

APPENDIX A – LETTERS

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California Regional Water Quality Control Board

San Francisco Bay Region



Linda S. Adams
Secretary for
Environmental Protection

1515 Clay Street, Suite 1400, Oakland, California 94612
(510) 622-2300 • Fax (510) 622-2460
<http://www.waterboards.ca.gov/sanfranciscobay>

Arnold Schwarzenegger
Governor

CIWQS Place ID: 222120 (lrg)

Moffett Federal Airfield
Attn: Mr. John M. Hill – John.M.Hill@navy.mil
Department of the Navy
BRAC Environmental Coordinator
1455 Frazee Road, Suite 900
San Diego, CA 92108-4310

Subject: Rescission of Authorization to Discharge Treated Groundwater under the Requirements of Order No. R2-2004-0055, NPDES Permit No. CAG912003 (VOC General Permit)

Facility: Groundwater Treatment System located at Former Naval Air Station Moffett Field, East Side Aquifer Treatment System (EATS), Moffett Field, Santa Clara County, CA 94035

Dear Mr. Hill:

We reviewed your rescission request dated February 20, 2009, and supplemental dated March 10, 2009, for the above-named facility. In the rescission request, you stated that:

- 1) you have not operated the treatment system since June 2003,
- 2) the extract and treat method of groundwater cleanup has been stopped indefinitely and only groundwater has been monitored at this site, and
- 3) EATS has remained off during the pilot tests at Site 26.

While the pilot tests are being conducted, the extraction and treatment system required by the EATS Record of Decision may remain off as long as the Pilot Test Work Plan requirements are being met in a satisfactorily or in a timely manner. Otherwise, the Navy must restart and operate its groundwater and treatment system within 60 days of notice from the agencies, EPA and Water Board.

Discharging without authorization is in violation of California Water Code. Should you plan to restart your operations, you will first need to submit a Notice of Intent and obtain Authorization to Discharge from us.

Therefore, I hereby rescind the authorization letter issued to you on September 9, 2004.

If you have any questions, please contact Lou Gonzales at (510) 622-2365 or e-mail at lgonzales@waterboards.ca.gov

Sincerely,

Lila Tang
for

Digitally signed
by Lila Tang
Date: 2009.03.12
13:45:47 -07'00'

Bruce H. Wolfe
Executive Officer

cc: Julie Crosby - Julie.Crosby@navy.mil
Linda Hollingsworth – Linda.Hollingsworth@sealaska.com
Michael Lewis – Michael.Lewis@sealasca.com
Elizabeth Wells – Lwells@waterboards.ca.gov



Sent Via Electronic Mail Only

October 24, 2008

Department of the Navy
ATTN: Mr. Darren Newton
BRAC Environmental Coordinator – NAS Moffett Field
BRAC Program Management Office West
1455 Frazee Road, Suite 900
San Diego, CA 92108-4310
E-mail: darren.newton@navy.mil

Subject: EPA and Water Board Review of Navy's East-Side Aquifer Treatment System (EATS) Area, Site 26
Former NAS Moffett Field, Moffett Field, California

Dear Mr. Newton:

This letter is in response to the Navy's request to perform a pilot test for phytoremediation and biotic/abiotic treatment at select locations within the East-Side Aquifer Treatment System (EATS) area (Site 26) and to outline the path forward for that work. In assessing the Navy's request, the U.S. Environmental Protection Agency (EPA) and San Francisco Bay Regional Water Quality Control Board (Water Board) reviewed the following documents: 1) Navy's July 11, 2008 response letter to the EPA and Water Board's June 13, 2008 letter; 2) August 20, 2008, Final Site 26 Technical Memorandum (Final Technical Memo); and 3) September 17, 2008, White Paper on Phytoremediation and Biotic/Abiotic Treatment Pilot Test (White Paper).

The Final Technical Memo and White Paper incorporate the comments made by the Agencies and are acceptable. The Navy's July 11, 2008, response letter includes several statements that the Agencies disagree with; however, since that time there have been discussions with the Navy where the path forward has changed sufficiently that addressing these disagreements is not necessary at this time. To move forward with the EATS area Pilot Test, the Navy must complete the following actions and deliverables without further delay:

- Submittal by December 18, 2008, of a Work Plan for Phytoremediation and Abiotic/Biotic Treatment Pilot Test that provides a detailed description of the pilot study approach, components, performance metrics, and schedule;
- During Work Plan preparation, participation in monthly meetings with Agencies and NASA to discuss the work plan approach, expectations, concerns, and progress;
- Implementation of the field Pilot Test within 60 days of Agency approval of proposed fieldwork or by March 30, 2009;
- During the Pilot Test, participation in bi-monthly meetings to discuss progress and preliminary results and findings with the Agencies within 30 days of data collection; and
- Submittal by December 14, 2009, of a report documenting results of the field Pilot Test through September 30, 2009, and any recommendations for further actions to be taken at the EATS area.

