



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, Ca. 94105-3901

October 21, 1992

Steven Chao
Western Division
Naval Facilities Engineering Command
900 Commodore Drive
San Bruno, CA 94066-2402

Dear Mr. Chao:

This letter is to explain EPA's position with respect to the status of Operable Units (OUs) 2 and 4 at NAS Moffett Field. As indicated in recent discussions with the Navy, we do not believe OU 4 is appropriate since it is redundant with decisions already made by EPA in the 1989 Record of Decision (ROD) for the MEW Study Area. As discussed with you, our concept for restructuring the Federal Facilities Agreement (FFA) deliverables is as follows:

1. Since the MEW ROD already addresses the groundwater contamination in the Regional Study Area, the Navy is no longer required to submit OU 4 deliverables, including the Remedial Investigation (RI), Feasibility Study (FS), Risk Assessment and ROD. The current dispute regarding the OU 4 RI ceases.
2. However, information in the OU 4 RI that is important for source identification should be repackaged as a site characterization report. We consider this report to be a primary document under the FFA and, therefore, subject to dispute resolution. We will still review your proposed responses to our comments on the OU 4 Draft Final RI report as input into the site characterization report.
3. The source controls for sites identified in Attachments 4 and 5 of the FFA, as well as for other potential sources, need to be part of the long term remediation. These removals should become remedial actions and follow the MEW ROD and Explanation of Significant Differences (ESD). We believe that this process should be formalized as an amendment to the body of the FFA and will need to be closely coordinated with the MEW regional remediation efforts.
4. Since the MEW ROD already addresses soils in the Regional Study Area, OU 2 sites that overlap with the MEW ROD will be removed from OU 2 and placed in the site characterization report referenced in #2 above. Other sites in OU 2 will proceed through

the current dispute resolution, FS and ROD phases. Due to the change in project scope for OU 2, we are willing to reevaluate the agreed upon dispute resolution schedule for revision of the Draft Final OU 2 RI.

The FFA parties will need to renegotiate the FFA schedules for document submittals to account for the above changes. It is our expectation that the overall project schedule will be advanced and streamlined during this negotiation.

As discussed in our afternoon meeting on October 7, 1992, the Navy will review the MEW ROD to check where overlap with the MEW ROD occurs. This review should also include an assessment of whether the MEW remedy can adequately address the commingled fuels. The Navy should make a proposal to the FFA parties regarding the FFA schedules. Upon receipt of this letter please contact us and the State of California regarding the status of your proposal. It should be understood that the changes to the FFA deliverables and schedule do not in any way affect the Navy's liability under CERCLA with respect to this site. We appreciate your cooperation in this manner. Please call me at (415) 744-2385 if you have any questions.

Sincerely,



Roberta Blank
Remedial Project Manager

cc: Cyrus Shabahari, DTSC
Elizabeth Adams, RWQCB
Lt. Suzanne Openshaw, NASMF