly updates on the progress of the removal action are being</p>

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	<p>Magnuson Park at its June 6 meeting. We appreciate the full EIS you did when this gift of 250 acres of land including a mile of Lake Washington shoreline was given to the people of Seattle for a park. We also appreciate that finding all possible areas of contamination at that time was unrealistic and appreciate your cleanup when future problems are unearthed.</p> <p>We are glad you will proceed in a timely way to address the radiological contamination in the South Shed and removal of this unused building. We also appreciate that you will remove contamination from Bldg.2 and do testing so it can be reused in the future safely. Removal of contaminated soils around the historic old Steam plant to offsite locations is also an important job. Soil cleanup around the historic “Dope Storage Shed” is important but we are glad this contributing building will be retained to add to the historical context of the site as the storage area for the lacquer painted on early cloth airplane wings. Although the contamination levels are low, their cleanup is important since this area as others in the park will be used by children as well as adults.</p> <p>We appreciate the professional help given to inform the public at the recent public meetings. We are concerned at the gap in time between when you first knew of this problem, and when the public was informed. This gives the impression of a cover-up and results in a lack of trust. It also makes one think the problem may be greater even now than we know.</p>	<p>posted to the Navy’s website.</p> <p>Radiological contamination was originally discovered by the City of Seattle in Buildings 2 and 27 in 2009 and further investigated by the Navy in 2010 to better characterize the nature and extent of radiological impacts. Upon learning of the potential for radiological impacts, immediate steps were taken to secure the areas of concern and protect the public. The areas with radiological contamination have been secured and monitored by a state accredited radiological contractor and the site will continue to be controlled during the removal action.</p> <p>Areas not addressed in this TCRA that were transferred under BRAC, will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. The assessment includes evaluating potential radiological impacts to near shore soil and possibly sediments in Lake Washington from the area that the TCRA is being conducted. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow.</p> <p>We acknowledge that we need to improve our public outreach and communication, and we are preparing a CIP. The CIP will identify outreach activities for us to use, addressing community concerns and expectations.</p>

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	<p>We hope going forward with the development of this park that will be extensive in the next five years, that you continue to respond quickly with an open public process when pockets of pollution are discovered. We also hope you will urge Seattle Parks to do more through testing if development involving soil or tarmac disruption is contemplated as building, wetlands, or ballfields are planned. The current Environmental Checklist is not sufficient without soil testing for contaminants before development permits are granted by DPD. We urge DOE to monitor Lake Washington sediments to insure that pollutants have not migrated through the ground water to the lake that would endanger swimmers.</p>	
67	<p>Question: my understanding is that cesium and strontium (the two other potential radioactive contaminants at the site) are highly reactive (with water, air). My understanding is that some of the conceivable reaction products (salts, oxides, hydroxides, etc) are soluble while others are not. Can you comment on the likely fate of these materials if they were discharged into the lake at any point? Comments: I agree that given the amounts used and the physicochemical properties of the materials in question it appears unlikely that at this point in time concentrations in the lake water would be sufficient to exceed acceptable levels. Hence it seems reasonable not to test or monitor lake water Concentrations in the sediment along the shoreline that the public</p>	<p>Currently, cesium and strontium have only been found in small quantities and in limited areas of the site. The strontium was detected in pipe scrapings from drain lines in Building 27 (radium room) and in Building 2 (1941 instrument room). Cesium was only found in a small sediment pit immediately outside of the west side of Building 2. The piping containing strontium was removed as part of the remedial investigation. All levels of cesium and strontium found were below the cleanup criteria. Further testing will be performed during the TCRA to assess if the extent of strontium and cesium is beyond the areas already identified. If strontium or cesium is found above cleanup levels, they will be further characterized and remediated, as required.</p> <p>Regarding your question “Can you comment on the likely fate of these materials if they were discharged into the lake at any point?” Navy’s straightforward answered is no!</p>

