

**ATTACHMENT 2**  
**RESPONSIVENESS SUMMARY**

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## RESPONSIVENESS SUMMARY

Proposed Plan for Parcels C and UC-2, Hunters Point Shipyard (Responses are for Parcel C only. Responses for Parcel UC-2 were provided separately in the Parcel UC-2 Record of Decision.)		
Spoken Comments by Michael McGowan received at the public meeting held February 11, 2009		
Comment Number	Comment	Response
1	First, could you please clarify in the document the risk scenarios and the description of residential and industrial and construction worker risk, how that relates to the eventual use of the property, and especially explain if the remedy is going to make all of the area suitable for residential use or are there some areas that won't be suitable for residential use once the remedy is put in place.	The human health risk scenarios and risk to potential residential, industrial, and construction worker receptors are described in the human health risk sections of the Final Parcel C Feasibility Study ( <a href="#">SulTech 2008</a> ). Each human health risk scenario corresponds to the city's future reuse scenario for the redevelopment block. The applicable remedial goal for an area is based on the future reuse scenario for the redevelopment block. Based on the future reuse of each redevelopment block, Parcel C will be remediated to residential, industrial, or recreational cleanup goals.
2	Second, as I understand, Parcel C is going to be an early—transfer parcel. So I'd like the Navy to please explain how the continuity and the consistency in the remediation that's being described here is going to be ensured or carried on once the property is transferred over and some other entity actually does the remedy.	The remedy for Parcel C will be finalized in the remedial design for Parcel C after the Parcel C Record of Decision (ROD) is signed. The Navy anticipates that the property will be conveyed in accordance with the "early transfer" provisions of Section 120(h)(3)(C) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and that the Navy will enter into an agreement with the City so that the City will be responsible for carrying out the remedy for Parcel C under continued regulatory agency oversight.
3	And my last comment is: The radiological work appears to be on its own track, separate from the soil and groundwater remediation. So I would just request that there be a little more discussion of how that's going to be coordinated with the soil and groundwater remediation. Especially if there's an early transfer, does the Navy still maintain responsibility for the radiological work, or will that also be transferred over.	<p>The Navy is continuing to address radiological cleanup under CERCLA. The Navy decided to address radiologically impacted buildings, sites, storm drains and sanitary sewers at Parcel C pursuant to a CERCLA time-critical removal action (TCRA). Although the TCRA may not be completed by the time the ROD is signed, the TCRA is intended to achieve cleanup goals that are identical to the remedial action objectives (RAO) identified in the ROD. In the event that the TCRA does not achieve the cleanup goals, cleanup will continue in accordance with the remedial action selected in the ROD until the RAOs are achieved.</p> <p>The Navy will coordinate the radiological surveys and removals with remediation work for Parcel C so that the radiological surveys and removals are completed before soil and groundwater remedies are put in place.</p>

## RESPONSIVENESS SUMMARY (Continued)

Proposed Plan for Parcels C and UC-2, Hunters Point Shipyard (Responses are for Parcel C only. Responses for Parcel UC-2 were provided separately in the Parcel UC-2 Record of Decision.)		
Spoken Comment by John McCarthy received at the public meeting held February 11, 2009		
Comment Number	Comment	Response
1	<p>I would like to know how one acquires the information that Mr. McGowan just cited and -- you know, as a follow-on issue. And also, I am still waiting for the information on early—transfer provisions as they differ from regular transfer process. I've been waiting probably for six months now for that information. I was told several times it would be forwarded by email, and I haven't seen anything yet. I have yet to look up the construction report details per IR-07 and 18 from Parcel B, and I'm looking and waiting for whatever detail may be available for the engineering reports that are supposed to be delivered on prospective construction for -- for example, in Parcel D.</p>	<p>The Final Feasibility Study Report for Parcel C (<a href="#">SuTech 2008</a>) is available for review at the public information repositories. Information on the early transfer process also is available by contacting the U.S. Environmental Protection Agency (EPA) and through the Navy website: &lt;<a href="http://www.bracpmo.navy.mil/library.aspx">http://www.bracpmo.navy.mil/library.aspx</a>&gt;</p> <p>This ROD is for Parcel C only. For information on Installation Restoration (IR) sites in other parcels at Hunters Point Shipyard, please visit the public information repositories or contact Mr. Keith Forman, Navy Base Realignment and Closure (BRAC) Environmental Coordinator.</p>

