

October 2, 1995



Mr. Ronald Yee
Remedial Project Manager
Engineering Field Activity West
Naval Facilities Engineering Command
900 Commodore Drive, Bldg. 206
San Bruno, CA 94066-2402

**Subject: Transmittal of October 19, 1995, Restoration Advisory Board Meeting Agenda
and September 21, 1995, Meeting Minutes**

Dear Mr. Yee:

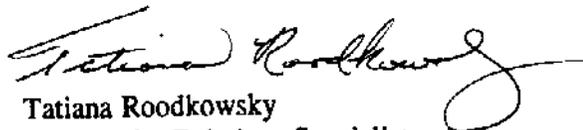
At the request of the Navy Co-Chair, Mr. Richard Pieper, please find the enclosed agenda for the October 19, 1995, Restoration Advisory Board (RAB) meeting. Also enclosed for your review are the draft minutes for the September 21, 1995, RAB meeting. Please submit any comments in writing at the October 19, 1995, RAB meeting or send your comments to Mr. Pieper at the following address:

Mr. Richard Pieper
Code 092, Building IA-15
Naval Weapons Station Concord
10 Delta Street
Concord, CA 94520-5100
Fax: (510) 246-2003

Please note that there will be RAB committee sign-up sheets available at the October 19 meeting. All RAB members are encouraged to join a committee. The four RAB committees are the Procedures Committee, Public Relations Committee, Document Review Committee, and Finance Committee. Attached is a listing of those RAB members who have signed up to serve on a committee.

Please call me at (415) 222-8309 or Mr. Pieper at (510) 246-5650 if you have any questions.

Sincerely,


Tatiana Roodkowsky
Community Relations Specialist

Enclosures

cc: Mr. Richard Pieper, WPNSTA Concord
Mr. Ronald Yee, EFA West
File

AGENDA
NAVAL WEAPONS STATION CONCORD
RESTORATION ADVISORY BOARD MEETING

Thursday, October 19, 1995

7:00 p.m. - 9:00 p.m.

Ambrose Community Center
3105 Willow Pass Road
Bay Point, California

7:00 - 7:10	WELCOME AND INTRODUCTIONS
7:10 - 7:45	UPDATE ON PROGRESS AT INVESTIGATION SITES
7:45 - 8:00	QUESTIONS AND ANSWERS
8:00 - 8:10	BREAK
8:10 - 8:30	COMMITTEE REPORTS
	-DOCUMENT REVIEW COMMITTEE
	-FINANCE COMMITTEE
	-PROCEDURES COMMITTEE
	-PUBLIC RELATIONS COMMITTEE
8:30 - 8:40	PUBLIC COMMENT
8:40 - 9:00	FUTURE AGENDA TOPICS
9:00	ADJOURNMENT

**NAVAL WEAPONS STATION CONCORD
RESTORATION ADVISORY BOARD**

MEETING MINUTES

**Ambrose Community Center
3105 Willow Pass Road
Bay Point, California**

THURSDAY, SEPTEMBER 21, 1995

I. WELCOME AND INTRODUCTIONS

The Naval Weapons Station (WPNSTA) Concord Restoration Advisory Board (RAB) met at 7:05 p.m. on September 21, 1995, in the Ambrose Community Center in Bay Point, California. The Navy RAB Co-Chair, Mr. Richard Pieper, began the meeting by introducing himself and then asked the RAB members and the audience to introduce themselves. The purpose of the meeting was to elect a community co-chair.

Mr. Pieper announced that Mr. George Delacruz, an announced candidate for community co-chair, resigned from the RAB. He stated that Mr. Delacruz would be retained on the general mailing list for WPNSTA Concord. In addition, he noted that he received a phone call from one of the regulatory agency RAB members, Dr. Barbara Smith of the U.S. Environmental Protection Agency (EPA), who stated that she would be unable to attend the RAB meeting.

These minutes summarize the items discussed during the RAB meeting; they are not a verbatim transcript. Attachment A is a list of the participants. Attachment B is the meeting agenda.