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	<p>(including children and pets) may be in contact with, i.e. near sail sandpoint and the public launches should tested to verify that there is no significant contamination. It seems highly likely to me that some of the contamination made it into the lake at some point. While I agree that it seems likely that this contamination is either buried under layers of sediment or carried away by the water over time, given that the shoreline has undoubtedly been moved / modified since the time of the original contamination it would seem difficult to be positive that acceptable concentrations are not exceeded at the lakeshore without confirmation via a well-designed matrix of tests. I understand that you plan to look into this and other potential issues (apparently there is a considerable amount of debris from the repair facility underwater, including batteries) which I appreciate. The specific plans for this (timing, scope) should be open to the public (I couldn't find them on the websites but perhaps you can point me to them).</p>	<p>More research and details are required to make that assessment. The Navy is conducting an assessment to evaluate potential radiological impacts to near shore soil and possibly sediments in Lake Washington. We are currently in the planning phase. The specific plans, after review by WDOH and WDOE, will be available to the public.</p> <p>Areas not addressed in this TCRA that were transferred under BRAC, will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow.</p>
68	<p>What I would like to know is how many different units active and reserve where stationed at Hanger 27, from the time of the original radiological contamination during WWII to present? What was the amount of exposure the members of those unit received that where stationed at Hanger 27? What is being done to find out about the numbers of the members of those unit who where exposed, and screen them for that exposure so they can</p>	<p>The information regarding active and reserve units stationed at Hanger 27 is outside the scope of this project. However, you may be able to obtain answers from the Naval History and Heritage Command. Their website is located at http://www.history.navy.mil/index.html and includes contact information.</p> <p>At this time, we don't know how many active or reserve units were stationed at Hangar 27. However, it would be very difficult to estimate the amount of exposure</p>

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	<p>receive medical treatment and compensation for them for health or medical problems related to there exposure?</p>	<p>to members of units stationed in Hangar 27, as the amount of radiation exposure would depend on the type of work each individual performed, the amount of time spent near radioluminescent devices, and the amount of and type of radioactivity contained in each device.</p>
<p style="text-align: center;">69</p>	<p>We are writing today to formally request an extension in the public comments for the Magnuson Park cleanup project. The Navy failed to include the radiological survey results that are key to examining its Remedial Investigation Report online as part of the report and has been unresponsive to our requests to make those results available online for public inspection. The comment period should be extended for one month from the date the Navy finally makes those records available - to give the public time to inspect them. There are multiple concerns we have with the project and technical experts need time to review the data. It is important to get this cleanup right given the popularity of the park and the seriousness of the contamination.</p> <p style="text-align: center;">Furthermore, Parks has a long outstanding records request that they have indicated an inability to fully respond to before July 10. Those potential outstanding records could be critical to public comment and review. We are concurrently asking Parks to extend the comment period as well. Please respond with Ecology's position on extending the comments period in the interests of transparency, public involvement and</p>	<p>The Navy with the concurrence of Ecology and the Department of Health extended the public comment period on the TCRA Action Memorandum from June 27 to July 25, 2013.</p> <p>Records, as requested, were made available on the website during the comment period. These records are currently available for review in the information repository and in the administrative record.</p>

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	<p>a thorough review of the remediation plan given the deluge of outstanding questions and concerns about the project that the Navy is apparently ignoring.</p>	
70	<p>I would like to submit this written request asking the Navy to assess what, if any, radiation contamination exists in and around the immediate vicinity of Building 11, the surrounding soils, parking area, piping, catch basins and waterfront. The Building 11 facility was used for storage and handling of a variety of industrial materials, paints, solvents, welding flux, and more. During fabrication and repair processes, known health endangering dust and particulates were created (as is indicated by warning signs posted and painted onto the walls within Building 11 and still visible today). Given the recent disclosure made to the public about contamination at the neighboring (within 300 feet) Building 27, it seems reasonable to consider that similar Naval repairs, storage and fabrication may have occurred in the industrial facility across the parking lot. These buildings were ideally situated to serve one another in their past U.S. Navy commission. The city of Seattle has current tenants throughout the adjacent buildings and is negotiating with others to fill all the vacant industrial storage and fabrication areas. Those areas should be tested for any and all contamination that is residual from the buildings original use and cleaned up to protect public health during all future use.</p>	<p>The Navy conducted some radiological surveys in and around Building 11 during the 2010 Site Remedial Investigation. The results of the surveys are contained in the Final Remedial investigation Report that can be accessed on the Navy's website. As the Building 11 area was chosen as the reference background area for the Remedial Investigation, the results of the surveys conducted were not elevated above what was expected for natural background radiation levels.</p> <p>Building 11 and areas not addressed in this TCRA that were transferred under BRAC, will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. The assessment includes evaluating potential radiological impacts to near shore soil and possibly sediments in Lake Washington from the area that the TCRA is being conducted. If we find areas that have a potential for radiological contamination, we will further investigate them.</p>