## RESPONSIVENESS SUMMARY (Continued)

<b>Proposed Plan for Parcels C and UC-2, Hunters Point Shipyard</b> (Responses are for Parcel C only. Responses for Parcel UC-2 were provided separately in the Parcel UC-2 Record of Decision.)		
<b>Spoken Comments by Tom Lanphar, California Department of Toxic Substances Control (DTSC), at the public meeting held February 11, 2009</b>		
<b>Comment Number</b>	<b>Comment</b>	<b>Response</b>
1	Also, I'd like to point out that Parcel C is one of the more complicated and contaminated areas of the base. And the remedy that is proposed includes soil vapor extraction for VOCs [volatile organic compounds]; it includes groundwater treatment through biological or chemical additives; it includes soil removal; and it includes a cover. I'd like to mention that DTSC strongly supports the placement of the cover as part of the soil remedy. I'd also like to thank the Navy for the work and the struggle that we all at the BCT established and came up with this Proposed Plan on Parcel C.	Comment noted.
2	And finally, in the radiological cleanup and the radiological remediation goals, I would like that the ROD is clear that the radiological cleanup goals are based on residential cleanup and that the table that's often in the RODs not include construction worker as remedial action goals. That's not part of our remedial action goals as construction workers. I would like clarity in the ROD.	All radiologically impacted soils will be remediated according to residential remediation goals. The radiological remediation goals for construction workers were deleted from the ROD.

## RESPONSIVENESS SUMMARY (Continued)

Proposed Plan for Parcels C and UC-2, Hunters Point Shipyard (Responses are for Parcel C only. Responses for Parcel UC-2 were provided separately in the Parcel UC-2 Record of Decision.)		
Written Comments by Tom Lanphar, California DTSC, received February 27, 2009 by email		
Comment Number	Comment	Response
1	<p>Page 16, Soil (Alternative S-5)</p> <p>The Parcel C Proposed Plan preferred alternative for soil proposes leaving in place soil exceeding soil remediation goals for metals, PAHs and PCBs. These contaminants are not associated with the ubiquitous metals associated with fill material quarried from local rock and soil. The proposed plans states:</p> <p style="padding-left: 40px;">"Elevated levels of metals, PAHs and PCB[s] are located in five areas under portions of buildings 134, 231, 272, 275, and 281. These areas are currently covered by concrete slabs which serve as remedial covers. Demolition of the slabs and excavation into the underlying soil must be approved as provided under the "Restricted Activities" provisions of Insert 1."</p> <p>DTSC disagrees with the Navy's proposal to leave contaminated soil in place under existing covers. The reference in the quoted text to the need for future approvals under the "Restricted Activities" provisions of Insert 1 does not provide any additional requirements or protections than are otherwise required for all of Parcel C. Further, "Restricted Activities" does not require that future land owners excavate and dispose of contaminated soil exceeding remediation goals at these five locations. The proposal to leave this contaminated soil in place reduces long-term effectiveness and is inconsistent with the Navy's remedy as stated in the first section of this Proposed Plan: "Installing soil cover to prevent contact with metals (found throughout the fill material quarried from local rock and soil) in areas that were not excavated." DTSC understands that these buildings are slated for demolition during the redevelopment of Hunters Point. Excavation of this soil after demolition is a practical and protective soil</p>	<p>The Navy, EPA, DTSC, City and County of San Francisco, and Lennar held a meeting on May 27, 2009, to discuss the adequacy of chemical analytical data for CERCLA chemicals of concern (COC) in soil under buildings that were identified in the Final Feasibility Study for Parcel C as areas requiring a soil management plan (Buildings 134, 231, 272, 275, and 281), as well as additional buildings in Parcel C (Buildings 203, 205, 217, 241, 251, 253, and 258). After this meeting, the Navy also evaluated the footprint of Buildings 211 and 214 based on comments received on May 27, 2009. As a result, the Navy agreed to conduct a soil data gap investigation within the footprint of Buildings 134, 203, 214, and 231 to collect additional soil samples for chemical analysis for specific COCs. The soil sampling was completed in February 2010. Chemical analytical results of the data gap investigation indicated that only polycyclic aromatic hydrocarbons (PAH) and lead at one sample location within Building 214, and lead at one sample location within Building 231 exceeded Parcel C soil remediation goals. The result that exceeded remediation goals within Building 214 was subsequently bounded by step-out samples collected outside of the building. As a result of this investigation, Building 214 will be added to the list of buildings that will need further action if the building foundation is removed.</p> <p>In addition based on discussion between the Navy, EPA, DTSC, City and County of San Francisco, and Lennar on May 27, 2009 (see Figure 10 in the ROD), the following planned excavations were expanded (<a href="#">KCH JV 2010</a> [future document]):</p> <ul style="list-style-type: none"> <li>• Excavation 20A-1 (Building 258): Expand excavation area to include removal of adjacent sample locations 280601W3D (zinc) and 280601W3C (PAHs).</li> <li>• Excavation 24-4 (outside Building 272): Expand excavation area to include removal of adjacent sample location 280301W9B (manganese).</li> </ul>

