

CLEARWATER REVIVAL COMPANY

95-3013-02

August 22, 1997

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Comments

Engineering Evaluation Cost Analysis Report (Draft Final)
IR Site 16 Removal Action
Naval Air Station, Alameda

Dear Messrs. Edde and Lanphar:

On behalf of West End Concerned Citizens, Clearwater Revival Company (CRC) has prepared the following comments on the Engineering Evaluation/Cost Analysis Reports for the Site 16 Removal Action at the Alameda Naval Air Station (NAS).

COMMENT NO. 1 - The Removal Action does not comply with Executive Order No. 12898 on Environmental Justice.

Federal agencies are required to develop environmental strategies that identify and address disproportionate exposure and adverse health effects of their activities. The proposed removal action and other environmental cleanup activities at NAS have not complied with state environmental standards nor have they complied with the generally accepted standard of professional care. The Navy's activities have therefore created, and continue to perpetuate a disproportionate exposure to toxic chemicals and a disproportionate health burden in the West End of Alameda. The West End is a low-income ethnically-diverse community. Until the Navy commits to a acceptable standard of cleanup at Site 15 and other toxic waste sites at NAS, a great injustice continues to be done to residents of the West End.

COMMENT NO. 2 - Failure to meet Removal Action Workplan content requirements (22 CCR 25356.1 (h)(2)(b))

The requirements of a removal action workplan included a description of techniques and methods for excavating, storing, handling, transporting, treating, and disposing of material from the site. A description of the methods that will be employed during the removal action to ensure the health and safety of the workers and the public during the removal action

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are also required. These specific details are not provided in the Removal Action Workplan.

The Removal Action Workplan states that air quality standards may be exceeded during the work. Details of the proposed air monitoring to ensure that ambient air quality standards for particulates, lead and PCBs are not exceed should therefore be provided in the Removal Action Workplan. Best management practices for dust control should be discussed in detail. Monitoring of wind speed and establishment of a "stop work" condition should be made to ensure air quality standards are not exceeded.

Navy environmental work has not used best management practices to prevent storm water pollution. This was particularly evident when contaminated soil was excavated near an old industrial waste pond along the shoreline of IR Site 1. Details of storm water pollution controls including requirements for covering of inactive waste piles, and limits on storage duration, need to be established in the Removal Action Workplan.

Work hours, truck traffic routes, and requirements for truck covering should be established in the Removal Action Workplan.

COMMENT NO. 3 - Remedial Action Objectives Off-target

The proposed removal action does not meet the site-specific removal action objective of "unrestricted future use of the site." The PCB cleanup goal of 1.0 ppm at NAS is 50 times the PCB cleanup level proposed at another military facility in California. The PCB cleanup goal of 1.0 ppm at NAS is 25 times the EPA Region IX preliminary remediation goal for PCBs on residential property. Region IX values have been used at all sites at NAS as screening risk levels.

The existing risk posed by the site should be quantitatively evaluated to both justify the need for a removal action and to determine an adequate cleanup objective.

COMMENT NO. 4 - Information not Available to adequately estimate risk.

A recent EPA report "*PCBs: Cancer Dose-Response Assessment and Application to Environmental Mixtures*," September 1996, raises concerns with the current practice of evaluating the human health risks posed by PCB spills. The EPA report concludes that basing human health risk estimates on total PCB concentrations may underestimate the actual risk. Apparently the most toxic PCB congeners are also the most persistent at spill sites. The EPA report recommends that data be collected on the concentrations of these individual PCB congeners and this information be used to evaluate risk at

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"old spill" locations like Site 16. Additional site characterization should be performed to more accurately evaluate human health risks at this site and to determine an adequate cleanup objective.

COMMENT NO. 5 - Student Notification (Health and Safety Code 42301.6)

The Health and Safety Code states in part that:

"Prior to issuing an application for a permit to construct or modify a source which emits hazardous air emissions, which source is located within 1,000 feet from the outer boundary of a school site, the air pollution control officer shall prepare a public notice... and distribute or mail the public notice to the parents or guardians of children enrolled in any school that is located within one-quarter mile of the sources and each address within 1,000 feet of the source..."

The proposed project may exceed air quality standards indicating a permit may be appropriate for this activity. The proximity of the air pollution source to Encinal High school indicates that the student notification requirement is a potential ARAR.

