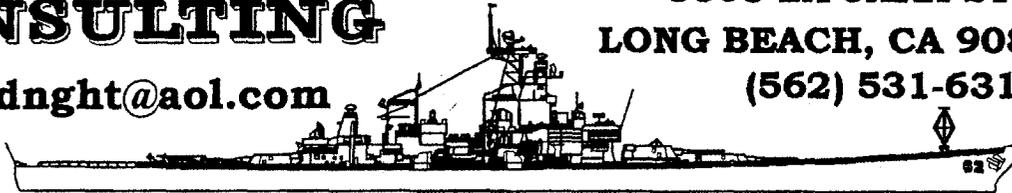


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21 January 1997

Alan K. Lee
BRAC Environmental Coordinator
SWDIV, NAVFAC
1220 Pacific Hwy.
San Diego, CA 92132-5181

Mr. Lee:

I have made a quick review of the responses to the agencies comments on the draft RI for site 7. Though the deliverable schedule does not require RAB comments, my review has raised a number of questions.

Out of responses to all five agencies, only one, responding to NOAA, responded to the concern that "no action is recommended" in a manner that may be more appealing to some than other responses have given. BNI's response was, "The Agencies and the Trustees, in these workshops, expressed their opinion that a 'no further action' recommendation, if found to be suitable, would be more appropriately made in a later phase of the RI/FS process, and not in the RI report."

Question(s):

Does the above response indicate that the "no further action" recommendation will be deleted from the RI?

If so, at what phase will "action" or "no action" recommendations be made?

Most of the comments and responses throughout all five agencies seem to reflect the same kind of "spitting contest" I addressed in the RI of sites 1 through 6A. Comments recommending minor changes, grammar corrections, etc. are responded with immediate acceptance. However, comments that would require remedial actions or total re-testing are strongly disagreed with. There are no indications of any compromise or agreement between the parties.

A classic case in point is in the responses to the U.S.EPA on page 18, specific comment 12. U.S.EPA recommends using Dunnett's a posteriori test in lieu of Tukey's a posteriori test. BNI's response argues the usefulness of using Dunnett's over Tukey's and apparently are standing their ground.

Question(s):

Is there an agency, department or even a single person to act as an arbiter in these disagreements?

Who will be the one to tell U.S.EPA that Tukey's is acceptable, or tell BNI to use Dunnett's (or both test procedures) and settle the issue?

If no such arbiter exists, does this mean that the issues can stand unresolved and the RI issued as BNI sees fit?

Presently, you are the only recipient of this letter. I trust that you will forward copies to whomever you consider appropriate. I will pass on the comments and responses to other members of team 4, with Don May being the first because he lives the closest to me, but I will not pass on copies of this letter as I feel their opinions should be their own. However, but only if appropriate, I would like this letter and your answers included as part of the public record with copies in the repositories.

Sincerely,

A handwritten signature in cursive script that reads "Richard A. Landgraff". The signature is written in black ink and is positioned above the printed name.

Richard A. Landgraff