## RESPONSIVENESS SUMMARY (Continued)

Proposed Plan for Parcels C and UC-2, Hunters Point Shipyard (Responses are for Parcel C only. Responses for Parcel UC-2 were provided separately in the Parcel UC-2 Record of Decision.)		
Written Comments by Tom Lanphar, California DTSC, received February 27, 2009 by email		
Comment Number	Comment	Response
1 (Cont'd)	remedial action. In order to obtain DTSC concurrence on the Parcel C Record of Decision (ROD), DTSC requires that the Parcel C ROD include excavation and disposal of soil exceeding remediation goals in these five areas. The excavation and disposal; however, can occur after early transfer of Parcel C and after the buildings are demolished.	<p>The Navy will summarize the results of the soil data gap investigation in a forthcoming investigation summary report (KCH JV 2010 [future document]).</p> <p>The Navy concluded that the soil beneath these buildings was sufficiently characterized based on the result of the building-by-building evaluation of existing data under the buildings, and the Navy's data gap investigation completed in 2010. The Navy further concluded that the building foundation cover is sufficiently protective of human health at Parcel C until such time as the building foundation is removed or altered. Further action will be needed if the building foundations are removed or altered.</p> <p>As recommended by DTSC, the Navy will identify in the Parcel C ROD all areas of soil contamination that will need further action if the building foundation is removed. The footprints of Buildings 134, 214, 231, 272n and 281 will be identified as areas requiring institutional controls (see Figure 10 in the ROD). In most cases, remediation of these areas will be scheduled after the overlying building is demolished.</p>
2	<p>Table 7, Preliminary Remediation Goals for Radionuclides</p> <p>In the Parcel C ROD, please do not include Construction Worker remediation goals. Soil must meet residential remediation goals in order for the Navy to obtain "free release" of soil areas. DTSC's understanding is that there is no application of Construction Worker remedial goals in the preferred radiological remedy.</p>	All radiologically impacted soils will be remediated according to residential remediation goals. The radiological remediation goals for construction workers were deleted from the ROD.

