



DEPARTMENT OF THE NAVY

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July 8, 1993

Mr. Tom Lanphar
Site Mitigation Branch
Department of Toxic Substances Control
700 Heinz Ave., Suite 200
Berkeley, CA 94710-2737

Re: NAVAL AIR STATION, ALAMEDA

Dear Mr. Lanphar:

An initial draft of a proposed Federal Facility Site Remediation Agreement (FFSRA) for Naval Air Station Alameda is enclosed for consideration by the Department of Toxic Substances Control (DTSC). An identical advance copy of this draft was provided to DTSC representatives recently at a project managers meeting.

As you know, the FFSRA is essentially our non-NPL equivalent to our interagency agreement for our NPL sites. Our FFSRA negotiations with the State of California have produced a few differences between the FFSRAs for our non-NPL sites and the Federal Facility Agreements (FFAs) for our NPL sites. For the most part the differences reflect the special authority of the State under CERCLA Section 120(a)(4) at non-NPL sites.

The agreement proposed for NAS Alameda is a revision of the Naval Supply Center, Oakland agreement which was based on a model agreement that is the foundation for four other FFSRAs in the Bay Area. Proposed additions/revisions to the NSC Oakland agreement are identified by ~~RELINE~~ text and deletions are shown by ~~STRIKEOUT~~ text.

The proposed agreement for NAS Alameda would update the model agreement by incorporating a "Site Management Planning" (SMP) approach for the investigation and remediation activities. The SMP approach is now being adopted for several other Navy facilities by Navy and State of California project managers and negotiation teams. We expect that the SMP concept will be included in FFSRAs for Naval Air Station Lemoore, Naval Communication Stockton, Naval Air Weapons Station China Lake, Marine Corps Air Station Tustin, and Marine Corps Air Ground Combat Center Twentynine Palms.

I would like to provide a brief overview of the SMP concept that might assist in your review. The SMP process would address such facility-wide issues as setting priorities; identification, scope, and revision of operable units; and scheduling work. The

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initial site management plan would be due for submittal to the State within an agreed upon time after the effective date of the FFSRA. It would then be revised and resubmitted to the State annually following consultations and meetings. Proposed enforceable compliance schedules for specific work such as RI/FS work for high priority operable units, would be attached to the Site Management Plan. The specific schedules would cover multi-year periods where appropriate and, upon approval, would be enforceable. The initial Site Management Plan would contain such schedules where appropriate and additional schedules would be added annually.

The initial and updated Site Management Plans would also include preliminary non-enforceable projected target calendar dates for conducting and completing CERCLA response actions on lower priority operable units.

The following subparagraphs detail the FFSRA revisions to the model agreement (in this case, the NSC Oakland FFSRA) that were necessary to adopt the Site Management approach for the proposed agreement.

(a) New Subsection 1.3(b):

"Provide for development and annual update of a base-wide, long-range strategic Site Management Plan (SMP) as an attachment to this Agreement in support of developing priorities and schedules for the conduct of site investigations and other response actions as expeditiously as possible in order to protect human health and the environment. The SMP and updates will be developed in consultation with the State. The SMP will recognize and address the need to annually redirect and rescope site investigations and response actions as new information becomes available as site investigations unfold.

(b) New Subsection 4.1(y):

Site Management Plan, (SMP) for purposes of this Agreement shall mean the SMP developed and submitted to the State pursuant to this Agreement. The SMP shall address project priorities, direction, and scope, and project acceleration techniques agreed to by the State and the Navy. The SMP shall be updated on an annual basis. The submission deadline for the SMP shall be enforceable but the contents of the SMP are unenforceable. Enforceable deadlines generated from and based upon the SMP in accordance with Section 8.2 shall be placed in Appendix A.

(c) New Subsection 7.3(a)(1):

"Site Management Plan (SMP)."

(d) Delete existing Sections 8.1 and 8.2.

(e) Insert a new section 8.1 as follows:

(a) Within ninety (90) days of the effective date of this Agreement, the Marine Corps shall submit a draft SMP to the State for review and approval. The SMP shall set priorities for site investigations and response actions, identify operable units, address project acceleration techniques, and set forth projected dates for submittal of primary documents through completion of all necessary site investigations and response actions throughout the Site. The SMP shall identify high and low priority operable units in accordance with criteria to be developed and identified in the SMP. The SMP shall be based upon information available at the time the plan is prepared.

(b) The SMP shall be annually revised, updated and resubmitted by the Navy no later than _____ of each calendar year beginning on _____. The updated SMP shall reflect new information generated since the previous plan was prepared. Each annual update of the SMP shall update the unenforceable projected dates to reflect new information generated during the preceding year as well as any necessary rescoping or redirection of ongoing work. The SMP shall also address the need for and length of modifications of enforceable compliance deadlines established pursuant to Section 8.2.

(f) Revision to Section 8.2:

Within ninety (90) days of the effective date of this Agreement and in conjunction with the initial SMP but as a separate document (Appendix A), the Navy shall propose and submit enforceable deadlines for high priority operable units and response actions through the time period ending _____. These enforceable deadlines shall include submission dates for any of the draft primary documents set forth below which are identified in projected dates in the initial SMP for submittal through _____ (date).

(g) New Section 8.3:

(a) A proposed updated Appendix A shall be submitted by the Navy on an annual basis not later than April 1 of each calendar year beginning on _____. The updated Appendix A shall address enforceable deadlines for submission of draft primary documents for high priority operable units and shall be

submitted in conjunction with submittal of annual updates of the SMP. The updated deadlines shall incorporate projected dates for those draft primary documents identified in the updated SMP for completion over the two year period following the deadline for submittal of the updated SMP and Appendix A.

(b) Proposed annual updates of Appendix A may also include additional operable units as identified in the updated SMP as priorities change and budgetary and personnel resources are available to address lower priority operable units. These proposed enforceable deadlines shall incorporate projected dates for those draft primary documents identified for completion over the two year period following the deadline for submittal of the updated SMP and Appendix A.

(c) Appendix A shall be amended to reflect revised target dates and any associated compliance deadline revisions recommended in the annual update of the SMP.

Navy personnel are available to meet with DTSC representatives to discuss the proposed FFSRA at the earliest mutually convenient time. For the purposes of arranging such a meeting the point of contact is Lieutenant Michael Petouhoff, at (510) 263-3726.

Sincerely,

MARVIN D. NORMAN
Associate Counsel (Environmental)

Enclosure as stated

Copy to: (w/o encl)
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Blind copy

M. Anello

Gary

George

Gilbert

ENCLOSURE 1

INITIAL DRAFT PROPOSED FEDERAL FACILITY SITE REMEDIATION AGREEMENT

THE ABOVE IDENTIFIED ENCLOSURE IS NOT
AVAILABLE.

EXTENSIVE RESEARCH WAS PERFORMED BY
NAVFAC SOUTHWEST TO LOCATE THIS
ENCLOSURE. THIS PAGE HAS BEEN INSERTED
AS A PLACEHOLDER AND WILL BE REPLACED
SHOULD THE MISSING ITEM BE LOCATED.

QUESTIONS MAY BE DIRECTED TO:

DIANE C. SILVA
RECORDS MANAGEMENT SPECIALIST
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