



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

N00217.003789
HUNTERS POINT
SSIC NO. 5090.3

May 14, 1998

Mr. Richard Powell, Code 1832
Department of the Navy
Engineering Field Activity, West
Naval Facilities Engineering Command
900 Commodore Drive
San Bruno, CA 94066-5006

Mr. Michael McClelland, Code 62.3
Department of the Navy
Engineering Field Activity, West
Naval Facilities Engineering Command
900 Commodore Drive
San Bruno, CA 94066-5006

RE: Navy Responses to EPA Comments, Draft Record of Decision Parcel D, Hunters Point Shipyard

Dear Messrs. Powell and McClelland:

EPA has completed its review of the Navy's responses to EPA comments on the Parcel D Draft Record of Decision (ROD) dated November 3, 1997. While the majority of our concerns have been addressed, there are still some remaining issues that must be further discussed and resolved before EPA can sign the draft final ROD. A more detailed summary of our remaining concerns is presented in the attached pages. In addition, the draft final ROD should state that soil cleanup on Parcel D will occur to a depth of 10 feet. Perhaps we should schedule a working meeting for the near future to discuss these issues. Please give me a call at 415-744-2409 to discuss this at your earliest convenience.

Sincerely,

Claire Trombadore
Remedial Project Manager

cc: Bill Radzevich, EFA-West, Code 1832.2
Valerie Heusinkveld, DTSC
David Leland, RWQCB
Jim Sickles, TtEMI

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**REVIEW OF NAVY RESPONSES TO EPA COMMENTS ON
PARCEL D DRAFT RECORD OF DECISION
HUNTERS POINT SHIPYARD**

- 1) **EPA Comment on Navy Response to EPA General Comment 2:** What about the restriction? All but sub-parcels should be restricted to non-residential redevelopment. The Navy needs to state that there will be a deed restriction requiring non-residential reuse in all but the sub-parcels slated for mixed use. This restriction should be stated in both the declaration and the body of the ROD, such as in the selected remedy section.

- 2) **EPA Comment on Navy Response to EPA General Comment 3:** This is a much better presentation of the rationale for the proposed clean-up level. EPA sees that the high costs that would be added to reach a 10^{-6} industrial cleanup do not support cleanup to 10^{-6} industrial for most of the IR sites on Parcel D. However, for some of the sites, EPA believes the 9 criteria analysis presented in the response to comments actually supports going to the higher cleanup level. If 10^{-6} is the point of departure, the Navy must clearly explain why this higher level cannot be reached by cleanup. For the IR-sites near the proposed mixed use area (IR-9 and IR-37) the Navy should cleanup to 10^{-6} industrial. Further, in the response to comments, the Navy stated that for IR-sites 9 and 35, it will actually cost less to cleanup to 10^{-6} industrial.

Under the long-term effectiveness evaluation, the discussion of ambient risk should be deleted. Not all chemicals are equal in terms of risk. The man-made, operationally connected contaminants are generally localized and distinct from any risks associated with naturally occurring metals. Because of the perceived difference in the sources, using this argument will only undermine the credibility of the total risk evaluation. The long-term effectiveness needs to take into account not only where the waste goes off-site but also the mobility and potential exposure hazard of that which is left on the site.

The argument for the short-term effectiveness should be redone as well. It is true that having a higher clean-up value would require less soil removal and subsequently less worker exposure and traffic but what of the longer term potential hazard from remaining waste?

Regarding community acceptance, the community has stated that it wants the higher level of cleanup. In addition to the public comment period comments, the Navy has received a letter from an environmental coalition and from a member of the Board of Supervisors also requesting a 10^{-6} industrial cleanup.

- 3) **EPA Comment on Navy Response to EPA General Comment 4:** In further review of the area of Parcel D slated for mixed use, it does appear that some cleanup will be required to meet the level of unrestricted in this portion of the Parcel. The Navy should review this area and revise the ROD accordingly. That is, revise language that states that mixed use area already at residential 1×10^{-6} .

- 4) **EPA Comment on Navy Response to EPA General Comment 5:** This response does not adequately respond to EPA's original comment. Just because the analysis is presented in the FS does not mean it does not need to be presented in the ROD. The ROD is supposed to present all of the alternatives considered in the FS for soil and groundwater and then select the one that best addresses all of the 9 criteria. In a working meeting on the Parcel D ROD, the Navy informed EPA that the groundwater remedy was part of the soil alternatives. Are the groundwater alternatives part of the soil alternatives as stated in a previous meeting? If yes, then we can probably resolve our concerns with some additional discussion. Further, the remedies must also state that maintenance of the sea walls and rip rap along the bayfront edge of Parcel D will be required to ensure no future tidal influence and potential contamination of the Bay.
- 5) **EPA Comment on Navy Response to EPA General Comment 9:** While working on the Parcel B RD/RA, EPA provided the Navy with the list of landfills approved to receive CERCLA wastes per the offsite rule. One additional Class II landfill may have been approved since that list was provided to the Navy earlier this year. Please let EPA know if the Navy needs an updated list .
- 6) **EPA Comment on Navy Response to EPA Specific Comment 3:** On Parcel C, the RWQCB has apparently stated that it does not view the B aquifer as a drinking water aquifer. Did the Navy confirm with the RWQCB that it no longer views the B aquifer as a potential drinking water aquifer? The Navy must confirm this in order to change the depth in the restriction to bedrock.
- 7) **EPA Comment on Navy Response to EPA Specific Comment 11:** Has the Navy confirmed with the City that these sub-parcels are the ones to be proposed for mixed use?
- 8) **EPA Comment on Navy Response to EPA Specific Comment 13:** This is the first opportunity that EPA has had to review the cleanup level for the Cs-137 spill on Parcel D. EPA believes that additional excavation or capping of the spill area is needed. The level of Cs-137 remaining should be less than or equal to the EPA PRG for Cs-137 which is 0.1 pCi/g.
- 9) **EPA Comment on Navy Response to EPA Specific Comment 15:** EPA would prefer to suspend resolution of this comment until our review of the Navy's responses to our comments on the E.E. close out report is completed and submitted to the Navy. We plan to submit comments by May 26, 1998.
- 10) **EPA Comment on Navy Response to EPA Specific Comment 22:** EPA disagrees with this response. All of the comments received did not support lower risk range cleanup.
- 11) **EPA Comment on Navy Response to EPA Responsiveness Summary, Section 3.1, Comment 1:** There is a typo in the response. Ordinance should be plural. Also for point (3) please insert "governing handling of" between "for" and "excavated."

- 12) **EPA Comment on Navy Response to EPA Responsiveness Summary, Section 3.1, Comment 10:** Revise response to reflect cleanup depth to 10 feet.
- 13) **EPA Comment on Navy Response to EPA Responsiveness Summary, Section 3.2, Comment 1:** EPA continues to disagree with the Navy's response that funding on one Parcel depletes funding for another. Every year the BCT is supposed to request the funds that we believe are actually needed to address the site. Also, what is the "base management plan" referred to in the second part of the response?
- 14) **EPA Comment on Navy Response to EPA Responsiveness Summary, Section 3.7, Comment 6:** EPA disagrees with this response. Further, see EPA's Vicky Lang's comment 10. Until the final resolution of the 10^{-5} vs. 10^{-6} issue, EPA is withholding final concurrence on the Navy's selected remedy for Parcel D.

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
75 HAWTHORNE STREET
SAN FRANCISCO, CALIFORNIA 94105-3901

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Mr. Richard Powell, Code 1832
Engineering Field Activity, West
Naval Facilities Engineering Command
900 Commodore Drive
San Bruno, CA 94066-5006

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