## RESPONSIVENESS SUMMARY (Continued)

Proposed Plan for Parcels C and UC-2, Hunters Point Shipyard (Responses are for Parcel C only. Responses for Parcel UC-2 were provided separately in the Parcel UC-2 Record of Decision.)		
Written Comments by California Department of Public Health (CDPH), received February 27, 2009 by e-mail		
Comment Number	Comment	Response
1	Table 7, Addition of the following footnote "a" to the Soil Resident column in the table: "All radiologically impacted soils in this parcel will be remediated according to Residential Remediation Goals."	A note was added in Table 5, Remediation Goals for Radionuclides, in the ROD to state, "All radiologically impacted soils will be remediated according to residential remediation goals."
2	The California Department of Public Health (CDPH) believes that California Code of Regulations (Cal. Code Regs.) tit. 17 section 30256 meets the criteria for a potential state chemical-specific ARAR and therefore should be included in the list of ARARs for this parcel. The Navy has previously indicated that Cal. Code Regs. tit 17 section 30256 cannot be an ARAR as it is primarily procedural in nature. However, this regulation is also substantive, at least in part. In particular, subdivision (k) does provide a standard for clean up of radioactive material. The text of Cal. Code Regs. tit. 17 30256(k) is as follows: "(k) Specific licenses shall be terminated by written notice to the licensee when the Department determines that: (1) Radioactive material has been properly disposed; (2) Reasonable effort has been made to eliminate residual radioactive contamination, if present; and (3) A radiation survey has been performed which demonstrates that the premises are suitable for release for unrestricted use; or other information submitted by the licensee is sufficient to demonstrate that the premises are suitable for release for unrestricted use." THE REGULATION IS ALSO MORE STRINGENT THAN ANY OTHER RADIOLOGIC-SPECIFIC ARAR.	<p>The ARARs for Parcel C were not changed as a result of this comment.</p> <p>This response addresses comments on the Proposed Plan for Parcel C and UC-2 submitted by CDPH on February 27, 2010 regarding Cal. Code Regs. Title 17 Section 30256 as well as CDPH's May 17, 2010 follow-up comments on the portion of the Navy's draft Parcel C ROD Responsiveness Summary addressing the same issues.</p> <p>The Navy and EPA do not agree that Cal. Code Regs. Title 17 Section 30256 satisfies CERCLA and NCP criteria for a State chemical-specific ARAR. It is not an ARAR for the Parcel C CERCLA remedy because it is not: 1) substantive, 2) either "applicable" or "relevant and appropriate", or 3) more stringent than federal standards. A State law or regulation must satisfy all of these criteria in order to meet CERCLA and NCP requirements for State ARARs and does not qualify as a State ARAR if any one of them is not satisfied. The Navy has prepared, in consultation with EPA counsel, the following specific input regarding Cal. Code Regs. Title 17 Section 30256.</p> <p>Furthermore, the Navy and EPA do not believe that this regulation is pertinent to the Parcel C remedy because the radionuclides of concern in Parcel C are being cleaned up to risk-based cleanup levels accepted by EPA and the State of California and removed for off-site disposal ("free release") pursuant to an ongoing CERCLA removal action and this ROD.</p>

## RESPONSIVENESS SUMMARY (Continued)

Proposed Plan for Parcels C and UC-2, Hunters Point Shipyard (Responses are for Parcel C only. Responses for Parcel UC-2 were provided separately in the Parcel UC-2 Record of Decision.)		
Written Comments by California Department of Public Health (CDPH), received February 27, 2009 by e-mail		
Comment Number	Comment	Response
2 (Cont'd)	<p>In addition, while the title of the regulation is "Vacating Installations: Records and Notices," the regulation meets the criteria of "relevant and appropriate." The Department is aware that the regulation does not provide a numerical standard, however, a state regulation need not contain a numerical standard in order to be considered an ARAR. Furthermore, the CDPH has been ordered to use that regulation by a California judge who held that the "the standard in California for decommissioning and termination of licenses for radioactive sites is found in Cal. Code Regs. tit. 17 section 30256 ..." (Committee to Bridge the Gap v. Bonta et. al, Sacramento County Superior Court, Case No 01 CS01445, "Order Requiring Supplemental Return to Amended Peremptory Writ", August 27, 2002.)</p>	<p>a. <u>Most of The State Regulation is Not Substantive</u></p> <p>The Navy and EPA continue to assert that Cal. Code Regs. Title 17 Section 30256 is not substantive. These regulations describe the process by which CDPH makes its decisions to terminate a specific license and, therefore, read in that context the three criteria of Subsection 30256 (k) should be characterized as procedural rather than substantive. The Navy does not have a state license administered by CDPH nor were any of the activities subject to state license requirements (see discussion below re "applicability"). Note, however, that the objectives of subsection 30256(k) will be achieved because the remedy selected for Parcel C will cleanup radionuclide to risk-based cleanup levels accepted by EPA and the State of California ("free release") pursuant to an ongoing removal action and this ROD. Even if the criteria were considered substantive, the NCP (40 Code of Federal Regulations [CFR] § 300.400[g]) specifies that substantive provisions of promulgated regulatory requirements must be either "applicable" or "relevant and appropriate" to qualify as ARARs for CERCLA cleanup actions.</p> <p>b. <u>The State Regulation is not Applicable.</u></p> <p>The Navy and EPA continue to assert that Cal. Code Regs. Title 17 Section 30256 is not "applicable" because these regulations by their express terms apply to facilities licensed by the state of California that are undergoing a license termination process. The remediation of Parcel C under CERCLA is not part of a decommissioning or license termination procedure nor has any state license ever been issued because California laws and regulations regarding possession of radioactive materials do not apply to land possessed by the federal government.</p>