II. PROCEDURES COMMITTEE REPORT

Mr. Pieper introduced Mr. David Kory, Procedures Committee Chair, who delivered the Procedures Committee report. Mr. Kory stated that the last meeting of the Procedures Committee took place on September 6, 1995; Attachment C is a copy of the meeting minutes.

Mr. Kory noted that the Procedures Committee recommended the adoption of a general agenda format for the RAB meetings. The recommended format includes the following agenda items:

1. Presentation and Discussion
2. Old Business
3. Procedures Committee Report
4. Public Relations Committee Report
5. Document Review Committee Report
6. Finance Committee Report
7. RAB Member Items, Agenda Requests
8. Public Comment

Mr. Neal Grindheim asked whether the RAB would adopt the Procedures Committee recommendations which were outlined in the September 6 meeting minutes. Mr. Pieper responded that he felt that it was premature to adopt the recommendations, but that the RAB should discuss them. Mr. Michael Flowers stated that he had a concern over the concept of the proposed Steering Committee. Mr. Flowers asked for assurance that the Steering Committee would not overlap the duties of the RAB. He was especially concerned that the Steering Committee would limit the number of issues that would be brought before the general RAB. Mr. Kory explained that the purpose of the Steering Committee is organizational, that is, the purpose is to coordinate the committee activities.

Mr. Kory announced that future meetings of the Procedures Committee will take place on the second Thursday of the month, preceding the third Thursday of the month when the general RAB meeting is held. Mr. Pieper noted that Mr. Ed Gardner arranged to host the next Procedures Committee meeting at the Legends Golf Course Country Club in Concord.

Mr. Kory noted that the purpose of the Finance Committee is to facilitate obtaining the technical assistance grant (TAG) sponsored by EPA. He encouraged all interested RAB members to participate in the Finance Committee.

Mr. Flowers asked Mr. Kory to clarify the purpose of the Finance Committee. Mr. Kory explained that the RAB itself cannot apply for the TAG grant or any other type of funding; however, individual RAB members may organize themselves and apply for the TAG grant. This is the reason for forming the Finance Committee.

III. COMMUNITY CO-CHAIR PRESENTATIONS

Mr. Pieper introduced the candidates for community co-chair. He noted that he would follow the order listed in the agenda. Mr. Pieper noted that all candidates were to discuss their qualifications for no longer than 5 minutes.

1. Mr. Scott Etzel

Mr. Etzel stated that he has a degree in engineering and is active in a number of organizations. He stated that he serves on the board of directors for Clean Bay, which is a nonprofit marine oil spill response corporation. In addition, he chairs an inter-industry industrial hygiene mutual aid group, which is a subcommittee of a newly formed Contra Costa County-sponsored organization. He lives approximately three blocks from WPNSTA Concord. He is a certified hazardous materials responder and is a trained facilitator. Mr. Etzel stressed that he would like to restore the areas as quickly as practicable.

2. Mr. Ed Gardner

Mr. Gardner noted that he resides in Clyde and has lived in the community since 1951. He became concerned about the contamination and interested in the environmental cleanup due to the proximity of his home to WPNSTA Concord. Mr. Gardner stated that he is a volunteer with the Contra Costa Blood Bank and is active with Bread and Roses. He stressed that his primary concern is safety, that is, he would like to see the base stay operating in the community and the environmental cleanup conducted in a safe manner.

3. Mr. Neal Grindheim

Mr. Grindheim stated that he resides in Clayton and that he has an undergraduate degree in business, a certificate in hazardous materials management, and is a registered environmental assessor. He helped with the environmental restoration of Dow Chemical in Pittsburg. Mr. Grindheim noted that he founded the Environmental Marketing Association which has over 400 members across the United States. Mr. Grindheim noted that he is primarily concerned about the end use of waste generated at WPNSTA Concord and what the Navy will do with the contaminants. He is concerned that the general pattern is for the government to over-study an area. He would like to see the hazardous materials treated on site and the area cleaned up by local contractors.

4. Mr. David Kory

Mr. Kory noted that he is interested in serving because he is a resident of Clyde, which is located next to WPNSTA Concord. He mentioned that he is the president of the Clyde Civic Improvement Association. He also serves on the board of Tosco Refining. Mr. Kory stated that he views the position of community co-chair as a facilitator. He noted that he has a background in conflict resolution, which would aid in the development of a consensus at the meetings.

