

March 7, 2001

Mr. Rich Fallejo
LEHR Project Manager
Department of Energy
1301 Clay Street #700N
Oakland, CA 94512-5200

Via E-mail

Re: Draft Action Memorandum for the Western and Eastern Dog Pens.

Dear Mr. Fallejo:

I am forwarding DSCSOC's technical advisor's, Dr. G. Fred Lee, comments on the Draft Action Memorandum for the Western and Eastern Dog Pens.

Please contact Dr. Lee at (530) 753-9630 if you have any questions regarding his comments.

Sincerely,

Julie Roth
Executive Director
Davis South Campus Superfund Oversight Committee

Comments on Western Dog Pen Remediation Plan

March 7, 2001

Comments on the Adequacy of the DOE Western Dog Pen Remediation Plan

Julie Roth, Executive Director
DSCSOC

Julie,

As we have discussed and as I have indicated at previous RPM meetings, my primary concern on the adequacy of DOE's proposed approach for "remediation" of the western dog pens at the LEHR Superfund site is the inadequate evaluation of the potential for residual hazardous chemicals present in the soils at the site to cause groundwater pollution. Contrary to the Weiss Associates statements in their draft plan, they have not adequately demonstrated that the western dog pens have not or will not cause groundwater pollution.

As I have mentioned in previous RPM meetings, the key to protecting the public's interests associated with the adequacy of the western dog pen remediation is a reliable groundwater monitoring program. While I would have liked to have seen this program designed and committed to as part of the remediation plan, I understand that that issue will be addressed later. DOE, by taking this approach, should understand that DSCSOC, on behalf of the public at a later date when the details of the proposed monitoring program are made available for review, may find that the adequacy of remediation of the dog pens is not appropriate for the monitoring program proposed.

The other issue of concern is the need for "use restrictions" on the western dog pen area. The property, after the proposed remediation plan is implemented, can still contain hazardous chemicals that are a threat to public health and the environment. It will be essential that an adequate use restriction plan be developed that can, and, in fact, will be implemented by UCD to prevent UCD or future owners of that land from bringing hazardous chemicals to the surface where they could be a threat to public health and the environment. Again, the approach being taken is to defer defining the use restrictions until a later time. This could lead to a situation where it would be concluded that the site is not adequately remediated, based on the proposed approach for implementing use restrictions for that area.

If there are questions on these comments, please contact me, and please forward them to the RPMs and the LEHR Superfund site PRPs.

Fred