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Written Comments by California Department of Public Health (CDPH), received February 27, 2009 by e-mail		
Comment Number	Comment	Response
2 (Cont'd)		<p>The CDPH website acknowledges that CDPH does not regulate DoD sites:</p> <p style="padding-left: 40px;">“While owned by the Federal government, DoD facilities are not under the radiological control of the State of California, but when property is to be transferred to parties other than U.S. government agencies, California's radiation regulations are then enforceable. Therefore decommissioning standards used for radioactive materials licenses in California are applied to the clean-up efforts at the military facilities.” (<a href="http://www.cdph.ca.gov/HealthInfo/environhealth/Pages/DOD.aspx">http://www.cdph.ca.gov/HealthInfo/environhealth/Pages/DOD.aspx</a>).</p> <p>CDPH suggests in its comments that the regulations should be considered “applicable” ARARs, because, although they are not applicable now, they would, or might, become applicable if the property were conveyed to a non-federal entity. The Navy and EPA disagree and assert that CERCLA requires the decision maker to evaluate ARARs at the time the remedy is selected; that these regulations are not applicable ARARs for the reasons noted above; and that the Navy will still own the site at the time the remedy is selected. Prospective future changes in jurisdiction cannot serve as a basis for identifying applicable ARARs. CDPH currently lacks subject matter jurisdiction over the property and may never obtain subject matter jurisdiction if the Navy retains title or transfers the property to another federal department or agency. Therefore, the Navy does not consider the regulation to be an “applicable” ARAR.</p>

## RESPONSIVENESS SUMMARY (Continued)

Proposed Plan for Parcels C and UC-2, Hunters Point Shipyard (Responses are for Parcel C only. Responses for Parcel UC-2 were provided separately in the Parcel UC-2 Record of Decision.)		
Written Comments by California Department of Public Health (CDPH), received February 27, 2009 by e-mail		
Comment Number	Comment	Response
2 (Cont'd)		<p>c. <u>The State Regulation is not "Relevant and Appropriate".</u></p> <p>The Navy and EPA continue to assert that Cal. Code Regs. Title 17 Section 30256 is not "relevant and appropriate" because standards for decommissioning a licensed facility are not "appropriate" for Parcel C because they do not address a set of circumstances similar to the remediation of Parcel C. The NCP specifies a series of factors to be used to compare the proposed CERCLA action with potential ARARs to determine if a requirement is both "relevant" and "appropriate" (40 CFR §300.400[g][2]). The activity addressed by the CDPH regulation can be distinguished from the selected remedial action for Parcel C on a number of bases, including the medium addressed, type of action and activity regulated, and type of place regulated (See 40 CFR Subsections 300.400(g)(2)(ii), (iv), and (vi)). More specifically, the license termination process described in the regulations appears to be intended to reach the conclusion that the facility is suitable for release for unrestricted use. This requirement is one among a detailed set of requirements for the "cradle to grave" management of licensed radiological material that were never applied to Parcel C. The radionuclides addressed in Parcel C were not subject to such regulatory controls when they were used by the Navy or when they were released into the environment, thus the CERCLA response must address very different issues (e.g., very high volume of potentially impacted soil, low concentrations of radionuclides in soil, high cost of removal, etc.).</p>