5. Mr. Larry Myers

Mr. Myers stated that the community co-chair should conduct the RAB meetings in a fair and balanced manner. Mr. Myers noted that he views the co-chair as a facilitator. He mentioned that he works in the accounting department of Wells Fargo Bank. He stressed that he values a healthy environment.

6. Mr. Herb Schwartz

Mr. Schwartz explained that, as a lawyer, he has developed expertise as a facilitator through his practice in mediation and arbitration. He noted that he resides in Berkeley and has practiced law since 1967. He noted that, as a lawyer, he has the skills to digest complicated materials and to bring out the points that are necessary for the decisionmakers. As a defense counsel, he became familiar with the military. Mr. Schwartz stressed that he would like to participate in the decisionmaking process as it applies to environmental cleanup. Mr. Schwartz stressed that the RAB is a neutral player, making sure that the community has a strong voice in the levels of environmental cleanup.

Mr. Pieper announced that all community members would mark their ballots and then break. He also noted that only the community members would participate in the voting. Mr. Marvin Mayfield and Ms. Catie Roy distributed and counted the ballots.

IV. COMMUNITY CO-CHAIR ELECTION AND INSTALLATION

Mr. Mayfield announced that there would be a runoff between Mr. Kory and Mr. Schwartz. Mr. Mayfield and Ms. Roy distributed the second set of ballots and another round of voting took place. Mr. Mayfield and Ms. Roy counted the ballots. During the vote count, Mr. Pieper stated that he was impressed with the clarity of the candidates' presentations and that the RAB has a tough choice deciding who to elect.

Mr. Mayfield announced that the RAB elected Mr. Schwartz as community co-chair. Mr. Pieper asked Mr. Schwartz to make a statement to the RAB. Mr. Schwartz thanked the RAB community members for electing him co-chair. He stressed that he sees himself as an active person and will share information with the RAB members. He stated that he looks forward to working with all the RAB members.

Mr. Pieper asked that PRC modify Mr. Schwartz's name tag and tent card to reflect Mr. Schwartz's new position as community co-chair.

V. FUTURE AGENDA TOPICS AND COMMITTEE FORMATION

A. Future Agenda Topics

Mr. Pieper announced that there may be three areas for future agenda topics. First, Mr. Pieper reminded the RAB members that Mr. John Rosengard volunteered to deliver a presentation on the Inland Area sites. Second, Mr. Pieper noted that there may be a follow up to Dr. Smith's presentation on the Tidal Area sites. Third, he stated that another presentation may focus on the ecological work conducted at the Litigation Area.

Mr. Grindheim asked Mr. Pieper if the Navy would conduct an additional site tour. Mr. Pieper stated that it was premature and that there would not be any site tours conducted during the next 2 months. Mr. Schwartz agreed, stating that he felt that it is important first to review how the money is being spent at the site and issues that are connected to the cleanup of the sites, to know what's happening at the site, and to have an understanding regarding the work conducted at the site.

Mr. Pieper noted that an agenda for the next meeting had not been established. Mr. Schwartz asked the RAB members to suggest agenda topics. Mr. Pieper stressed that preparation for a presentation takes a large amount of effort and time and that 2 months lead time for a presentation would be desirable.

Mr. Steve Bachofer suggested that one of the agenda items could include a summary of ecological bioassays being conducted. Mr. Pieper asked Ms. Barbara Sootkoos and Ms. Lynn Valdivia of PRC Environmental Management, Inc. (PRC) to respond. Ms. Valdivia noted that PRC could provide information on the bioassays and the Microtox test as a handout for the next meeting. Mr. Schwartz suggested that it is important for the RAB members to study more of the sites and the environmental activities associated with the sites before discussing the specifics of the investigations.

Mr. Myers asked Mr. Pieper if the Navy could provide the RAB with monthly updates on the work being conducted at the investigation sites. Mr. Pieper responded that it may be possible to adapt an internal document called a long-term plan for the RAB. Mr. Myers suggested that the format include a section showing what has happened at a particular site, what is going on at a particular site, and what is proposed for cleanup at that site. Mr. Myers stated that he would also like to have executive summaries presented to the RAB.