EPA and Water Board staff agree that while the Work Plan is being prepared and the Pilot Test is being conducted, the extraction and treatment system required by the EATS Record of Decision (ROD) may remain off as long as the above requirements are being met. However, if the Pilot Test work is not being conducted satisfactorily or in a timely manner, then the Navy must restart and operate the groundwater extraction and treatment remedy within 60 days of notice from the Agencies. It is our understanding that the Navy has already awarded a contract to re-start the system and make it fully operational, if necessary.

In addition, the Navy must complete an optimization evaluation of the EATS groundwater remedy. The optimization evaluation is intended to assess how the existing groundwater remedy, as selected in the ROD, can be made more efficient and effective to meet the groundwater cleanup levels and remedial action objectives. The Navy must provide a schedule to complete the optimization evaluation and clarify how it will be submitted. The Agencies are amenable to either incorporation of the optimization evaluation into the Pilot Study report or submittal as a stand-alone document. In either case, the optimization evaluation is due by December 14, 2009.

We recommend the first bi-monthly meeting with the Navy, Agencies, and NASA be held by November 6, 2008, to discuss in further detail the Pilot Test Work Plan. Please contact Alana Lee, EPA Project Manager, at 415-972-3141, or Elizabeth Wells, Water Board Project Manager, at 510-622-2440, if you have questions regarding this letter.

Sincerely,



Alana Lee
EPA Project Manager

Elizabeth Wells, P.E.
Water Board Project Manager

cc (via E-mail only):

Mr. Mark Walden, Department of the Navy, mark.walden@navy.mil
Ms. Julie Crosby, Department of the Navy, julie.crosby@navy.mil
Mr. George Cook, Santa Clara Valley Water District, gcook@valleywater.org
Mr. Stuart McGee, City of Sunnyvale, smcgee@ci.sunnyvale.ca.us
Mr. Kevin Woodhouse, City of Mountain View, Kevin.Woodhouse@mountainview.gov
Dr. Ann Clarke, NASA Ames Research Center, ann.clarke@nasa.gov
Mr. Donald Chuck, NASA Ames Research Center, donald.m.chuck@nasa.gov
Mr. Jim Blamey, Santa Clara County DEH, jim.blamey@deh.sccgov.org
Mr. Bob Moss, NAS Moffett Field RAB Co-Chair, bobgmoss@comcast.net
Mr. Lenny Siegel, Center for Public Environmental Oversight, lennysiegel@gmail.com
Mr. Peter Strauss, NAS Moffett Field TAG Advisor, petestrauss1@comcast.net



DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE WEST
1230 COLUMBIA STREET, SUITE 1100
SAN DIEGO, CA 92101-8571

5090
BPMOW.ema/0086
November 8, 2004

Ms. Shelly Clubb
NASA M/S 218-1
Ames Research Center
Moffett Field, CA 94035

Dear Ms. Clubb:

This letter is to formalize our August 23rd discussion at the Moffett BRAC Cleanup Team meeting regarding implementation of the former NAS Moffett Field Operable Unit 5 Record of Decision (OU5 ROD) Institutional controls (use of groundwater).

The OU5 ROD was signed in June 1996 by the Navy, the US Environmental Protection Agency, the California Environmental Protection Agency, and the San Francisco Regional Water Quality Control Board. The ROD included a requirement that "[a]ccess restrictions on the domestic use of the OU5 groundwater ... be placed in" agency land use planning documents (identified in the ROD as "the Master Plan").

Since the Navy no longer owns the property, the Navy cannot implement such a restriction itself. Therefore, NASA Ames Research Center, the current property owner, is requested to incorporate land use controls language for the OU5 area into the appropriate land use planning document(s), to include access restrictions on the domestic use of the groundwater and provision for notification to subsequent landowners of these restrictions by appropriate notices and implementation of appropriate land use restrictions.

This notification and request is being made pursuant to regulatory agency comments received on the East-Side Aquifer Treatment System (OU5) Five-Year Review Report for the Period January 1999 to December 2002. The final report will be issued shortly.

If you have questions or comments, please contact Ms. Andrea Espinoza at (619) 532-0911.

Sincerely,

MARIE A. AVERY
Base Closure Manager
By direction of the Director

5090
BPMOW.ema/0086
November 8, 2004

Copy to:

**Mr. Don Chuck
NASA M/S 218-1
Ames Research Center
Moffett Field, CA 94035**

**Ms. Adriana Constantinescu
Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612**

**Ms. Aiana Lee
U.S. Environmental Protection Agency
Region IX
75 Hawthorne Street, SFD-73
San Francisco, CA 94105**

**Mr. Tom Mohr
Santa Clara Valley Water District
5750 Almaden Expressway, MS BHA-2
San Jose, CA 95118**



California Regional Water Quality Control Board

San Francisco Bay Region



ston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov>
1515 Clay Street, Suite 1400, Oakland, California 94612
Phone (510) 622-2300 • FAX (510) 622-2460

Gray Davis
Governor

Date: FEB 25 2003
File No. 2189.8009 (AVC)

Southwest Division Naval Facilities Engineering Command
Attn: Mr. Lawrence Lansdale, PE
BRAC Environmental Coordinator
1230 Columbia Street, Suite 1100
San Diego, CA 92101-8517

**Subject: Regional Water Quality Control Board Concurrence on Discontinuing
Groundwater Monitoring at Site 2, Former Moffett Federal Airfield, Moffett
Field, California.**

Dear Mr. Lansdale:

Regional Water Quality Control Board (Regional Board) received your December 23, 2002 letter proposing to discontinue the groundwater monitoring program at Site 2, a former landfill part of OUI at former Moffett Federal Airfield in Santa Clara County, California. According to the Record of Decision signed in 1997, it was required to conduct a minimum of three years of quarterly groundwater monitoring to ensure that groundwater in the vicinity of Site 2 is not adversely impacted by residual contamination. Between July 1999 and October 2002, the Navy conducted quarterly groundwater monitoring and no compounds have been detected consistently at concentrations that could be of concern to the environment.