## RESPONSIVENESS SUMMARY (Continued)

Proposed Plan for Parcels C and UC-2, Hunters Point Shipyard (Responses are for Parcel C only. Responses for Parcel UC-2 were provided separately in the Parcel UC-2 Record of Decision.)		
Written Comments by California Department of Public Health (CDPH), received February 27, 2009 by e-mail		
Comment Number	Comment	Response
2 (Cont'd)		<p>CDPH appears to have focused their comments upon perceived similarities of purpose of the State regulations and the CERCLA response action pursuant to the factor 40 CFR Section 300.400(g)(2)(i) rather than the three factors at 40 CFR Subsections 300.400(g)(2)(ii), (iv), and (vi) that are identified in the previous paragraph. The Navy and EPA determinations under those three factors are sufficient in and of themselves to support the conclusion that the regulation is not “relevant and appropriate”. There is no requirement in Subsection 300.400(g)(2) of CERCLA that the Navy or EPA make specific findings for each of the eight factors listed in Subsection 300.400(g)(2)(i) through (viii) for each potential State ARAR. The criteria are to be examined “where pertinent” with pertinence “depending, in part, on whether a requirement addresses a chemical, location, or action.”</p> <p>Furthermore, the Navy and EPA do not agree with CDPH’s assertions about the similarity of purpose. Although CERCLA response action and the state regulations share the broad goal of protecting human health and the environment, they operate in a very different manner and address different site conditions.</p> <p>CDPH further asserts that the threshold for determining under State law if a license or exemption is required when a licensed entity pursues a license termination is similar to the questions of whether a license or exemption is required when an entity takes possession of a site that has been contaminated by the previous owner. This is a general procedural and jurisdictional issue under State law and is unrelated to the question as to whether or not these specific regulations are “relevant and appropriate” under CERCLA and the NCP.</p>

## RESPONSIVENESS SUMMARY (Continued)

Proposed Plan for Parcels C and UC-2, Hunters Point Shipyard (Responses are for Parcel C only. Responses for Parcel UC-2 were provided separately in the Parcel UC-2 Record of Decision.)		
Written Comments by California Department of Public Health (CDPH), received February 27, 2009 by e-mail		
Comment Number	Comment	Response
2 (Cont'd)		<p>d. <u>The State Regulation is Not More Stringent</u></p> <p>The Navy and EPA continue to assert that Cal. Code Regs. Title 17 Subsection 30256(k) is not more stringent than risk-based cleanup levels because the standard requiring “reasonable effort to eliminate residual radioactive contamination” is by its terms flexible and cannot be assumed to require a more stringent cleanup than the selected CERCLA remedial action. CDPH’s May 17, 2010 comments on the draft Responsiveness Summary asserts that the regulation provides for cleanup to background. The regulation does not require cleanup to background conditions and elimination of residual contamination; furthermore, it can be interpreted to require a “reasonable effort” to eliminate residual contamination regardless of risk. Cal. Code Regs. Title 17 Subsection 30256(k) neither contains a numerical standard nor describes a narrative standard which would inform the question of whether (or what quantity of) radiological material can remain at the site. If there were a means to derive an objective standard from Subsection 30256(k), that standard has not been identified by the state. Without an identified objective standard, there can be no basis for asserting that the requirement is more stringent than the CERCLA risk-based standards for Parcel C.</p> <p>In summary, CDPH has provided no evidence that their regulations are more stringent than federal ARARs and CERCLA risk-based cleanup levels.</p>

