



## Community Window on the Hunters Point Shipyard

### Military Base Cleanup – Step by Step

#### Introduction

The U.S. government has created a process that the U.S. Environmental Protection Agency (“USEPA” or “EPA”) and the U.S. Department of Defense (“USDOD” or “DOD”) are supposed to follow in order to address contamination at a military base that has been closed. The process, often referred to as the Superfund or CERCLA cleanup process, is part of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The process was created in order to identify and implement the appropriate response to hazardous substances that have been released into the ground, water, and air. The cleanup should protect human health and the environment.

Originally, CERCLA did not cover property owned by the U.S. government. This was changed in 1986, when Congress passed the Superfund Amendments and Reauthorization Act (SARA), which amended CERCLA. As a result of SARA, the federal government must follow CERCLA regulations when cleaning up contaminated property owned by the U.S. government. The major steps in the cleanup process are explained below.

#### Preliminary Assessment & Site Inspection

Once a site has been identified as an area of concern, a Preliminary Assessment (PA) is conducted to determine the potential for contamination at the facility or parcel of land. The PA report is based on a review of historical documents and interviews with past employees. The Site Inspection (SI) is an actual tour of the site to look for and identify physical clues of pollution at the site.

#### Remedial Investigation & Feasibility Study

The Remedial Investigation (RI) presents the results of actual physical sampling of soils, groundwater, and buildings and tries to define the type and extent of contamination. It also estimates the risks to human health and the environment based on the levels of contamination found.

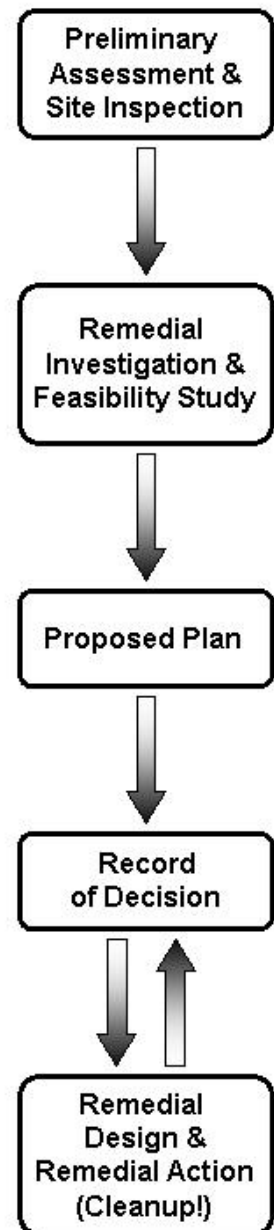
The Feasibility Study (FS) compares the options for cleaning up the contamination that has been found. The options are weighed against nine criteria: (1) overall protection of human health and the environment; (2) compliance with other environmental laws that apply to the site; (3) long-term effectiveness and permanence; (4) reduction of toxicity, mobility, or volume of contamination through treatment; (5) short-term effectiveness; (6) ease or difficulty of implementing the remedy; (7) cost; (8) acceptance by the state regulatory agencies; and (9) community acceptance. Although all nine criteria must be taken into consideration, they aren’t weighed equally in selecting the final remedy.

#### Proposed Plan

The Proposed Plan describes how the military intends to proceed with the cleanup of the contaminated site. *This is a key stage in the process and the most important opportunity for community input!* By federal law, there is a 30-day period during which the public can submit comments on the Proposed Plan. This comment period must be extended by an additional 30 days if the community requests an extension. The military is required to respond to all comments received during this period. The regulatory agencies’ comments, the community’s comments, and the military’s responses become part of the official cleanup record.

#### Record of Decision

The Record of Decision (ROD) is a contract between the military, the EPA, and the state regulatory authority for toxic cleanups. This contract explains the standards and procedures that will be used to clean up the site. RODs can be changed. For minor changes to the agreement, the military can provide an “Explanation of



Significant Differences” (ESD). Larger changes require a formal amendment process, which includes an opportunity for public input.

### **Cleanup! Remedial Design & Remedial Action**

At this point in the process, the actual cleanup takes place. The military develops a detailed plan for the cleanup (or “remediation”) and puts the plan into action. The detailed plan is called the Remedial Design (RD). The RD is the document that includes the technical specifications for how the cleanup will be done. Remedial Action (RA) follows the remedial design phase and involves the actual cleanup of the site. The RD/RA must be based on the plan described in the record of decision (ROD). Additional information about the site is often learned during the cleanup. If the military wants to make significant changes to the cleanup plan originally agreed to in the ROD because of this new information, then the military can change (“amend”) the ROD through a formal amendment process that requires public participation.

### **Some Common Questions about the Cleanup Process & Hunters Point Shipyard:**

#### **What is CERCLA?**

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) is legislation enacted by the U.S. Congress on December 11, 1980, to allow the federal government to address actual or potential releases of hazardous substances into the environment. CERCLA governs what kind of responses can and must be taken to clean up contamination and how the cleanup process happens. CERCLA is sometimes referred to as “Superfund,” but Superfund is actually just one part of the CERCLA legislation.

#### **Is the Hunters Point Shipyard a Superfund Site?**

HPS is not technically a Superfund site, although it is just as contaminated as many Superfund sites. Many people use the terms “CERLA site” and “Superfund site” to refer to any hazardous waste site governed by CERCLA regulations, even though this is not accurate. The Superfund is a federal trust fund created by a federal tax on the chemical and petroleum industries. It is used by the federal government to clean abandoned or uncontrolled hazardous waste sites that are not owned by the U.S. government. Cleanup of hazardous waste sites owned by the U.S. government is paid for by the branch of government that owns the sites and not by Superfund. The U.S. Navy owns HPS and is paying for the cleanup.

#### **What is the National Priorities List?**

The National Priorities List (NPL) is the list of priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants into the environment throughout the United States. The NPL guides the EPA in determining which contaminated sites should be investigated further.

In order to be placed on the National Priorities List, a site must first be ranked by the EPA’s Hazardous Ranking System (HRS). HRS is a screening system that uses information from the Preliminary Assessment and the Site Inspection to estimate the relative potential of sites to pose a threat to human health or the environment. Sites that receive an HRS score greater than 28.50 (on a scale from 0 to 100) are eligible to be placed on the NPL. As of January 2004 there were more than 1,200 sites included on the NPL. Hunters Point Shipyard received an HRS score of 48.77 and was placed on the NPL in 1989.

#### **Information Source**

U.S. Environmental Protection Agency, 2003, Cleanup Process.

<http://www.epa.gov/superfund/action/process/sfproces.htm> (last accessed 03/01/2004).

U.S. Department of Defense Environmental Restoration Program, 1996, Defense Environmental Restoration Program Annual Report to Congress for Fiscal Year 1995 (Volume 2, Appendix A) - Hunters Point Annex Treasure Island Naval Station. [http://www.dtic.mil/envirodod/derpreport95/vol\\_2/nara097.html](http://www.dtic.mil/envirodod/derpreport95/vol_2/nara097.html) (last accessed 03/15/2004).

#### **For More Information, Contact:**

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