

**DEPARTMENT OF TOXIC SUBSTANCES CONTROL**REGION 2  
HEINZ AVE., SUITE 200  
BERKELEY, CA 94710-2737

May 8, 1996



Engineering Field Activity, West  
Attn Mr. Richard Powell [1832]  
900 Commodore Drive  
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Dear Mr. Powell:

**ENGINEERING EVALUATION/COST ANALYSIS STORM DRAIN SYSTEM, HUNTERS POINT ANNEX**

The Department of Toxic Substances Control (Department) has reviewed the above report. In general this report lacks clarity in purpose, scope and the extent of removal action. On 1/30/96, we shared these concerns with the Navy. To enhance the quality of reports, we ask that the Navy to share comments and concerns with all those who are involved with similar projects. This ensures a continuity and consistency in the submittals.

**GENERAL COMMENTS:**

1. In drafting the report, a special care must be given to the Executive Summary. The Executive Summary is a place to capture the essence of the report. Statement of concern, objective and means to meet the objective need to be articulated. Any ambiguity in the statement of concern and objective will invite unfavorable response.
2. There are conflicting and contradicting statements in this report. For example, the removal action consists of mitigating " discharge of contaminated sediments and infiltrated groundwater", however, the Navy only proposes to monitor the infiltrated groundwater. Monitoring infiltrated groundwater does not constitute a mitigation. If the removal action is "planned to mitigate discharge of contaminated sediments and infiltrated groundwater" into the Bay, it is not clear how this will reduce "risk" to the environment. There are major differences between the two. Monitoring the groundwater, as the selected alternative, is not consistent with the "planned removal action" nor the objective stated in the Executive Summary.

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3. Despite devoting a chapter to "Site Characterization", the above report does not explain the extent and nature of contamination. The extent of contamination in the entire length of storm drain system should be discussed. Without understanding the full extent and nature of contamination, drawing a conclusion is deemed to be pure speculative. As stated, the EE/CA "determined" the threat to the bay. However, we have been unable to identify where in the EE/CA that threat is "determined". Since, the storm drain has not been fully characterized, it is speculative to conclude that only infiltrating groundwater in a reach of the system poses a threat. It seems that there are multiple contaminants in both the sediments and infiltrated groundwater. The Navy has not discussed how monitoring a reach in the system will satisfy the objective of reducing the risk stated in the Executive Summary. This EE/CA should encompass the entire length of the storm system and thus a removal action should focus on the system as a whole.
4. There are too many criteria used to screen contaminants. These criteria are confusing, arbitrary and selective. For example, we have been able to identify "screening criteria", "applicable screening levels", "screening levels" and "selection levels" in the EE/CA. It is not clear how and for what purpose these criteria have been developed. It seems that these criteria have been used to limit the scope of the removal action.
5. It seems that the scope of removal action has focused only on "study area". It is not clear where this came from or how the Navy decided that only 68 reaches will be examined. The removal action must concentrate on the entire system to be comprehensive.
6. The EE/CA is silence as to the issue of TPH contamination. Although, petroleum products are outside of CERCLA, it must be addressed by the Navy. If the Navy would like to exclude the TPH contaminated sediments and infiltrating groundwater, it must point to an existing program that includes such contamination.

#### **SPECIFIC COMMENTS**

7. Section 1.1.,  
Page 3, paragraph 3, explain how NOAA criteria are used for this removal action.

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Page 4, paragraph 1, "screening criteria were developed to indicate a potential for harmful impacts to the environment and justify the initiation of a removal action at the site". But on page 3, paragraph 4, screening criteria "were developed for the protection of aquatic life". It is not clear for what purpose the screening criteria have been developed.

8. Section 2. site characterization.

The information provided is fragmentary and limited. There is no explanation or approximation of the extent of the problem. The storm system is almost "107,000 linear feet" with numerous "manholes and catch basins". However, there is no discussion on how much of the line contains contaminated sediments or where contaminated groundwater enters the system. In addition, there has to be a thorough discussion on the integrity of the system to allow better understanding of the extent and source of contamination. It is assumed that there is extensive water infiltrating into the system through existing cracks. This section does not determine the extent of contamination as stated in the Executive summary.