## RESPONSIVENESS SUMMARY (Continued)

Proposed Plan for Parcels C and UC-2, Hunters Point Shipyard (Responses are for Parcel C only. Responses for Parcel UC-2 were provided separately in the Parcel UC-2 Record of Decision.)		
Written Comments by Amy D. Brownell, City and County of San Francisco and Lennar, received February 27, 2009 by email		
Comment Number	Comment	Response
1	We would like to point out for the record, that once the engineering controls and institutional controls are properly installed and maintained the current design of the proposed remedies will cut off pathways for: a) contact with soil contaminants and b) inhalation of indoor VOC vapors and this means that the entire property will be health protective for all types of uses.	The proposed remedial alternatives are specific to the reuse identified for each area. Future residents would be protected in areas currently identified for industrial or recreational reuse only by consistent enforcement of the activity restrictions described by the proposed institutional controls (IC). For example, the area requiring institutional controls (ARIC) for vapor intrusion would need to be maintained in areas currently identified as open space (unless the ARIC could be modified by new data for soil gas). The Navy believes that the proposed remedy would result in an environment that would not pose health risks for future residents. However, future reuse would not necessarily be unrestricted as a result. The following text was included on the second page of the Proposed Plan to note the general protectiveness of the planned revised remedy: <i>"The alternatives described in this Proposed Plan, including operation and maintenance and ICs, will be protective of human health and the environment and will meet the specified cleanup objectives."</i>
2	Soil gas RAOs should be included in the ROD. If the establishment of chemical-specific soil gas remediation goals is delayed until after the ROD, then the cost for this evaluation and regulatory process needs to be added to the ROD.	The Navy has established remediation goals for indoor inhalation of vapors from groundwater. Numeric action levels for volatile organic compounds (VOC) in soil gas will not be established in the ROD, but rather may be set using information used to identify chemicals of concern (COC) from soil gas surveys that may be conducted in the future. The Navy is preparing a draft approach for developing soil gas action levels for vapor intrusion exposure for review by the BRAC Cleanup Team (BCT).  The ROD was not changed as a result of this comment.
3	<b>Page 5, Previous Removal Actions and Current Conditions, Paragraph 2, second sentence:</b> Should be referring to SVE at Building 134 not 123, which is on Parcel B.	The reviewer is correct that the treatability study for soil vapor extraction (SVE) in Parcel C was conducted at Building 134 and not Building 123. Building 123 is not mentioned in the Parcel C ROD.

## RESPONSIVENESS SUMMARY (Continued)

Proposed Plan for Parcels C and UC-2, Hunters Point Shipyard (Responses are for Parcel C only. Responses for Parcel UC-2 were provided separately in the Parcel UC-2 Record of Decision.)		
Written Comments by Amy D. Brownell, City and County of San Francisco and Lennar, received February 27, 2009 by email		
Comment Number	Comment	Response
4	<p><b>Page 16, Preferred Alternatives, fourth paragraph:</b> This paragraph discusses elevated levels of metals, PAHs and PCBs under five buildings. The paragraph states “These areas are currently covered by concrete slabs which serve as remedial covers. Demolition of the slabs and excavation into underlying soil must be approved as provided under “Restricted Activities”... ”Because these five areas are specifically mentioned in the Proposed Plan, the implication is that these areas are different than the rest of the parcel that also requires approval for any excavation under “Restricted Activities”. The statement leaves it unclear what will be required to obtain approval for excavation under these five buildings.</p> <p>If the intent is these areas will require at least sampling and possibly removal and disposal of contaminated soil, then the ROD should make that clear.</p>	<p>Please see the response to DTSC written comment 1 (Tom Lanphar).</p>
5	<p><b>Page 18, Groundwater (Alternative GW-3B)</b> – The proposed plan states “Soil gas surveys will be conducted following completion of the groundwater remedies and the data will be used to refine the vapor intrusion risk calculations.” This is a valid statement for areas that contain contaminated groundwater that will undergo groundwater treatment.</p> <p>However, there are other soil gas surveys that will be needed on Parcel C. Since the entire parcel is an ARIC for VOC vapors (as stated on page 23) the only method to remove the restrictions is to either conduct soil gas sampling or get regulatory approval to allow a review of historical information to verify the lack of soil vapor hazards. In addition to your sentence above, please include the following language in the Parcel C ROD that was negotiated for the Parcel B ROD:</p>	<p>The paragraph in question was replaced as follows in Section 2.9.2 Description of Selected Remedy, in the ROD:</p> <p>“Soil gas surveys will be conducted for the following purposes:</p> <ul style="list-style-type: none"> <li>• “To evaluate potential vapor intrusion risks,</li> <li>• “To identify COCs for which risk-based numeric action levels for VOCs in soil gas would be established (based on a cumulative risk of 10<sup>-6</sup>),</li> <li>• “To identify where the initial areas requiring institutional controls (ARIC) for VOCs would be retained and where they would be released, and</li> <li>• “To evaluate the need for additional remedial action to remove ARICs.”</li> </ul>

