

From: Supple, Paul V  
Sent: Sunday, October 29, 2006 11:36 AM  
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Cc: John Wolfenden; Stephen Hill; Hamerling, Jeffrey  
Subject: RE: High Street SCR - modification to approach

Dear Cleet,

Atlantic Richfield was surprised to receive your email regarding a significant change in the Board's approach, especially after such an enormous amount of time and effort was spent by the Board, the RPs and their consultants in finalizing the revised Tentative Order (TO). This proposed change will emphasize unnecessary investigation and study rather than the priorities at hand, the principal one being an effective and timely cleanup of the COCs in Zone A and in Zone B beneath the site. Furthermore, Atlantic Richfield strongly objects to the limited time afforded to comment on the proposed change.

Performing an FS and changing the Board's current approach is unwarranted, unnecessary, and out of sequence in terms of the project status and current goals and priorities. Atlantic Richfield, Unocal, and the Board have worked openly, cooperatively, and responsibly together in 2006 and have accomplished a great deal, and at this time are one step away from finalizing a new SCR for the entire 401/411 site. This would be a significant step backwards. Substantial progress has been made as a result of the commitment of time and resources from the Board, Unocal and Atlantic Richfield. This latest request by the property owner will serve only to delay finalizing the revised TO and cleanup of the site.

Another FS is not required. In fact, the requested modifications represent work that has already been performed and accepted by the Board. The requested modifications are wholly unnecessary because the revised TO already contains language which requires an FS when and if data indicate that different remedial alternatives should be considered. These are explained further in the following paragraphs.

Your email states that the remedial alternatives analysis included in the 5-year technical status report does not meet the requirements of the 1990 CAO. However, the principal components of an FS were included in the report and the report was accepted by the Board. It was used as the basis for future work such as the Zone A soil vapor investigation and Zone A/B confining unit assessment. These work plans and final reports were also reviewed and approved by the Board. This work was the foundation for subsequent pilot testing of three different remedial technologies that passed the initial screening in the FS portion of the 5-year technical status report. Based on pilot testing results, a RAP was prepared which described the proposed remedial approach for Zones A and B. The RAP was also reviewed and approved by the Board. All these activities

were performed in a logical and sequential manner, were based on the best available data, were performed in accordance with accepted standards of practice, and were approved by the Board. Atlantic Richfield is therefore very concerned that the Board is questioning data, reports, work plans, and other elements of the RAP that have already met Board approval.

Atlantic Richfield fully supports the Board's current approach to finalize the revised TO. The revised TO provides a clear path to fulfill the project objectives in a reasonable time-frame, as well as providing numerous and regular opportunities for review and augmentation based on effectiveness, system performance, and other criteria. The revised TO, as currently written, already includes provisions for an FS, even requires it, based on data indicating that the current remedial strategy is not effective or requires augmentation. Performing the RI and FS as part of an amendment, and delaying the implementation of the revised TO serves no purpose, and in fact may undermine the cohesiveness of the revised TO and will create additional delays.

Furthermore, the remedial actions currently being implemented at the site are now being referred to by the property owner as "interim actions". Atlantic Richfield strongly disagrees with the property owner's characterization of the remedial actions as "interim actions." In reality, the remedial actions to date represent the culmination of numerous investigations, pilot studies, and rigorous evaluation of the subsurface conditions and risks to human health and the environment. The remedial systems installed at the site this year represent a best-fit between the best available technologies and the site-specific data collected to-date. These are not "interim actions" but rather are integral parts of the final remedial action plan. The remedial systems at the 411 High Street have demonstrated their effectiveness even in the first 6 months of operation and will continue to operate effectively, and we fully expect the current remedial systems to meet the commercial/industrial cleanup levels within a reasonable time-frame.

Finally, it has yet to be determined whether or not a supplemental FS will be warranted. Atlantic Richfield firmly believes that performing an FS at this time is premature and unwarranted, and will only delay implementation of the revised TO. If you have any desire to discuss this further please do not hesitate to call me.

Sincerely,

Paul Supple  
Environmental Business Manager  
Atlantic Richfield Company