Mr. Pieper and Mr. Schwartz agreed to meet to prepare the agenda for the next RAB meeting.

B. Next RAB meeting

Mr. Pieper announced that the next meeting of the RAB will be held Thursday, October 19, 1995, at 7:00 p.m. at the Ambrose Community Center in Bay Point.

C. Committee Formation

Mr. Schwartz asked Mr. Pieper to review the status of the recommendations of the Procedures Committee. Mr. Pieper stated that the acceptance of the recommendations was tabled until the committees were formed. Mr. Pieper announced that there would be committee sign-up sheets available at the close of the meeting. He stated that after the meeting adjourned, he would encourage RAB members to sign up for a committee. Mr. Pieper stated that these sign-up sheets would also be available at the next RAB meeting.

Ms. Roy stated that she was tallying the evaluation forms distributed at the August 17, 1995, RAB meeting. Mr. Myers noted that the purpose of the evaluation form was to indicate an interest in a particular committee, rather than to formally sign up for a committee.

Mr. Schwartz asked the RAB members to volunteer to serve as a temporary committee chair. The following members volunteered:

- Mr. Mayfield volunteered to chair the Document Review Committee
- Mr. Grindheim agreed to chair the Finance Committee
- Mr. Gardner volunteered to chair the Public Relations Committee
- Mr. Kory agreed to continue to chair the Procedures Committee

Mr. Pieper asked that the committee chairs coordinate the dissemination of information. Mr. Kory noted that the purpose of the Steering Committee is to coordinate the dissemination of information.

Mr. Pieper mentioned that if any of the committee chairs would like to have information included in the mailing with the meeting minutes, they should contact Ms. Tatiana Roodkowsky at PRC by the following Monday, September 25. Mr. Schwartz asked all committee chairs to send a list of their members to Ms. Roodkowsky when the committees are formed.

Mr. Gardner asked Mr. Schwartz if the committee meetings could be scheduled on the same day as the Procedures Committee meeting. Mr. Schwartz recommended that the scheduling of the meetings take place after the committee chairs have met with their respective committee members.

Mr. Myers asked Mr. Schwartz to further clarify the role of the Finance Committee. Mr. Schwartz explained that the RAB needs funds because of the extensive environmental restoration process and the generation of numerous technical documents that would need to be reviewed. Mr. Schwartz stated that, in the future, the RAB would need secretarial support and technical support to get the job done.

VI. PUBLIC COMMENT

Mr. Schwartz invited the public to comment on the issues raised in the meeting. No comments were received.

VII. ACTION ITEMS

Mr. Flowers asked Mr. Pieper if the action items could be reviewed at each RAB meeting. Mr. Pieper agreed and noted that he keeps a folder listing the action items. Mr. Pieper also noted

that two action items from previous meetings have been addressed. Attachment D is a memorandum prepared by Dr. Smith, EPA, to answer questions asked by Mr. Ralph Lambert, and Attachment E is a memorandum prepared by Mr. Ronald Yee, EFA WEST, in response to questions raised concerning the sharing of technical data on electronic media.

The action items noted during the current RAB meeting were as follows:

- The September 6, 1995, Procedures Committee report will be included as an attachment to the September 21, 1995, RAB meeting minutes.
- The Navy will make committee sign-up sheets available at the next RAB meeting.
- The Navy will develop suggestions for presenting monthly progress reports to the RAB.
- The Navy and community co-chairs will meet to develop an agenda for the next RAB meeting.