COMMENT NO. 6 - Inadequate cost estimates.

The selection of a preferred alternative was made largely based on cost. The basis for the total cost has not been provided in the Removal Action Workplan. Cost estimate details should be provided.

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If you would like to discuss these comments further please call me at (510) 522-2165.

Sincerely,



Patrick G. Lynch, P.E.

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Comments

Engineering Evaluation Cost Analysis Report (Draft Final)
IR Site 15 Removal Action
Naval Air Station, Alameda

Dear Messrs. Edde and Lanphar:

On behalf of West End Concerned Citizens, Clearwater Revival Company (CRC) has prepared the following comments on the last in a series of Engineering Evaluation/Cost Analysis Reports and Addendums for the Site 15 Removal Action at the Alameda Naval Air Station (NAS). This is the third occasion that CRC has commented on this project's Removal Action Workplan. First in September 1995, and again in May 1996, CRC provided comments and recommendations to the Western Division Naval Facilities Engineering Command (Navy). In hindsight the quality and cost of cleanup at NAS would have benefited substantially if the Navy had chosen to address rather than ignore CRC's previously submitted comments.

Once again, CRC hopes that these comments are able to improve the quality and cost-effectiveness of the Navy's environmental work.

COMMENT NO. 1 - The Removal Action does not comply with Executive Order No. 12898 on Environmental Justice.

Federal agencies are required to develop environmental strategies that identify and address disproportionate exposure and adverse health effects of their activities. The proposed removal action and other environmental cleanup activities at NAS have not complied with state environmental standards nor have they complied with the generally accepted standard of professional care. The Navy's activities have therefore created, and continue to perpetuate a disproportionate exposure to toxic chemicals and a disproportionate health burden in the West End of Alameda. The West End is a low-income ethnically-diverse community. Until the Navy commits to a acceptable standard of cleanup at Site 15 and other toxic waste sites at NAS, a great injustice continues to be done to residents of the West End.

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COMMENT NO. 2 - Failure to identify State Applicable or Relevant and Appropriate Requirements (ARARs)

The minimum standards for constructing and operating a solid waste facility which are contained in State Water Resource Control Board regulations *Chapter 15. Discharges of Waste to Land (23 CCR 2510 et al)* continue to be ignored. The Corrective Action Management Unit (CAMU) was not originally designed to the requirements of Chapter 15 as required, and the CAMU was operated without mandated environmental controls and monitoring. The closure of the CAMU proposed in the Removal Action Workplan will not comply with Chapter 15 requirements. In order to ensure that all hazardous waste is removed, and that all equipment and debris is decontaminated and disposed of in accordance with Chapter 15 requirements, a written closure plan must be prepared for the removal action. This closure plan should address the groundwater monitoring requirements that were ignored during operation of the CAMU.

COMMENT NO. 3 - Failure to meet Removal Action Workplan content requirements (22 CCR 25356.1 (h)(2)(b))

The requirements of a removal action workplan included a description of techniques and methods for excavating, storing, handling, transporting, treating, and disposing of material from the site. A description of the methods that will be employed during the removal action to ensure the health and safety of the workers and the public during the removal action are also required. These specific details are not provided in the Removal Action Workplan.

The Removal Action Workplan states that air quality standards may be exceeded during the work. Details of the proposed air monitoring to ensure that ambient air quality standards for particulates, lead and PCBs are not exceed should therefore be provided in the Removal Action Workplan. Best management practices for dust control should be discussed in detail. Monitoring of wind speed and establishment of a "stop work" condition should be made to ensure air quality standards are not exceeded.

Navy environmental work has not used best management practices to prevent storm water pollution. This was particularly evident when contaminated soil was excavated near an old industrial waste pond along the shoreline of IR Site 1. Details of storm water pollution controls including requirements for covering of inactive waste piles, and limits on storage duration, need to be established in the Removal Action Workplan.

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Work hours, truck traffic routes, and requirements for truck covering should be established in the Removal Action Workplan.

COMMENT NO. 4 - Previous Comments on Site 15 Removal Action

The removal action at Site 15, on-going since 1994, has set a bad precedent for public participation. Following the previous public comment period the Navy twice amended the Removal Action without additional public participation in these decisions. If the public is to play a meaningful role in the cleanup process public review documents must contain the alternatives that will ultimately be implemented.

