

Response to Mr. Richard Bangert

Question 1: Please provide me with the applicable or relevant and appropriate requirement, regulation or policy guidance that states that a seasonal wetland as proposed in 2018 on top of four-feet of clean soil is unacceptable because it would not protect human health and the environment. I cannot find an ARAR listed in the ROD that pertains to a nexus of wetland, radium-226 contamination, and health risk.

In an October 25, 2021, email, Yemia Hashimoto stated that complying with regulatory requirements for onsite wetland mitigation at Site 32 made it financially infeasible, but she did not say it was impossible.

Joint Response from the Alameda BCT:

There are no ARARs, regulations, or policy guidance that state a wetland is unacceptable. During extensive discussions with the regulatory agencies, the Navy agreed to scan the site and remove radiological anomalies (hot spot removals) before installing the three-foot soil cover for the "containment" of potential radiological contamination. The regulatory agencies discussed a hybrid option when establishing the removal criteria. Two different threshold criteria were outlined based on whether wetlands would be mitigated on or off of IR Site 32. The more stringent threshold criteria (scan to one foot depth and remove detectable radiological contamination exceeding 3 x standard deviation plus background prior to cover placement) was proposed if wetlands were mitigated on the soil cover because: 1) the development and maintenance of deep-rooted wetland vegetation could be problematic as it may create a potential exposure pathway to residual contamination and 2) the wetland area is a more sensitive land use than the remaining upland capped area. The alternative threshold criteria (scan to one foot depth and remove detectable radiological contamination exceeding 2 x background prior to cover placement) was offered if the wetlands were mitigated off of Site 32.

After diligent consideration, the technical challenges associated with the more stringent threshold criteria combined with increased cost and uncertainty associated with attempting to remove the detectable radiological contamination prior to cover placement led to selection of wetland mitigation off of site 32.

The Navy is currently working with the agencies to explore other compatible locations on Alameda Point where mitigation wetlands could be developed. The Navy is also in discussions with the City on a collaborative effort to implement the DePave Park vision plan on an accelerated schedule.

Questions 2 and 3: What is the estimated cost to comply with regulatory requirements for on-site wetland mitigation? What new design features would have led to the higher cost?

Alternative 3 in the 2018 Proposed Plan, which originally included on-site wetland mitigation, has been revised in the ROD to remove on-site wetland mitigation and allocate \$15 million for off-site wetland mitigation.

Alternative 4 in the proposed plan called for excavating and removing the entirety of Site 32 to a depth of 10 feet at a cost of \$79 million. But there has been no alternative identified that calls for excavating and removal of only the wetland areas to a depth of 10 feet.

In order for on-site wetland mitigation to now be ruled out due to cost, a new alternative needs to be included that spells out the cost. The process cannot be opaque and still comply with CERCLA.

Joint Response from the Alameda BCT:

The rough order of magnitude estimate to implement a remedy which meets the more stringent clean up threshold and develop the wetlands on Site 32 property is approximately \$46M. The additional cost is due to a significantly increased level of effort for surface scans and hot spot removals to render the surface (pre-cover) and wetlands areas suitable for placement of mitigation wetlands at Site 32.

The Navy and regulatory agencies are exploring all opportunities to place all or some of the mitigation wetlands on the former Naval Air Station, just not on Site 32 proper. The Record of Decision included the scenario of locating wetlands off Alameda Point but noted our intention to site as much wetland acreage as possible on Alameda Point.