Regional Board's staff concurs with the Navy's conclusion that groundwater is not being adversely impacted by Site 2. Regional Board's staff concurs with the Navy's proposal to discontinue quarterly monitoring at Site 2.

Don't hesitate to call me at (510) 622-2353 or E-mail to avc@rb2.swrcb.ca.gov if you would like to discuss the above document.

Sincerely,

Adriana Constantinescu, RG
Project Manager – Moffett Field

cc: Ms. Lida Tan, EPA
Mr. Donald M. Chuck, NASA
Mr. Bob Moss, RAB Chairperson
C:\My Documents\MoffettField\MoffettFieldSites2DiscontGWMonConcLetter.doc



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

January 31, 2003

Mr. Lawrence Lansdale
BRAC Environmental Coordinator
Southwest Division
Naval Facilities Engineering Command
BRAC Operation Office
230 Columbia Street, Suite 1100
San Diego, CA 92101-0961

**RE: EPA Concurrence – Discontinuing Groundwater Monitoring at Site 2,
Former Moffett Federal Airfield, Moffett, California**

Dear Mr. Lansdale:

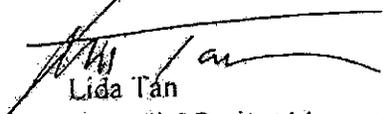
The U.S. Environmental Protection Agency (EPA) received the Navy's letter dated December 23, 2002 proposing to discontinue the groundwater monitoring program at Former Moffett Federal Airfield Site 2. Site 2 is part of Operable Unit 1 (OU1) and its final remedy was selected in the 1997 OUI Record of Decision (OUI ROD).

As part of the remedy selected for Site 2 in the 1997 OUI ROD, wastes from Site 2, a former landfill, were excavated and consolidated Site 2 wastes into the Site 1 landfill. Therefore, Site 2 is considered a clean closure. The remedy also required the Navy to conduct a minimum of three years of quarterly groundwater monitoring to ensure that groundwater in the vicinity of Site 2 is not adversely impacted by residual contamination. The Navy conducted groundwater monitoring quarterly from July 1999 until October 2002.

Following review by EPA and the Regional Water Quality Control Board (Regional Board) of the Site 2 groundwater monitoring data and subsequent discussions with the Navy and the Regional Board, we agree with the Navy's conclusion that groundwater is not being adversely impacted by Site 2. Accordingly, EPA concurs with the Navy's proposal to discontinue quarterly monitoring at Site 2.

If you have any questions, please feel free to call me at (415) 972-3018, or contact me by email at tan.lida@epa.gov.

Sincerely,



Lida Tan

Remedial Project Manager
Superfund Federal Facility Branch
EPA Region 9

cc:

Ms. Adriana Constantinesou
Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

Mr. Don Chuck
NASA M/S 218-1
Ames Research Center
Moffett Field, CA 94035

Ms. Mary Parker
Remedial Project Manager
Southwest Division
Naval Facilities Engineering Command
BRAC Operation Office
230 Columbia Street, Suite 1100
San Diego, CA 92101-0961

Mr. Chris Rummel
Department of Environmental Health
County of Santa Clara Environmental Resources Agency
P.O. Box 28070
San Jose, 95159-4206

Mr. Tom Mohr
Santa Clara Valley Water District
5905 Winfield Boulevard
San Jose, CA 95123-2428



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

April 15, 1995

Mr. Stephen Chao
Naval Facilities Engineering Command
Engineering Field Activity, West
900 Commodore Way, Bldg. 101
San Bruno, CA. 94066-2402

Re: *Draft Wash Rack Area Investigation Technical Memorandum*, dated March 1, 1996

Dear Mr. Chao,

The U.S. Environmental Protection Agency (EPA) has received the subject document and has no comments. Please provide us written information regarding where the Navy is going to locate the "TBD-1A" extraction well in the wash rack area. If you have any questions, please call me at 415-744-2385 or Elizabeth Adams at 415-744-2235.

Sincerely,

A handwritten signature in cursive script that reads "Michael D. Gill".

Michael D. Gill
Remedial Project Manager
Federal Facilities Cleanup Office

cc: C. Joseph Chou (DTSC)
Michael Bessette (RWQCB)
Ingrid Chen (Raytheon)
Ken Eichstaedt (URS)
Tom Jones (Schlumberger)
Sandy Olliges (NASA)
Peter Strauss (MHB)
Mike Young (PRC) (Fax)