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**CERCLA Cleanup: Response from Navy re Remedial Goals and  
PRG vs. RESRAD**

Golden Gate University School of Law

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Ser BPMO/21  
August 22, 2019

Mr. Steven J. Castleman  
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**SUBJECT: RESPONSE TO LETTER FROM GOLDEN STATE UNIVERSITY SCHOOL OF LAW, ENVIRONMENTAL LAW AND JUSTICE CLINIC DATED JUNE 28, 2019**

This letter is in response to your June 28, 2019 correspondence.

The Navy is committed to protecting the community and environment in the Bayview-Hunters Point neighborhood. As you know, the Department of the Navy (DON) is initiating significant retesting measures to confirm the results of past radiological site investigations and remedial actions.

Both the US Environmental Protection Agency (USEPA) and the Department of Toxic Substances and Control have agreed with the DON on a phased approach for moving forward with the retesting effort. The DON's approach is far reaching, will be overseen by regulatory agencies, and will provide data that will allow the Navy and the regulatory agencies to decide, with confidence, if the land is suitable for transfer to the City of San Francisco or if additional actions are warranted.

In your correspondence, you outline three conclusions that I would like to specifically address.

- 1. The requirement to re-evaluate remedial goals in the Parcel G workplan -** Remedial goals are finalized in the Record of Decision (ROD) for a site. Prior to completion of a ROD, these goals are made available for formal public comment in Proposed Plans, commented on, and responded to before they are finalized. This part of the CERCLA process was followed and completed for Parcel G in 2009. It is inappropriate to evaluate remedial goals in a work plan.

The 2019 Five Year Review for Hunters Point contains recommendations to reevaluate the protectiveness of the site-wide radiological remedial goals for soil and buildings. After consulting with USEPA on the path forward, the DON agreed to include a recommendation in the Five Year Review to evaluate the soil and building radiological remedial goals. Prior to soil and building retesting activities, the soil and building remedial goal evaluations will be completed. The results of the final evaluations will inform the retesting sensitivity and cleanup thresholds. These risk

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evaluations may also inform future risk management decisions and the potential for post-ROD changes, if appropriate.

The Navy released the soil remedial goal evaluation on August 8, 2019 and expects to release the building evaluation in September for public review.

2. **The requirement to amend the CERCLA Record of Decision for Parcel G** - The Navy is completing the Parcel G work plan to retest radiological activities in accordance with our existing ROD at Parcel G. Work plans for other affected parcels will follow. The retesting work is focused on determining if past remedial actions met the clean-up standards in their associated RODs. If retesting indicates that areas of the property do not meet the clean-up levels in the ROD, follow-on work will be performed to address these areas. There are no expected changes to the 2009 Parcel G Record of Decision and, therefore, a ROD amendment is unnecessary at this time.
3. **The requirement to use EPA's Preliminary Remediation Goal (PRG) Calculator**- Several tools are used nationally to evaluate risk for radiological constituents. The industry standard tool and the Navy's preferred tool is known as RESRAD. This tool was specifically developed to determine a dose and risk from residual radiation at a site and was used to develop the building remedial goals for radionuclides at Hunters Point. The EPA's PRG calculator was developed as a screening tool for residual radiation and can be used to help develop remedial goals using site specific parameters. While the PRG calculator can be a valuable tool, it is not required to be used to develop or evaluate remedial goals. As mentioned above, the Navy has released the soil remedial goal evaluation and chose, in coordination with regulatory agencies, to supplement RESRAD calculations with PRG calculations.

If you have any questions or wish to further discuss the path forward, please contact Mr. Marvin Norman, the Navy attorney providing legal support for the project. Mr. Norman can be reached at (415) 743-4727.

Sincerely,

  
LAURA DUCHNAK  
Director

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