VII. ADJOURNMENT

Mr. Pieper adjourned the meeting at 9:05 p.m. A copy of these meeting minutes is available to the public in the information repository located at:

**Contra Costa County Library
Main Branch
1750 Oak Park Blvd.
Pleasant Hill, CA 94523
(510) 646-6434**

ATTACHMENT A
LIST OF PARTICIPANTS
RESTORATION ADVISORY BOARD MEETING
SEPTEMBER 21, 1995

ATTACHMENT A

**LIST OF PARTICIPANTS
RESTORATION ADVISORY BOARD (RAB) MEETING**

Thursday, September 21, 1995

1. COMMUNITY MEMBERS

Mr. Steven Bachofer; Mr. Richard Cox; Mr. Scott Etzel; Mr. Michael Flowers; Mr. Steve Gallo; Mr. Edward Gardner; Mr. Neal Grindheim; Mr. Anthony Jorgensen; Mr. James Koeppel; Mr. David Kory; Mr. Ralph Lambert; Mr. Marvin Mayfield; Ms. Loulena Miles; Mr. Larry Myers; Mr. Henry O'Hagan; Ms. Connie Peak; Ms. Catie Roy; Mr. Herb Schwartz; and Mr. Wilfred Zuckeran.

2. NAVY MEMBERS.

Mr. Richard Pieper, Naval Weapons Station (WPNSTA) Concord and Navy RAB Co-Chair; and Mr. Ronald Yee, Engineering Field Activity West (EFA WEST).

3. REGULATORY AGENCY MEMBERS

None present.

4. OTHER ATTENDEES .

Ms. Janess Hanson, Bay Point resident; Mr. Russell Minor, local resident; Ms. Tatiana Roodkowsky, PRC; Ms. Barbara Sootkoos, PRC; and Ms. Lynn Valdivia, PRC.

ATTACHMENT B

AGENDA

**NAVAL WEAPONS STATION CONCORD
RESTORATION ADVISORY BOARD MEETING**

SEPTEMBER 21, 1995

AGENDA
NAVAL WEAPONS STATION CONCORD
RESTORATION ADVISORY BOARD MEETING

Thursday, September 21, 1995

7:00 p.m. - 9:00 p.m.

Ambrose Community Center
3105 Willow Pass Road
Bay Point, California

7:00 - 7:10	WELCOME AND INTRODUCTIONS
7:10 - 7:20	PROCEDURES COMMITTEE REPORT
7:20 - 8:05	COMMUNITY CO-CHAIR CANDIDATE PRESENTATIONS (5 minutes each) <ul style="list-style-type: none">- George Delacruz- Scott Etzel- John Fuery- Ed Gardner- Neal Grindheim- Dave Kory- Larry Myers- Herb Schwartz
8:05 - 8:15	COMMUNITY CO-CHAIR ELECTION
8:15 - 8:25	BALLOT COUNT/BREAK
8:25 - 8:35	COMMUNITY CO-CHAIR INSTALLATION
8:35 - 8:45	DISCUSSION OF FUTURE AGENDA TOPICS/PRESENTATIONS
8:45 - 8:55	PUBLIC COMMENT
8:55 - 9:00	IDENTIFY NEXT MEETING, TIME, PLACE, AND DATE
9:00	ADJOURN

ATTACHMENT C
MINUTES OF PROCEDURES COMMITTEE MEETING
SEPTEMBER 6, 1995

MINUTES OF PROCEDURES COMMITTEE
Concord Naval Weapons Station
Restoration Advisory Board

Date and time of meeting: September 6, 1995, 7:00 p.m.

Location: Clyde Community Center and home of Edward Gardner

Next Procedures Committee Meeting: Legends Golf Course Clubhouse, 7:00 p.m., October 12, 1995

Committee members in attendance: Larry Myers, John Fuery, Wilfred Zukeran, Clint (Marvin) Mayfield, Edward Gardner, Herb Schwartz

Committee members absent: David Kory, Catie Roy, Tony Jorgensen, Rich Cox, Keath Woods

The meeting was called to order at 7:15 p.m. and run by consensus. The members met originally at the front of the Clyde Community Center which was closed. (David Kory called members to advise that he had to be out of town, not be able to attend, and unable to make the center available for the meeting.) The members were contacted by telephone to meet at the center and then move the meeting to the near by home of Ed Gardner. The members thanked Ed for making his back yard available. A note was posted on the door of the community center to advise members about the location of the meeting at Ed's house. The meeting was adjourned at 8:40 p.m.

