



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

IN REPLY REFER TO

5104
Ser N455/9U158782
01 April 2009

Charles L. Miller, Director
Office of Federal and State Materials
and Environmental Management Programs
Nuclear Regulatory Commission
~~Washington, D.C. 20555-0001~~

Subj: RESPONSE TO THE U.S. NUCLEAR REGULATORY COMMISSION (NRC)
INVOLVEMENT WITH THE NAVY'S REMEDIATION OF THE HUNTERS
POINT SHIPYARD (HPS) SITE IN CALIFORNIA

Dear Mr. Miller

In your letter of 16 January 2009 you request our agreement to the Nuclear Regulatory Commission's approach, and involvement in the subject remediation. Specifically you state that:

(1) The NRC has decided that the most effective and efficient approach for its involvement is to rely on the ongoing Navy remediation under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) process and U.S. Environmental Protection Agency (EPA) regulatory oversight for the NRC-licensed material assumed to be present.

(2) Further, the NRC will primarily stay informed about the HPS remediation by: (1) reading selected decision-making documents and results of work distributed by the Navy and available in the Administrative Record and (2) conducting an annual site visit and meetings with EPA, Navy, and stakeholders.

(3) In addition, the NRC will retain the ability to access the site and remediation documents, upon request. NRC will also reserve the option of commenting to EPA if necessary to support the continued reliance on the CERCLA process. Finally, NRC will continue its ongoing oversight of Navy contractors' remediation activities.

I agree with you that this is an effective and balanced approach in that it allows a mature process to proceed and avoids the dual NRC and EPA regulation. The Naval Radiation Safety Committee concurs with the NRC's approach to the remediation in

HPS and looks forward to working with your staff on any remediation or decommissioning issues that may arise. If you have any questions I may be reached at (703) 602-2569.

Sincerely,

A handwritten signature in black ink that reads "John P. Quinn" with a stylized flourish at the end.

L. RICE
Rear Admiral, U.S. Navy
Director, Environmental
Readiness Division (OPNAV-N45)

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