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**Raytheon**

November 3, 1995

Stephen Chao  
BRAC Environmental Coordinator  
Department of the Navy  
Engineering Field Activity, West  
Naval Facilities Engineering Command  
900 Commodore Drive  
San Bruno, CA 94066-5006

**Re: Moffett Field Investigation and Remediation**

Dear Mr. Chao:

This letter will confirm our meeting on September 14, 1995, during which we discussed certain clarifications to your letter dated June 13, 1995, our letter of July 20, 1995 and the telecopy from Smith Environmental dated September 6, 1995. Present during our discussions were various representatives from U.S. EPA, the Navy, Schlumberger Technology Corporation and Raytheon Company.

In particular, we discussed four scenarios relating to your letters, and we agreed as to how your letters would be interpreted in the event that one or more of those four scenarios were to arise at any time in the future.

1. In the event that a previously undisclosed potential source is discovered, where such potential source is an actual structure (such as a tank, sump, pipe or other physical improvement), it will be the Navy's responsibility to perform all required response actions (including investigation and remediation, if appropriate) to respond to that discovery.
2. In the event that a regulatory agency requires the Navy to perform additional source investigation or source remediation for any non-NASA source or source areas on Moffett Field, whether such sources are structures or not, whether currently known or unknown and whether currently disclosed or undisclosed, the Navy will perform that work at its own expense and will not look to the MEW Companies for either performance or payment.
3. In the event that a regulatory agency requires one or more of the MEW Companies to perform additional source investigation or source remediation for any non-NASA sources or source areas on Moffett Field, whether such sources are structures or not, whether currently known or unknown and whether currently disclosed or undisclosed, the Navy will perform that

Stephen Chao  
November 3, 1995  
Page 2

work at its own expense and will not look to the MEW Companies for either performance or payment.

4. In the event that concentrations of VOCs (i.e., chlorinated compounds) increase in the wells that are depicted as MEW Regional Wells on the North of Highway 101 Remedial Design (Canonie, 1993), as a result of chemicals migrating from any source, including Navy sources or source areas, whether such sources are structures or not, whether currently known or unknown and whether currently disclosed or undisclosed, it will be the responsibility of the MEW Companies to continue to operate those wells at their own expense, and the MEW Companies will not look to the Navy for either performance or payment. In the event that additional work is required beyond the operation of those MEW Regional Wells to respond to those sources or source areas, paragraphs two and three above shall govern.

Please sign below indicating your agreement with the above language.

Sincerely,



Anthony E. Madera  
Manager of Environmental Programs

cc: Elizabeth Adams (EPA)  
Michael Gill (EPA)  
V. Thomas Jones (for the Section 106 Parties)  
John A. Masterman, Esq. (Intel)  
Sandy Olliges (NASA)

Agreed to:

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Stephen Chao  
United States Navy