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71	<p>This letter is to advise the Department of Ecology that a portion of the proposed haz-mat clean-up is within the areas of control for the City of Seattle’s Sand Point Naval Air Station Landmark District.</p> <p>Building 27 is a contributing building within the landmark district. The proposed selective demolition of the building’s south shed, and the subsequent exterior building repairs and site restoration work requires a Certificate of Approval from the Seattle Landmarks Preservation Board.</p> <p>The proposed soil clean-up is considered to be site maintenance and will not require Administrative Review by the Board’s staff as long as the planted areas are replaced in-kind, and there are no trees impacted by the mitigation efforts. If the proposed efforts have the potential to impact any existing trees greater than 8” diameter at breast height (DBH) then a Certificate of Approvals is required from the Seattle Landmarks Preservation Board.</p> <p>We urge the Department of Ecology to work with the U.S. Navy to propose a solution at Building 27 that is consistent with the Secretary of Interior’s Standards for Rehabilitation, and to demonstrate that the soil mitigation efforts will not impact the health of the trees.</p>	<p>This comment, as all comments, was shared with WDOE. The Navy has contacted the Landmarks Preservation Board, Seattle Dept. of Neighborhoods regarding the proposed demolition of the south shed and will work with them and the Seattle Landmarks Preservation Board to meet requirements. The Navy does not know of any existing trees greater than 8 inch diameter at breast height that will be impacted during the removal action but will contact Seattle Landmarks Preservation Board if we find any during the removal action.</p>
72	<p>As a neighborhood in very close proximity to Magnuson Park, residents of Hawthorne Hills follow issues there closely. We have been alarmed to learn of radioactive contamination in the area of Arena</p>	<p>The Navy appreciates your interest in the work that is currently being undertaken and will continue to communicate with the public as the results of the removal action are available. Additional information regarding the radiological impacts at</p>

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	<p>Sports (Building 27) and Building 2. We ask that the Navy adhere to the strictest Washington State Department of Ecology clean-up standards and to investigate whether the contamination may have reached Lake Washington.</p> <p>We are also concerned that radioactive waste not be trucked on detour routes during the Sand Point Way NE construction scheduled for this summer.</p> <p>We will be following this issue and may be wiring to you further, as the full scope of the problem becomes apparent.</p>	<p>Magnuson Park is available at the Navy’s website, in the administrative record, and in the information repository.</p> <p>The cleanup approach, including the established cleanup standards, have been reviewed and approved by State regulators. Additional radiological investigations and remediation may also be undertaken based on the results of surveys conducted after the completion of the removal action. The Navy is committed to ensuring that radiological impacts are remediated so that the site is safe for public use.</p> <p>Areas not addressed in this TCRA that were transferred under BRAC, will be assessed by the Navy in 2014. The assessment will determine the potential use and disposal of radiological materials in these areas. The assessment includes evaluating potential radiological impacts to near shore soil and possibly sediments in Lake Washington from the area that the TCRA is being conducted. If the Navy finds areas that have a potential for radiological contamination, additional investigations and cleanups will follow.</p> <p>The Navy is communicating closely with SDOT and Seattle Department of Parks and Recreation to establish the best transportation routes and times for waste transport. The trucks must meet Washington State and United State Department of Transportation requirements for containerization, weight, height, and placards. Conditions will change as road work progresses in the area and the Navy contractor will coordinate with SDOT and Seattle Department of Parks and Recreation.</p> <p>Weekly progress reports are being posted to our Navy website. The reports outline the</p>

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		work that was conducted during the prior week and the planned work for the upcoming week, and provide notice when wastes will be hauled off site.

Acronyms List

- BRAC – Base
- Realignment and Closure
- CERCLA – the Comprehensive Environmental Response, Compensation, and Liability Act
- CFR – Code of Federal Regulations
- CIP – Community Involvement Plan
- Cs-137 – Cesium 137
- EE/CA – Engineering Evaluation and Cost Analysis
- EIS – Environmental Impact Statement
- EPA –the U.S. Environmental Protection Agency
- FOIA – the Freedom of Information Act
- Mrem – millirem
- NCP – National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR Part 300)
- NEPA – National Environmental Policy Act
- NRC – Nuclear Regulatory Commission
- MTCA – Model Toxics Control Act
- Ra-226 – Radium 226
- RCW – Revised Code of Washington
- RESRAD – A Regulatory Tool for Determining the Allowable RESidual RADioactivity in Site Cleanup
- SDOT – Seattle Department of Transportation
- SEPA – State Environmental Policy Act
- Sr-90 – Strontium 90
- TCRA – Time Critical Removal Action
- WAC – Washington Administrative Code
- WDOE – Washington State Department of Ecology
- WDOH – Washington State Department of Health

The Navy’s website can be found at <http://goo.gl/ISMVJ2>.

The administrative record/information repository is available at the following two addresses:

Northeast Branch of the Seattle Public Library at 6801 35th Ave N.E, in Seattle

NAVFAC Northwest, 1101 Tautog Circle, Suite 203, Silverdale, WA (can be viewed by contacting Ms. Cindy O’Hare at cindy.ohare@navy.mil)