



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

BY EMAIL

October 20, 2008

Matthew H. Litchfield  
Director, Water Utility  
City of San Bernardino Municipal Water Department  
300 North D St, CA 92418  
San Bernardino, CA

Dear Matt:

**RE:** Newmark Groundwater Superfund Site First Five-Year Review Report

Enclosed please find the Newmark Groundwater Superfund Site First Five-Year Review Report. The review found that currently, all implemented remedies are functioning as intended by the decision document and are protective of human health and the environment.

However, one issue on the Institutional Controls program was identified as potentially impacting the long-term protectiveness of the remedies. This issue was summarized in Section 8 of the report as follows:

Issue	Affects Current Protectiveness (Y/N)?	Affects Future Protectiveness (Y/N)?	Responsible Entity <sup>2</sup> and Milestone <sup>3</sup>
The Institutional Controls program is only partially implemented. The City of San Bernardino has adopted the necessary ordinance placing requirements on any new well drilled within the Newmark Site management zone, although most of the water purveyors are exempted from that ordinance. For most of those water purveyors, however, a draft agreement was signed to keep all water production stable until the groundwater model is fully implemented. This agreement needs to be finalized when the groundwater model is finalized. Any long-term changes to the requirements of the ESD or the Consent Decree will be subject to EPA review and approval.	N	Y	<b>SBMWD</b> To be completed in 2009

EPA understands that the draft report on the Newmark Groundwater model is currently in preparation, and will be sent to EPA soon for our review. Please propose a process and an estimated timeline as to when the draft agreement among the water purveyors can be finalized to address the above issue, including provision of EPA review and approval.

Please let me know if you have any questions.

Sincerely Yours,

/s/

Kim-Chi T. Hoang, PhD, MPH  
Remedial Project Manager

cc: Marie Rongone, EPA  
Stephen Niou, DTSC  
Greg Holmes, DTSC  
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