I. Member Survey

Clint Mayfield reported that the survey forms, passed out at the last general RAB meeting on August 17, 1995, were to be transmitted to Catie Roy who agreed to collate and summarize the responses. Clint agreed to call Catie and find out the status of her project. It was understood that she was probably quite busy since this was the first weeks of law school.

II. Ballot Form

Clint presented a mock-up of a business card sized ballot for the general RAB meeting of September 17th. The committee reviewed the ballot and approved it for the Co-chair election scheduled to take place on the 17th.

III. Agenda Format

It was noted that the agenda format, presented to the general RAB meeting was not adopted. It was agreed that the format, detailed in the Meeting Minutes of August 17, 1995, should be presented for adoption by the general

membership at the September 21st meeting, with the addition of an "old business" agenda item. "Old business" means correction of minutes or any other item of business conducted at the prior meeting. It was also noted that the creation of a Finance Committee, in addition to the Public Relations Committee, Document Review Committee, and Steering Committee, was discussed at the August 17th meeting but not formally adopted.

The committee agreed that the following format agenda and approval of four standing committees should be presented for approval by the general RAB membership: (Time limits for each item were not discussed.)

1. Presentation and discussion
2. Old Business
3. Procedures Committee Report
4. Public Relations Committee Report
5. Document Review Committee Report
6. Finance Committee Report
7. RAB member items, Agenda Requests
8. Public Comment

IV. Meeting date for Procedures Committee

It was the consensus of the members that future meetings of the Procedures Committee should take place on the second Thursday of the month....preceding the third Thursday of the month for the general RAB meetings. Members also agreed to find a permanent site for future Procedures Committee meetings.

V. Sign up for Committees at September 21st meeting

It was noted that the published agenda for the September 21st meeting did not include a time for sign-up for the four standing committees. It was agreed that a request for including this item on the September 21st agenda should be presented to the general membership. The question of limiting membership to only one committee was discussed. It was agreed that it would not be the recommendation of the Procedures committee to limit or restrict participation in more than one committee.

VI. Duties of Chair of Committees

It was the general understanding that each standing committee should establish its own internal organization rules. However the Procedures Committee proposed one standing rule that each chair of each committee be under a duty to keep track of all members of their committee, make sure they are notified of committee meeting dates, times, and places, and to call absent members to be sure that they are included in future meetings. This Duty of the Chair of Standing Committees will be submitted for approval to the general RAB membership.

Submitted by Herb Schwartz, meeting secretary.

ATTACHMENT D

MEMORANDUM FROM DR. BARBARA SMITH, U.S. EPA

MEMORANDUM

TO: Naval Weapons Station, Concord (NWS Concord) Restoration Advisory Board (RAB)

FROM: Barbara M. Smith, US Environmental Protection Agency (USEPA), Remedial Project Manager (RPM)

DATE: September 21, 1995

SUBJECT: Comments on the Proposed Investigation of Tidal Area Sites (submitted by Mr. Ralph Lambert on August 10 and August 11, 1995)

Mr. Lambert's comments are printed in bold.

August 10, 1995:

Site 1 - Tidal Area Landfill

1) This area is not identified on Figure 2 as being an area of known disposal. I assume it is.

Yes, Site 1, the Tidal Area Landfill, is an area of known disposal.

2) Landfill gas is mentioned, has any gas been noted in prior investigations?

Landfill gas is of concern because of the past disposal of construction debris and municipal wastes that may produce methane and other gasses in the process of decomposition. Landfill gas has not previously been monitored for, except within the context of monitoring for explosive atmospheres for the protection of workers during sample gathering. The production of landfill gasses will come into play during the design of a landfill cap and/or containment system, should such a system be the remedial alternative for this site.

3) Though 62 soil samples have been analyzed for explosives before, and apparently none detected, it is proposed to analyze all samples for explosives. Indeed, of all 225 soil, groundwater, surface water, and sediment samples mentioned in the summary for the tidal area, no explosives were ever detected. Yet all proposed samples will be analyzed for explosives. This seems like a big waste of money, don't you believe your existing results?

The laboratory analytical results for many chemicals, including explosives, from the previous phase of work were of questionable reliability because many chemicals were reported as non-detected at high detection limits, and much of the data was qualified as estimated. The present phase of work will test for explosives in approximately ten percent of the soil samples. This information is important in the design of a remedial alternative for the Tidal Area Landfill.

