

**Manley, Melissa A**

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**From:** Richardson, Claudia CONT OASN (I&E) BRAC PMO West [claudia.richardson.ctr@navy.mil]  
**Sent:** Tuesday, February 14, 2006 3:11 PM  
**To:** Manley, Melissa A; Bonnevie, Nancy  
**Subject:** FW: Fwd: re comments on draft final proposed plan for SPL

-----Original Message-----

From: Judy Huang [mailto:JCHuang@waterboards.ca.gov]  
Sent: Tuesday, February 14, 2006 11:07  
To: Ripperda.Mark@epamail.epa.gov; Naomi Feger  
Cc: Richardson, Claudia CONT OASN (I&E) BRAC PMO West  
Subject: Re: Fwd: re comments on draft final proposed plan for SPL

Hi Mark:

I quickly reviewed the revised Draft Final PP Claudia emailed me.  
(Thanks Claudia!)  
I have no problems with the corrections made to your comments.

However, 1) Considering we are still unhappy with some of the ARARs and RAOs (please see our comments re: RAOs and ARARs.) it seems to be inappropriate to say "This proposed plan has been approved by the Alameda Point Base Realignment and Closure (BRAC) Cleanup Team (which is made up of representatives from: \* The Navy, \* EPA Region 9, \* CalEPA DTSC, and \* California RWQCB. " and 2) our comments are still not addressed.

Can we change it to say "The preferred remedy has been approved by the BCT....." and leave out the ARAR discussions altogether?

Just my two pennies....

Judy

Judy C. Huang, P.E.  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612  
(510)622-2363

>>> <Ripperda.Mark@epamail.epa.gov> 2/14/2006 10:33 AM >>>

Hi Judy and Naomi, Claudia just sent you and us a copy of their version that went to the printer. Could you please take a look at it ASAP and see if you can live with it. I agree that a Proposed Plan is one of the most important documents we generate and the Navy should make a serious effort to go beyond the normal process to get it right. However, I also believe that it's not really fair for us to be submitting comments on their printing date. Claudia is available for a conference call today after you have looked at the document to find out how serious your issues are.

Naomi Feger  
<NFeger@waterboards.ca.gov>

02/14/2006 09:51  
AM

Mark Ripperda/R9/USEPA/US@EPA,  
Judy Huang  
<JCHuang@waterboards.ca.gov>

To

cc

Subject  
Re: Fwd: re comments on draft  
final proposed plan for SPL

Hi Mark - The Proposed Plan that goes to the public seems like a pretty important document. I know that it's hard for the military to get consensus from all of us but it seems like we should agree on the content of that document. Based on the last version, it appeared that they would fix one issue but then add another one. I liked your commentary on the ARAR issue. I also don't think we really want a PP going out that reflects a dispute between the State and the military - like exists in the current form. Anyway - it seems to me that we should see the final document that goes to the printer. This has been the case on the other sites I have worked on.

>>> <Ripperda.Mark@epamail.epa.gov> 2/14/2006 9:38 AM >>>  
Hi Judy, your comments look good to me, hopefully you have already sent them. The PP was going to be mailed for the beginning of the comment period Feb. 17. I only wanted to chat if there were issues that were too big to handle at a meeting the day of the public meeting.

On Naomi's concerns about ambient, the Navy's draft final discussion of ambient and the 200 ppb completely missed the boat. I provided them with some detailed comments that rewrote those sections. Hopefully, I didn't just confuse the issue even more.

Judy Huang  
<JCHuang@waterboards.ca.gov>

02/10/2006 04:17  
PM

To  
Mark Ripperda/R9/USEPA/US@EPA  
cc  
Naomi Feger  
<NFeger@waterboards.ca.gov>  
Subject  
Fwd: re comments on draft final  
proposed plan for SPL

Hi Mark:

Below is what we have come up with.  
Let me know if you want to discuss this.  
If you still want to chat, let us know.

We are planning to send these comments to the Navy as an email.  
But I would like to know how you feel about the comments.

Thanks and have a wonderful weekend!

Judy

Comments on Draft Final Proposed Plan for SPL:

1. page 5, Paragraph 1: please rewrite this paragraph to eliminate reference to risks associated with San Francisco Bay reference stations. That was the intent of the earlier comment. Originally you had a sentence that stated in effect that human health risks were higher than reference for PCBs and now the Proposed Plan says they are the same, i.e. within an order of magnitude. The first two sentences need to be deleted.

2. Page 5, paragraph 2 Conclusions of the Remedial Investigation: the second bullet says ...there is a low potential for acute hazard or risk to the benthic community. One word should be selected hazard or risk, preferentially risk - or use the word impacts instead of either hazard or risk.

All references to forage fish should just read fish - since the forage fish were meant to represent fish in general. The bullet referencing remediation goals should read that they are protective of birds and fish.

The sentence of the bullet that reads, applying the RG developed for PCBs based on ecological exposures is expected to reduce concentrations in fish tissue sufficiently to address potential human health exposures.

Add the 200 ppb as a remedial goal to reduce risk to recreational fishers.

### 3. Remediation Goals (RGs)

We appreciate the Navy making the edit that was suggested in our November 28, 2005 comments for this paragraph with regard to the least tern. We think the proposed plan also needs to make it clear to the public that the least tern is considered the most sensitive receptor and that developing "safe" sediment concentration for the tern should protect other bird species that feed in the lagoon.

Page 13, paragraph beginning "the upland areas"... EPA commented on this paragraph. The state feels that dewatering with a discharge will trigger the equivalent of waste discharge requirements. We don't think it is equivalent to a stormwater discharge as it is an intentional discharge of decant water. Division 7 of the California Water Code and regulations and guidelines adopted thereunder would apply.

Board staff still require that a 200 ppb post-excavation spatially-weighted average residual concentration of PCBs be included as a remedial goal.

Page 14, ARARS: our earlier comments regarding surface water quality objectives have not been incorporated into the draft-final Proposed Plan. Executing the proposed remedial action will likely have a short term impact on waters of the State, i.e., seaplane lagoon. Every effort must be made to reduce that threat to water quality, thus all water quality objectives are relevant.

Page 15, Resolution 92-49: this resolution applies to sediment cleanups and allows the state to cleanup to some level greater than background if beneficial uses are protected. in addition, flux measurements conducted in seaplane lagoon indicated surface water quality impacts due to cadmium.