



## Department of Toxic Substances Control

Edwin F. Lowry, Director  
5796 Corporate Avenue  
Cypress, California 90630

Gray Davis  
Governor

Newton H. Hickox  
Secretary for  
Environmental  
Protection

July 1, 1999

Mr. Joseph Joyce  
BRAC Environmental Coordinator  
Marine Corps Air Station El Toro  
Marine Way, Bldg. 368, 2<sup>nd</sup> Floor  
Santa Ana, California 92709-5001

Dear Mr. Joyce:

### **SITE 1 - EXPLOSIVE ORDNANCE DISPOSAL RANGE, US MARINE CORPS AIR STATION (MCAS), EL TORO, CALIFORNIA (EPA ID NO. CA6170023208)**

The California Environmental Protection Agency, Department of Toxic Substances Control (DTSC) has reviewed the status of your authorization to operate the Open Burn/Open Detonation (OB/OD) unit, also known as Site 1 - Explosives Ordnance Disposal Range. DTSC has determined that the OB/OD unit is operating without proper authorization.

MCAS El Toro filed a notification of hazardous waste activities and an Interim Status Document (ISD) was issued. Based on the DTSC files, MCAS El Toro submitted a Part A RCRA Permit application in 1990 to include the Open Burn/Open Detonation (OB/OD) unit for treatment of excessive explosive ordnance. However, the final permit, issued in 1993, excluded the OB/OD unit and MCAS El Toro continued to operate the OB/OD unit under ISD.

In 1996 all ISD authorizations were terminated by operation of law unless a permit application was submitted. As a result, the ISD authorization for the OB/OD unit at the El Toro Marine Base expired. Consequently, MCAS El Toro does not have authority to operate the OB/OD unit.

Therefore, effective immediately, MCAS El Toro shall cease operating the OB/OD unit and initiate a RCRA closure process, or file a permit application and suspend operation of the OB/OD unit until authorization to operate the unit is granted by DTSC. Please be advised that

**Mr. Joseph Joyce**  
**July 1, 1999**  
**Page 2**

continued operation of the OB/OD unit may subject MCAS El Toro to enforcement action. You are instructed to notify all other users of the OB/OD unit that the unit is not authorized for use.

Furthermore, the OB/OD unit is a RCRA regulated unit and is subject to the RCRA Corrective Action process.

Within 45 days of the date of this letter, please submit a Closure Plan or a Permit Application for the OB/OD unit along with a RCRA Facility Investigation Work Plan to:

Karen Baker, C.E.G., C.H.G., Chief  
Geology and Corrective Action Branch  
5796 Corporate Ave.  
Cypress, California 90630

If you have any questions or need any assistance, please call me at (714) 484-5423 or Robert M. Senga at (714) 484- 5315.

Sincerely,

*for*   
Ms. Karen Baker, C.E.G., C.H.G., Chief  
Geology and Corrective Action Branch

cc: Mr. Wayne D. Lee  
Assistant Chief of Staff  
Environment and Safety  
Marine Corps Air Station, El Toro  
P.O. Box 51718  
Irvine, California 92619-1718

Mr. Kevin Wong  
Hazardous Waste Management Division (WST-4)  
United States Environmental Protection Agency  
Region IX  
75 Hawthorne Street  
San Francisco, California 94105

**Mr. Joseph Joyce**

**July 1, 1999**

**Page 3**

cc: Ms. Florence Gharibian, Chief  
Statewide Compliance Branch  
Department of Toxic Substances Control  
1011 North Grandview Avenue  
Glendale, California 91201

Mr. Jim McCammon  
Unit Chief  
Statewide Compliance Branch  
Department of Toxic Substances Control  
1011 North Grandview Avenue  
Glendale, California 91201

Mr. Juan Gutierrez  
Senior Staff Counsel  
Office of Legal Services  
400 P Street  
P.O. Box 806  
Sacramento, California 95812-0806

Mr. Jim McCarthy  
Supervisory Investigator  
Office of Legal Council and Investigation  
5796 Corporate Ave.  
Cypress, California 90630

Ms. Sharon Fair  
Unit Chief  
Base Closures/Reuse Unit  
Office of Military Facilities  
5796 Corporate Ave.  
Cypress, California 90630

Mr. Tayseer Mahmoud  
Hazardous Substances Scientist  
Base Closures/Reuse Unit  
Office of Military Facilities  
5796 Corporate Ave.  
Cypress, California 90630

**Mr. Joseph Joyce**

**July 1, 1999**

**Page 4**

cc: Mr. Watson Gin, P.E., Chief  
Permitting Division  
Hazardous Waste Management Program  
400 P Street  
P.O Box 806  
Sacramento, California 95812-0806

Mr. Robert M. Senga  
Unit Chief  
Geology and Corrective Action Branch  
5796 Corporate Ave.  
Cypress, California 90630