Site 2 - R Area Disposal

4) Of at least 68 soil and water samples from this site that have been analyzed, no paint-related chemicals, PCBs, or explosives are mentioned as being detected. So why analyze for them now?

Unfortunately, the detection limits used for the previous phase of data analysis were designed to protect human receptors, rather than the non-human receptors that occupy Site 2. To evaluate risk to non-human receptors, detection limits need to be lower than those in the previous phase of work. In addition to higher detection limits, much of the data in the previous phase of work was qualified, leading to limited reliability.

Site 9 - Froid & Taylor Road

5) There is mention of a phase 1A and 1B, phase 1B is supposedly dependent on phase 1A determining if groundwater may be impacted. Based on your current information groundwater is already impacted. Why the dependent clause?

Because wetland sites are very complex and the role of "groundwater" as a contaminant transport pathway is difficult to establish in wetland systems, the complete investigation of groundwater was postponed to a later phase of investigation. The following outlines the reasons for this decision.

- It is important to establish whether soils and sediments pose a risk to the non-human receptors at the sites first since the presence of contaminated soil may be the biggest risk to the receptors.
- It is important to determine whether the "groundwater" at the Tidal Area sites has the characteristics of a drinking water aquifer. These characteristics are not likely to be established at the Tidal Area sites. It should be noted that the water at the Tidal Area sites is probably subsurface water (pore water) in the sediments daylighting to surface water.
- During previous investigations at the site, it was assumed that the receptors of concern were humans; however, it is now believed that non-human receptors are of most concern at the site. In general, the regulatory criteria for protection of non-human receptors (such as ambient water quality criteria [AWQC] for surface water) are more stringent than the criteria for protection of human receptors (such as maximum contaminant levels established under the Safe Drinking Water Act). As such, the detection limits used during previous "groundwater" investigations (which were based on human receptors) were too high to adequately evaluate the risk to non-human receptors. Therefore, the conservative assumption was made that, based on the non-human receptors at the sites, it was likely that groundwater was impacted, even though the available data cannot be used to confirm this assumption.
- Since the Tidal Area sites are in wetlands, it will be important to determine if the natural processes of wetting and drying of the wetland tend to concentrate contaminants in the "groundwater" in such a fashion as to give the appearance of impact.
- Even if "groundwater" is impacted, it will be necessary to establish that contaminated "groundwater" comes in contact with surface water and the receptors of concern sufficiently to pose a risk to those receptors.

6) Again of the proposed analytes paint-related chemicals, pesticides, PCBs, and explosive compounds have never been detected at this site in soil or water. So why waste money to look for them again?

See responses to comments 3 and 4.

Site 11 - Wood Hogger

7) Same as # 5 above.

See response to comment 5.

8) Just sample for those compounds that have already been detected. Paint-related chemicals, pesticides, PCBs, and explosive compounds have not been detected in any of the site samples (according to the summary), and are not mentioned as a particular concern in the RCRA Facility Assessment.

See responses to comments 3 and 4.

9) Twelve surface water samples have been collected and no contaminants were identified in any sample, yet it is proposed to collect at least 24 more samples (plus QA/QC samples). Is this justified? Or if they want to try other seasons, since all existing samples were collected in April and May, try no more than the other three quarters of the year.

The receptors of concern at the Tidal Area sites are non-human; therefore, it is necessary to establish that surface water does not contain contaminants in excess of criteria for protection of non-human receptors. The detection limits for previous samples were set at levels for determining risk to human receptors and were too high to adequately evaluate risk to non-human receptors.

August 11, 1995:

- What are the expected cleanup standards and the basis for those standards? California's policy of "non-degradation" doesn't fly with me as a tax payer or scientist.

The receptors of concern are non-human; therefore, remedial actions should be protective of those receptors. The remedial actions to be taken at the sites must be consistent with applicable or relevant and appropriate requirements (ARAR). The question of which ARARs will be applied to the cleanup has not been determined. Your input into the process will be valuable.