During the past three year period comments about the Site 15 cleanup have been continuously received by the Navy from members of the public. Previously the Navy was willing to accommodate community concerns about off-site disposal and transportation of hazardous wastes through Alameda neighborhoods. In fact, this community concerns prompted the Navy to spend over \$500,000 to construct and operate a CAMU rather than ship toxic soils off-site in November of 1995. Accommodating this "community concern" is no longer a priority of the Navy.

Not all these interested community members have been able to sustain the pace of the Site 15 cleanup planning and progress. It is appropriate that their previously submitted comments on the Site 15 cleanup plan be reevaluated by the Navy to ensure that these community concerns that were raised during early planning, continue to be addressed.

COMMENT NO. 5 - Justification for Non-time Critical Removal Action

The Navy has made several inconsistent representations about the reasons a Removal Action was justified at Site 15 and continues to be justified for the CAMU. Based on the April 25, 1995 letter from the Navy to Cal-EPA, *Winter Rain Effect at Installation Restoration (IR) Site 15 NAS Alameda*, "...contaminants of concern are generally not water soluble, therefore, it is expected that very minimal or no transport of contaminated material.." from the site occurred. This comment addresses an uncovered, thirty-foot high pile of excavated soil that was left in a flooded area for a period of over twelve months during which over 20 inches of rain fell. The Navy now states that weather conditions that may cause contaminants to migrate is one of reasons the removal of the CAMU is appropriate. The CAMU has been maintained as a covered soil pile. How can the Navy state that migration is not a problem in an uncontrolled environment but is a problem under a controlled one?

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The Navy's has made several subjective and contradictory evaluations of the risks posed by Site 15 conditions. The existing risk posed by the site should be quantitatively evaluated to justify the need for a removal action.

COMMENT NO. 6 - Inadequate cost estimates.

The selection of a preferred alternative was made largely based on cost. The basis for the total cost has not been provided in the Removal Action Workplan. Due to the wide differences between the current and previous cost estimates for this removal action, cost estimate details should be provided.

COMMENT NO. 7 - Failure to communicate sampling results from Site 15

Verification samples were apparently taken at Site 15 in 1994 but the results have not been made public. Though no determination has been formally made about the residual risk at Site 15, fences and warning signs have been removed. Six months ago I watched a gentleman drive his pick-up truck across the site. The "quicksand condition" quickly buried a back wheel to the trucks axle. Over the course of several hours, the driver of the truck dug the tire out by hand, as his wife and infant daughter stood nearby. What was the risk to this man? Because sampling results are being withheld from the public there is no way to determine what potential risk this man and his family may have been exposed to.

COMMENT NO. 8 - Waste Characterization

Under state law, the waste from Site 15 was required to be classified before it was placed in the CAMU. The waste from Site 15 was previously characterized as a RCRA hazardous waste (*Engineering Evaluation and Cost Analysis, October 1994*). It is appropriate that the waste now be delisted as a RCRA waste before it is disposed of in a non-RCRA landfill.

The waste classification presented in the Removal Action Workplan is not based on the requirements contained in RCRA and California's Hazardous Waste Control Law. Both state and federal requirements call for the use of *US EPA, SW-846 Test Methods for Evaluating Solid Waste*, to determine waste characteristics. SW-846 does not base waste determination on the average concentration of a toxic chemical in a group of samples. SW-846 uses the value corresponding to the upper-bound of the 95-percent confidence interval. The waste classification contained in the Removal Action Workplan does not appear to comply with hazardous waste ARARs.

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COMMENT NO. 9 - Overall Health and Safety Concern

Health and safety should be the primary concern in the completion of the Site 15 Removal Action Workplan. Previously in June 1995, work on the Removal Action was halted after a sewer line was broken during soil excavation activities. Later, work was halted because of concerns with the safety of treatment equipment. Hazardous waste workers are expected to have a high level of sophistication with respect to Health and Safety practices. Unsafe equipment and failure to identify and protect subsurface utilities seem to suggest workers with a very low-level of sophistication were used previously on this project. The resources necessary to hire a qualified and trained work force should be dedicated to this Removal Action to ensure that its completion is performed safely.

CLOSING

If you would like to discuss these comments further please call me at (510) 522-2165.

Sincerely,



Patrick G. Lynch, P.E.