9. Section 3.

We have been unable to find any information related to risk evaluation in this section. Please explain how multiple contaminants in sediments and groundwater pose risk to the aquatic organisms. It is important to note that "risk" is independent of "screening criteria". The discussion of screening criteria though useful is not linked to the "risk". And since the issue of "risk" is not explained, it is not clear how this removal action can satisfy the objective of reducing risk as stated in the Executive Summary.

Page 45,  
Paragraph 1, there is no substantiation of copper, lead mercury, and zinc associated with serpentine. The Navy needs to provide references to support that position. Moreover, this paragraph, introduces "selection levels" for several metals without providing any information on their origin. In the absence of such explanation, we are unable to accept these values.

Information in paragraph 2 should be discussed in a different chapter that is more relevant. For example,

the information in this paragraph is not related to "streamline risk" evaluation. The discussion has more to do with the scope and selecting criteria.

10. Section 4.1

This section states that the removal action is not meant to be final and an RI/FS will be completed for each of the parcels. However, in the Parcel B RI report, the Navy deferred the discussion of contamination in the storm drain to the removal action. Deferring action to RI/FS and back to removal action is not going to address the problem of contamination in the system.

11. Section 4.2

The two objectives identified in the Executive Summary vary in scope to what is described in this section. For example, in this section it is stated that the objective of this removal action is to prevent contaminated groundwater and sediments "above screening criteria" from being discharged into the Bay. It seems that the emphasis has been placed on the "screening criteria" as an objective of the removal action. Whereas, in the Executive Summary the emphasis is on the "risk". It seems that there are no consistent objectives for this removal action. Further, "implementing a removal action" cannot be an objective of storm drain removal action.

12. Section 4.3

The discussion and chronology of ARAR solicitation from the Department is not relevant to the storm drain EE/CA. The letters from the Navy and the Department are both part of the administrative records. To reiterate our position, as it was stated in the meeting of 1/30/96, the Department responded appropriately to the letter received from the Navy. The Department has forwarded state ARARs on many occasions. Further, to assist the Navy, the Department hosted an ARAR meeting where several state departments and agencies participated.

13. Section 4.3.2.3,

The discussion of CAMU is very confusing. It is not clear if the Navy is proposing to designate an area as CAMU. The Health Safety Codes section 25200 explains

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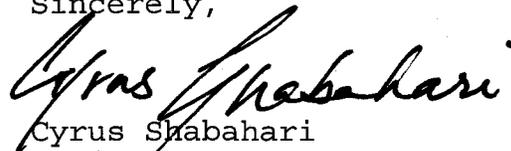
conditions and situation when an area can be designated as a CAMU. The Health and Safety authorizes the Department to determine if an area can be designated as a CAMU. Since, the Department has not approved of any CAMU at Hunters Point. Any discussion of CAMU would only lead to confusion. And since there is no designated CAMU, LDRs must be considered for on-site and offsite disposal of contaminated materials.

Page 52, paragraph 2, the Department is not aware of any regulatory variance with respect to the percentage of samples for determining hazardous waste. If a sample exceeds STLC and TTLC, it is considered hazardous waste. This is true for wastes that are not listed. However, the Navy needs to establish that the sources to the contamination are unknown. The hazardous waste definition captured in Chapters 10, 11 and 12 of the Title 22 of the California Codes of Regulations should assist the Navy to that end.

In conclusion, based on the above issues, the Department cannot accept the above report. On May 7, 1996 the agencies met with the Navy to discuss the aforementioned issues. It was decided that the Navy will revise the report and narrow the scope of the removal action to only contaminated sediments. Since this report is subject to substantial revision, the Department will further evaluate the ARARs.

Should you have any questions regarding this letter, please call me at (510) 540-3821.

Sincerely,



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