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April 28, 2010

The Honorable Addison Davis  
Deputy Assistant Secretary of the Army  
for Environment, Safety, and Occupational Health  
U.S. Department of the Army  
110 Army Pentagon Room 3E464  
Washington, D.C. 20310-0110

Dear Deputy Assistant Secretary Davis:

I am writing to bring to your attention concerns that have been expressed regarding the assessment and cleanup of the former Benicia Army Arsenal in my congressional district in California.

The Benicia Arsenal operated from 1849 until the 1960s and is now both a California State Historic Landmark and listed on the National Register of Historic Places. The Lower Arsenal Area is designated by the City of Benicia's draft Specific Plan for possible in-fill development, including unrestricted residential use. Proper remediation of the area is vital to the development and reuse of the Lower Arsenal.

The Army Corps of Engineers declared the Formerly Used Defense Sites program for the Benicia Arsenal to be complete at the close of an "Expanded Site Investigation" in 2005 and subsequently conducted a Human Risk Assessment. It is my understanding that the Army Corps of Engineers has thus determined that the federal share of the cleanup is complete and that any remaining pollutants are the responsibility of subsequent property owners and/or lessees.

However, the California Department of Toxic Substances Control (DTSC) and the City of Benicia have expressed concern to my office that the site investigation and remedial activities were insufficient, and that further site characterization and risk analysis is necessary given the level of uncertainty with regard to "munitions and explosives of concern" that may still remain in the Arsenal. This is particularly important given the fact that residential development is a prospective, allowed end use in the Lower Arsenal Area.

Accordingly, I would like to work with your office, DTSC, and the City of Benicia to develop an appropriate plan to bring this cleanup to a successful conclusion, enabling economic

development - including over 500 jobs - which will benefit the City of Benicia and the region. I would appreciate a briefing on these questions from your office at your earliest convenience.

Thank you in advance for your attention to this important matter.

Sincerely,

A handwritten signature in black ink that reads "George Miller". The signature is written in a cursive style with a large, prominent initial "G".

GEORGE MILLER  
Member of Congress