



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

February 19, 2013

Mr. Keith Forman  
Department of the Navy  
1455 Frazee Road, Suite 900  
San Diego, CA 92108-4310

Re: EPA Concurrence of the Final Finding of Suitability to Transfer for Parcel B - IR Sites 7 and 18; Hunters Point Naval Shipyard, San Francisco, California

Dear Mr. Forman:

EPA has completed its review of the Navy's Final Finding of Suitability to Transfer for Parcel B - IR Sites 7 and 18, Hunters Point Naval Shipyard, San Francisco, California dated February 4, 2013 (Final FOST). This letter provides EPA concurrence on the subject Final FOST. IR Sites 7 and 18 together cover 14.2 acres and are located in the northwest corner of Parcel B within Hunters Point Naval Shipyard (HPNS) in San Francisco, California.

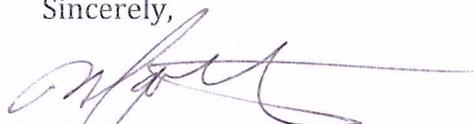
Based on the information contained in the Final FOST, past regulatory agency certification of the Navy's Remedial Action Completion Report for IR Sites 7/18, and the notices, restrictions, and covenants that will be contained in the Hunters Point Shipyard federal deed for IR Sites 7 and 18, EPA concurs with the finding that IR Sites 7 and 18 are suitable for transfer. The Navy has agreed to continue working with EPA to clarify the language of the CERCLA Notice attached as Table B-1 to the FOST.

As stated in the Final FOST, EPA understands that the federal deed will also include, among other items, a covenant by the United States, made pursuant to the provisions of CERCLA § 120(h)(3)(A)(ii)(II) and as set forth in DoD Instruction 4165.72, warranting that any remedial action found to be necessary after the date of this deed shall be conducted by the United States. Although EPA concurs with the Navy determination that IR Sites 7 and 18 are suitable for transfer, the Navy is reminded that it is EPA's position that hazardous substances, including residual pesticide contamination, if discovered following transfer at levels requiring a response action, are not excluded from the Navy's post-transfer obligations.

EPA's concurrence shall not be construed in any manner inconsistent with any obligation, right or authority existing under the Hunters Point Federal Facilities Agreement entered into by EPA, the State of California, and the Navy. The review of the documentation was completed pursuant to CERCLA Section 120(h)(3) and the sole purpose of this letter is to satisfy the requirements of that provision. The EPA expressly reserves all rights and authorities relating to information not contained in Sites 7/18 FOST and accompanying documentation, whether such information is known as of this date or is discovered in the future.

If you have any questions, please contact EPA Project Manager Craig Cooper at (415) 947-4148 or via email at [cooper.craig@epa.gov](mailto:cooper.craig@epa.gov).

Sincerely,



Michael Montgomery  
Assistant Director  
Federal Facilities & Site Cleanup Branch  
Superfund Division

*cc via e-mail distribution:*

Mr. Ryan Miya, California Department of Toxic Substances Control  
Mr. Ross Steenson, Regional Water Quality Control Board, San Francisco Bay Region  
Ms. Tina Low, Regional Water Quality Control Board, San Francisco Bay Region  
Ms. Amy Brownell, City of San Francisco  
Ms. Melanie Kito, Department of the Navy  
Mr. An Bui, Department of the Navy  
Mr. Larry Morgan, California Department of Public Health  
Ms. Leslie Lundgren, CH2M HILL