



Department of Toxic Substances Control

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HUNTERS POINT
SSIC NO. 5090.3



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Agency Secretary
California Environmental
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August 3, 2001

Commanding Officer
Department of the Navy
Naval Facilities Engineering Command
Southwest Division
1220 Pacific Highway
San Diego, CA 92132-5190
Attention: Richard Mach

THE NAVY'S REVISED PROPOSAL TO RESOLVE THE INFORMAL DISPUTE REGARDING MANGANESE ON PARCEL B, HUNTERS POINT SHIPYARD, SAN FRANCISCO, CALIFORNIA

Dear Mr. Mach:

California Department of Toxic Substances Control (DTSC) has reviewed your letter dated July 17, 2001 regarding a revised proposal for the manganese issues on Parcel B.

DTSC recognizes the Navy's contention that manganese (Mn) bearing chert and basalt may elevate the Mn concentration in samples with chert and basalt fragments and the Navy is willing to set aside this issue for Parcel B only in the interests of resolving the dispute at hand. DTSC is willing to consider an arithmetic mean of Mn concentrations over an area not greater than 2500 square feet as the representative concentration for the area in determining whether remediation is necessary.

It is important to emphasize that this decision applies only to Mn and in Parcel B only, DTSC also wishes to reiterate that all remediations conducted in Parcel B in accordance with the Parcel B Final Remedial Design (RD) and RD Amendment are subject to final review and approval of overall residual risk which is to be presented in the Parcel B Final Construction Summary Report.

DTSC is very concerned, as per your letter, only five of the eighteen Mn only excavations meet the RD amendment step-out requirements. The Navy is proposing that only areas with arithmetic means exceed cleanup

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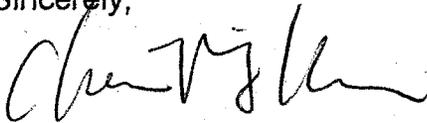
criteria should be further sampled and new sample results to be added to recalculate the arithmetic mean. DTSC believes that all areas should be sampled in accordance with Final RD Amendment before any arithmetic mean is calculated. DTSC is also very concerned that it appears some of the original RD confirmation sampling requirements were not met for the 1998-1999 excavations either. For example: excavation 24-8 does not have any confirmation sample for the original 1998-1999 excavation (the purple line) and excavation 24-6 does not have confirmation samples for the NW and NE walls.

The Department does not believe excavation of Mn contaminated soil should be discarded because there is proposed Soil Vapor Extraction (SVE) system in the area. It may delay the excavation until the Volatile Organic Compounds(VOC) contaminants are addressed. The Mn posts a risk with or without the VOC contaminants.

The Navy also outlined their strategy for further excavation in their proposal that only highest concentration in the area will be excavated so that new confirmation samples can be collected to bring the arithmetic mean down to below 1400ppm. Our view is that the concept of using arithmetic mean is to identify a representative concentration for the entire area for the purpose of checking against the cleanup criteria. Once the decision is made to either further remediate or take no further action that decision applies to the entire area.

If you have any questions, Please contact me at (510) 540-3822.

Sincerely,



Chein Ping Kao, P.E.
Senior Hazardous Substance Engineer
Office of Military Facilities

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