-What critters are under an imminent and substantial threat, Delta smelt, CA clapper rail...? Have any been found on-site, if so, how many?

The Navy has recently completed a qualitative evaluation of the habitat at the Tidal Area sites reported in the document entitled, "Qualitative Habitat Characterization Report, Tidal Area Sites, Naval Weapons Station Concord," dated March 1995. This habitat assessment is part of the requirement of the qualitative ecological assessment that is being performed at the Tidal Area sites as part of the remedial investigation. The Tidal Area sites are located in wetlands that are, themselves, critical habitat, irrespective of the presence of threatened or endangered species. The potential threat to Delta Smelt would be associated with pathways for the movement of contaminants into Suisun Bay from the Tidal Area sites, such as contaminated particulate (soil or sediment) flow and contaminated groundwater flow. The evaluation of the first pathway is currently underway. The presence of California Clapper Rail has

been documented in the nearby marshes of the Litigation Area sites, but a specific Clapper Rail survey has not been performed during the qualitative ecological assessment. The presence of Salt Marsh Harvest Mice has not yet been documented in the Tidal Area sites, although suitable habitat is available in portions of these sites and a population has been documented in the nearby marshes of the Litigation Area sites.

-Are there any documented deaths/deformities to these animals due to the site? How many/what kind?

There are no documented deaths or deformities to these animals at the Tidal Area sites. The qualitative ecological assessment will evaluate the Tidal Area sites using a conservative model to estimate if contaminant concentrations in soils, sediments, and surface water may have a potential effect on either the individuals or the populations of threatened or endangered species, as well as on the other plants and animals in the wetland habitats of the Tidal Area sites.

-Is it more beneficial to use some of the same \$ to buy 100 acres to enlarge the Grisly Island National Wildlife Refuge and/or build a fish hatchery and/or design and construct better screens at pump intake for canals in the Delta than to spend \$10 to \$15 million for a few acres here? Which option would save the most wildlife? Or how about spending a few million for National Park maintenance or buying parklands and hiring staff? (I know that there are environmental laws that say to do such and such, but that doesn't mean that they make the most sense. The money also comes out of different Federal pockets, but in the end it all comes out of the tax payers' pocket.)

What do we (the tax payer) get for spending an additional ~\$15 million at this site, i.e. why should we spend this money there?

- An analogy -- If there are 10 cars in Concord that are major polluters, do you spend \$1 million/each to make them run better but still look the same, or do you buy and destroy the cars, or keep them from running (i.e. take the spark plugs out), and buy a few buses so that fewer people have to drive? Which option benefits the community and environment better?

These are all important issues that should be raised and will come into play in recommendations for and the determination of the appropriate remedial alternatives for the Tidal Area sites. The Cleanup Team is committed to cost effective approaches to remediation that are protective of the resources at the Tidal Area sites.

ATTACHMENT E

MEMORANDUM FROM MR. RONALD YEE, EFA WEST

MEMORANDUM

TO: Naval Weapons Station, Concord (NWS Concord) Restoration Advisory Board (RAB)

FROM: Ronald Yee, Remedial Project Manager, Engineering Field Activity, West

DATE: September 21, 1995

SUBJECT: Navy's Policy Regarding the Sharing of Technical Data on the Electronic Media

The policy regarding public access to some Navy documents is currently being formulated at the Department of Defense level. The implementing guidance will be provided by the Chief of Naval Operations and will be promulgated by the Assistant Secretary of the Navy Installation & Environment. These policy statements and guidances are estimated to be available in the first half of calendar year 1996.

The interim policy currently in effect prohibits field level activities, such as Engineering Field Activity West, San Bruno, from accessing the internet or similar web services for dissemination or distribution of documents. Engineering Field Activity West is currently administering the Installation Restoration Program (IRP) for Naval Weapons Station, Concord.

Naval Facilities Engineering Command (NAVFAC) headquarters is currently providing document abstracts on the internet. NAVFAC headquarters has also established a CD-ROM working group that is in the process of formulating a mission needs statement and charter for providing CD-ROM capability NAVFAC wide. It is estimated that this capability will be made available in calendar year 1996.

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