## RESPONSIVENESS SUMMARY (Continued)

Proposed Plan for Parcels C and UC-2, Hunters Point Shipyard (Responses are for Parcel C only. Responses for Parcel UC-2 were provided separately in the Parcel UC-2 Record of Decision.)		
Written Comments by Amy D. Brownell, City and County of San Francisco and Lennar, received February 27, 2009 by email		
Comment Number	Comment	Response
5 (Cont'd)	<p>A soil gas survey may be conducted in the future for the following purposes:</p> <ul style="list-style-type: none"> <li>• To evaluate potential vapor intrusion risks,</li> <li>• To identify COCs for which risk-based numeric action levels for VOCs in soil gas would be established (based on a cumulative risk of 10<sup>-6</sup>),</li> <li>• To identify where the initial areas requiring institutional controls (ARIC) for VOCs would be retained and where they would be released, and</li> <li>• To evaluate the need for additional remedial action in order to remove ARICs.</li> </ul>	

## RESPONSIVENESS SUMMARY (Continued)

<b>Proposed Plan for Parcels C and UC-2, Hunters Point Shipyard</b> (Responses are for Parcel C only. Responses for Parcel UC-2 were provided separately in the Parcel UC-2 Record of Decision.)		
<b>Written Comment from Ronald Young, Young Laboratories, received by mail</b>		
<b>Comment Number</b>	<b>Comment</b>	<b>Response</b>
1	“Why do you not dig canals all thru Parcel C then place bridges and requisite infrastructure so as to make a neighborhood with shops and restaurants much like Vinice [sic], Italy.”	The Navy’s Proposed Plan addresses environmental cleanup of existing conditions at Parcels UC-2 and C. Please direct questions or comments about redevelopment of Parcels UC-2 and C to the City and County of San Francisco.



## RESPONSIVENESS SUMMARY (Continued)

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<b>Written Comment from Juan Monsanto received by mail</b>		
<b>Comment Number</b>	<b>Comment</b>	<b>Response</b>
1	"Good morning. Please change my address to 1814 Castro Street, San Francisco, CA 94131, rather than 1815 Egbert (?). Thanks, Juan."	The change was made to the mailing list.

## RESPONSIVENESS SUMMARY (Continued)

Proposed Plan for Parcels C and UC-2, Hunters Point Shipyard (Responses are for Parcel C only. Responses for Parcel UC-2 were provided separately in the Parcel UC-2 Record of Decision.)		
Written Comment from Bob Craft Sr., Craft Press, Inc., received by mail		
Comment Number	Comment	Response
1	“Please include me in your bid list for printing this publication, as we have presses that produce these booklets (mail pieces) at a savings to this current booklet of 1-29-09. Thank you.”	The comment does not address the content of the proposed plan. No response is provided.

### REFERENCES

KCH JV. 2010. “Draft Soil Data Gap Investigation Report for Soil Sampling under Buildings, Parcel C, Hunters Point Shipyard, San Francisco, California.” (future document).

SulTech. 2008. “Final Feasibility Study Report for Parcel C, Hunters Point Shipyard, San Francisco, California.” July 31.