

Toxins raise questions about any Moffett sale

Cleanup of airfield site might proceed faster if Navy exits; Feds can't sell contaminated land

By MARCIA A. LUDWIG

The possible closure of Moffett Field may result in a faster cleanup for one of the area's—and one of the nation's—most toxic sites.

At the very least, Moffett's possible closure raises several intriguing possibilities related to its status as a toxic site.

For one, the closure could be good news for environmentalists. Closing the contaminated air base may make cleaning up the toxins easier for environmental contractors, since they would no longer have to work around continuing Naval operations.

But more than that, the presence of the toxins adds a major wrinkle in the possible sale of the 2,000-acre site. According to federal regulations, the Navy must clean up any contaminated site before selling it to any non-federal entity.

"We will not sell (Moffett Field) under existing regulations until the property is clean," said Tom Peeling, special assistant for environmental planning with the Office of the Chief of Naval Operations in Alexandria, Va.

The Navy, however, still could sell the clean portions of Moffett Field, or it could turn the base over to another federal agency—NASA has been often mentioned—and still continue on its existing cleanup schedule, Mr. Peeling said.

Many observers have criticized the Navy's current cleanup schedule as too slow. One toxic problem on the site is of particular concern. The Environmental Protection Agency has estimated that it will take more than 300 years to clean up the infamous co-mingled groundwater contamination plume there.

"Federal facility cleanups have proceeded very slowly," said Peter Weiner, chairman of the environmental department of Heller, Ehrman, White & McAuliffe, a law firm in San Francisco.

There are 18 other contamination sites on Moffett Field. Some of these sites may take between 10 and 12 years to clean, sources said, long enough to affect the potential sale of portions of Moffett to private parties.

Thus, because the Navy can't sell contaminated sites to private parties, federal authorities may be motivated to speed Moffett's cleanup, sources said. More than just the federal guideline restrictions, authorities question whether any bank would even lend money to a company to develop any property tainted by contamination.

As a result of these problems, some observers believe the Navy and federal government will continue to own at least portions of Moffett for many years.

"They've got to make sure the property is safe for humans first," said Jeff Lawson, environmental attorney with the San Jose firm of Reed, Elliott, Crech & Roth. "Then they're (the Navy) going to be on the hook for future remedial actions—and it looks like it's a pretty large hook."

Cleanup costs for Moffett have been estimated at \$120 million, said Steve Chao, project manager with the Western Division Naval Facilities Engineering Command in San Bruno, the group partly responsible for Moffett's cleanup. So far, the U.S. Department of Defense has spent about \$24 million on the cleanup, he said.

Mr. Lawson, for one, said he wonders if

play a major role in Moffett's future. The Navy can avoid massive cleanup costs by transferring the property to another federal agency or by selling the land in parcels—retaining contaminated areas until they are cleaned under the Navy's existing schedule, said the Navy's Mr. Peeling.

Despite heavy speculation from observers, the Navy has refused to say whether it would consider selling any portion of Moffett to private developers.

Nevertheless, several sources said the most likely scenario is that NASA would take over the base. This way the Navy would save money by no longer operating the base, NASA would get to use the base for key research and the Navy could proceed with the environmental cleanup at its current pace.

"NASA must have continued access to, and use of, the airfield to do important flight research and other activities," said Peter Waller, NASA spokesman. NASA started planning for the possibility of taking over Moffett several months ago, he added.

Rep. Tom Campbell, R-Stanford, and the cities of Mountain View and Sunnyvale have said they would support NASA's acquisition of Moffett.

NASA doesn't have unanimous support, however. Environmentalists and neighborhood groups around Moffett Field would like to see affordable housing and open space on Moffett Field if it closes, said Ted Smith, executive director of the Silicon Valley Toxics Coalition.

"It's a big space. You could do a lot (with it)," he said.

But such uses could force the Navy to speed its cleanup.

Federal cleanup requirements will not change if the Moffett Field is closed, said Lewis Mirani, EPA project manager for Moffett Field. The Navy will always remain financially responsible, he added.

Yet, even if Moffett is transferred to NASA or some other federal agency, the site cleanup may go quicker because the Navy no longer would be in the way. How much quicker, no one is willing to speculate.

But even Navy officials agree that the Navy's absence should speed Moffett's cleanup.

"We wouldn't have to coordinate with base operations and it would make our job a lot easier" if the base was closed, said the Navy's Mr. Chao. He said environmental contractors sometimes have to schedule cleanup activities during times when the Navy is not using a particular site. Also, contractors are often not allowed to dig up an entire parking lot to reach leaking underground storage tanks, but instead may only dig it up piece by piece so that Navy personnel may still use part of the lot.

Defense Secretary Dick Cheney has recommended that Moffett and 42 other military bases throughout the country be closed. Final authority rests with Congress, which has until Oct. 15 to make its decisions. Actual closures are expected to take from three to five years.

Six of the 43 bases proposed for closure, including Moffett, are Superfund sites. These are the most toxic sites in the nation and are a threat to public health. Cleanup of Superfund sites is supervised by the EPA.