

RESPONSES TO COMMENTS ON THE DRAFT FINAL RECORD OF DECISION (ROD) FOR PARCEL C, HUNTERS POINT SHIPYARD, SAN FRANCISCO, CALIFORNIA

The table below contains the responses to comments received from the regulatory agencies on the “Draft Final Record of Decision for Parcel C, Hunters Point Shipyard, San Francisco, California,” dated August 13, 2010. The comments addressed below were received from, the California Department of Toxic Substances Control (DTSC), and the San Francisco City and County Department of Public Health (City). No comments were received from the U.S. Environmental Protection Agency (EPA) and the California Regional Water Quality Control Board (Water Board). Throughout this table, *italicized* text represents additions to the document and ~~strikeout~~-text indicates deletions. Also throughout this table, references to page, section, table, and figure numbers pertain to the new document unless otherwise indicated.

Comment Number	Section/ Page	Comment	Response to Comment
Responses to Comments from California Department of Toxic Substances Control (Dr. Ryan Mia, dated September 27 and 28, 2010)			
General Comments			
1.	Attachment 1, Applicable or Relevant and Appropriate Requirements (ARARs), Page 1-23 (California Code of Regulations Title 22, Section 67391.1)	<p>(a) Attached please find Page 1-22, Attachment 1, from the Final Parcel G ROD (2.18.09) previously negotiated and agreed upon. The exact language that was agreed to for the Parcel G ROD can also be used for the Parcel C ROD. If this is a problem or the Navy's position has changed with respect to this issue, please get back to me immediately so that we can setup a call to discuss. Otherwise, please modify Page 1-23, Attachment 1, of the Parcel C ROD accordingly.</p> <p>(b) Could you please delete the portion of USEPA's comment that references subsection (b) since USEPA HQ has not agreed to it? The comment should be revised to only reference subsections (a), (d), and (e) of Title 22 section 6739.1.</p>	<p>The following changes were made to the Attachment 1, ARARs, on Page 1-23, State Action-Specific ARARs, Institutional Controls, California Code of Regulations Title 22, Section 67391.1, as suggested.</p> <p>The “Comments” column was changed as follows:</p> <p>The substantive provisions of these requirements are relevant and appropriate when the Navy is transferring property to a nonfederal agency. EPA Region 9 specifically considers the substantive provisions of §§ (a), (b), (d), and (e) to be ARARs.</p> <p><i>The Navy is evaluating ICs for soil and groundwater. These requirements are ARARs for those ICs. EPA agrees that the substantive portions of the regulations referenced are ARARs. EPA specifically considers sections (a), (d), and (e) of Cal. Code Regs. tit. 22 § 67391.1, to be ARARs for this ROD. DTSC’s position is that all of the state regulation is an ARAR.</i></p> <p>In addition, the subheading for this ARAR was corrected from “California Health and Safety Code” to “Department of Toxic Substances Control.”</p>

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Comment Number	Section/ Page	Comment	Response to Comment
Responses to Comments from San Francisco City and County Department of Public Health – City and Lennar (Amy D. Brownell, dated September 24, 2010)			
Specific Comments			
1.	Section 2.4, Page 21, third sentence	<p>The mention of “human health risk evaluation” seems unnecessary and makes the sentence confusing. Suggest the following revision to make the sentence clear and concise:</p> <p>In 2010, the SFRA issued an amendment to the 1997 reuse plan which revised the reuses in Parcel C to show “Land Use Districts” within the area corresponding to the current Parcel C, as “HPS Shoreline Open Space” which is o-pen space reuse scenario for human health risk evaluation; and “Shipyards North Residential,” Shipyards Village Center Cultural,” and “Shipyards Research and Development,” which are residential reuses.”</p>	The text has been changed as suggested.
2.	Section 2.7, Page 40, Soil RAOs	<p>Please revise as indicated below as ingestion of produce grown in native soil should not be restricted only to residents or specific redevelopment blocks:</p> <ol style="list-style-type: none"> 1. Prevent or minimize exposure to organic and inorganic chemicals in soil at concentrations above remediation goals developed in the HHRA for the following exposure pathways: <ol style="list-style-type: none"> (a) Ingestion of, outdoor inhalation of, and dermal exposure to surface and subsurface soil. (b) Ingestion of homegrown produce in native soil by residents in mixed use and research and development blocks. 	<p>The text has been changed as suggested.</p> <p>It should be noted that, as stated in the response to EPA Specific Comment 6 on the Draft ROD, the homegrown produce pathway was evaluated in the human health risk assessment for planned residential use scenario only (redevelopment blocks designated for mixed-use or research and development).</p>

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3.	Section 2.9.2, Description of Selected Remedy, Page 55, first paragraph	<p>Figure 10 shows three areas as needing excavation within what appears to be the building footprint outline. However, the text in this paragraph only describes two excavations under buildings. We questioned this discrepancy in our last set of comments. Based on your RTC about excavation 20A-1, please add the following after the sentence that ends with "...radiological removal activities."</p> <p><u>"The planned excavation 20A-1 on Figure 10 is not listed as an excavation beneath an existing building because it is located under an extended roof overhang area not under the building."</u></p> <p>Alternatively, you could revise Figure 10 so that excavation 20A-1 is marked differently so that it is clear that it is not under a building.</p>	The text has been changed as suggested.
4.	Section 2.9.3., Expected Outcomes of the Selected Remedy, first paragraph, last sentence	<p>Please add the following after the last sentence.</p> <p><u>"The 2010 amended land uses₍₁₆₎ will be evaluated in the RD. "</u></p>	<p>The Navy does not agree with this suggested change under Section 2.9.3, Expected outcomes of the Selected Remedy. However, Section 2.4, Current and Potential Future Uses, first paragraph, states "(w)hile the ROD was not revised to reflect the 2010 amended land use₍₁₆₎, the most up-to-date land use and associated human health risk exposure scenario will be evaluated at the time of the RD." This sentence was added to the Draft Final ROD, in response to the City's Specific Comment 3 on the Draft ROD. The ROD was not changed as a result of this comment.</p>

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Minor Comment			
5.	Section 2.3, Previous Investigations, Page 18, second paragraph, first line.	(UST) should be plural - (USTs).	Comment is noted. The sentence includes the first reference to “underground storage tanks” in the document, and thus defines the acronym UST for both the singular and plural form. The ROD was not changed as a result of this comment.

REFERENCES

ChaduxTt. 2009. “Final Record of Decision for Parcel G, Hunters Point Shipyard, San Francisco, California.” February 18.