



DEPARTMENT OF THE NAVY  
SOUTHWEST DIVISION  
NAVAL FACILITIES ENGINEERING COMMAND  
1220 PACIFIC HIGHWAY  
SAN DIEGO, CALIFORNIA 92132-5190

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Ser 1812.AP/ 1750  
14 Feb 92

M60050.000431  
MCAS EL TORO  
SSIC # 5090.3

Ms. Julie Anderson  
Environmental Protection Agency  
Region IX  
75 Hawthorne Street  
San Francisco, CA 94105

Dear Ms. Anderson:

With this letter we are requesting your concurrence on two issues regarding the Federal Facility Agreement (FFA) for the Marine Corps Air Station (MCAS) El Toro. First, we are requesting a schedule extension to the FFA milestones in accordance with Section 9 of the FFA for Operable Units (OU) #1, #2, and #3. Secondly, we are asking for a consensus on schedule extensions for the OU #4 submittals including the target date for the RCRA Facility Assessment (RFA) Report. The RFA and OU #4 dates in enclosure (1) are earlier than the dates requested in our 13 December 1991 letter to which you denied an extension. On 13 February 1992, the Project Managers for the Navy, Environmental Protection Agency (EPA) Region IX, the Regional Water Quality Control Board (RWQCB) Santa Ana Region, and the Department of Toxic Substances Control (DTSC) Region 4 mutually agreed to defer the submission of the "written statement of dispute" (pursuant to FFA Section 12.2) from the current due date of 14 February 1992 to twenty-one days after your response to this letter. These issues were discussed and mutually resolved by all the Project Managers at the Project Managers meeting held at MCAS El Toro on 29 and 30 January 1992.

For OUs #1, #2, and #3, we have specified the timetable, deadline or schedules that are sought to be extended including the lengths of the extensions sought in Enclosure (1) in accordance with the requirements of Sections 9.1 (a) and (b) of the FFA. We have described the good causes for the extensions in Enclosure (2) in accordance with the requirements of Section 9.1 (c) of the FFA. We have specified the extent to which any related timetable and deadline or schedules would be affected if the extensions were granted in Enclosure (1) in accordance with the requirements of Section 9.1 (d) of the FFA.

As for the RFA and OU #4 schedules, we are reaffirming the schedule extension dates that were presented during the meeting on 30 January 1992. Enclosure (1) gives the new completion dates and the lengths of extension. As agreed to in past meetings and requested by the EPA's manager, only the submittal of the OU #4 Draft RI/FS Work Plan is given a deadline at this time. Future submittal dates will be negotiated following concurrence of the RFA Report which develops the list of sites for OU #4. Enclosure (2) also contains good causes with regard to the RFA/OU #4 efforts. Enclosure (3) includes a detailed schedule for the RFA and the submittal of the Draft OU #4 Work Plan.

In the 30 January 1992 meeting, there was a concern of the regulatory agency managers that the Navy was not concerned with the contaminated groundwater or its remediation. The Navy is committed to supporting the Orange County Water District (OCWD) Desalter Project. We are currently reviewing the project's economical and environmental merits. From this evaluation, we will request the appropriate amount of funds in fiscal year 1993 to finance our portion of the

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groundwater removal efforts. With or without the OCWD Desalter Project, the Navy agrees to implement a groundwater removal action at MCAS El Toro prior to the signing of the Record of Decision (ROD) as approximated in the revised OU #1 schedule addressed in enclosure (3). To express our commitment, the Navy is willing to execute the proposals listed in enclosure (4) to promote the Desalter Project, expedite groundwater remediation, and communicate our responsibility to the public.

We have participated in Project Managers conference calls with representatives from EPA Region IX, RWQCB Santa Ana Region, and DTSC Region 4 on December 11, 1991, and January 16, 1992, and a meeting on January 30, 1992 to discuss and negotiate the justification for the schedule extensions and the length of the schedule extensions.

We believe that the increase in project scope was beyond the reasonable control of the Parties so as to constitute good cause as a miscellaneous "force majeure" in accordance with FFA Section 9.2 (a) and Section 10. In the alternative, we believe that the Parties mutually agreed that the increase in project scope justifies extensions as described in the enclosures in accordance with Section 9.2 (g) of the FFA.

If there are questions concerning this correspondence, please contact me at (619) 532-3825.

*for* 

T. C. CRANE  
Captain, CEC, U.S. Navy

Encl:

- (1) Proposed Revised FFA Appendix A
- (2) Justification for Request for FFA Schedule Extension
- (3) Detailed Schedules for OU-1, OU-2/3, and FA/OU-4.
- (4) Desalter Support Proposals

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Copy to:  
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Mr. Ken Williams  
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Washington, D.C. 20380-0001

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El Toro (Santa Ana), CA 92709-5001

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**PROPOSED REVISED FFA APPENDIX A**  
**MCAS El Toro**

Deliverable or Milestone	Original Completion Date	Extended Completion Date	Length of Extension (Yr-Mo)
<b><u>Operable Unit 1</u></b>			
Draft RI/FS Work Plan	30 Sep 90	N/A	
Phase I Technical Memo	N/A	07 May 93*	
Phase I Treatability Study and Draft Report	N/A	06 Aug 93*	
Draft Phase II Work Plan	N/A	09 Aug 93*	
OCWD Desalter Removal Action	N/A	25 Feb 94**	
Start Phase II Fieldwork	N/A	08 Mar 94*	
Draft RI Report	15 Jun 92	30 Dec 94	2yr- 6mo
Draft FS Report	15 Aug 92	23 Mar 95	2yr- 7mo
Draft Proposed Plan	15 Nov 92	23 Jun 95	2yr- 7mo
Draft Record of Decision	15 Apr 93	29 Dec 95	2yr- 8mo
<b><u>Operable Units 2 and 3</u></b>			
Draft RI/FS Work Plan	30 Sep 90	N/A	
Phase I Technical Memo	N/A	07 May 93*	
Phase I Feasibility Study and Draft Report	N/A	06 Aug 93*	
Draft Phase II Work Plan	N/A	09 Aug 93*	
Start Phase II Fieldwork	N/A	08 Mar 94*	
Draft RI Report	15 Oct 92	02 Jan 95	2yr- 3mo
Draft FS Report	15 Feb 93	01 Jun 95	2yr- 4mo
Draft Proposed Plan	15 May 93	01 Sep 95	2yr- 4mo
Draft Record of Decision	15 Oct 93	12 Mar 96	2yr- 5mo
<b><u>RCRA Facility Assessment (RFA)</u></b>			
Draft Report on Records Search, VSI & Sample Plan	15 Mar 91	N/A	
Draft RFA Report	15 Dec 91	18 Mar 93***	1yr- 3mo
<b><u>Operable Unit 4</u></b>			
Draft RI/FS Work Plan	15 Dec 91	18 Aug 93	1yr- 8mo
Draft RI Report	15 Sep 93	TBD	
Draft FS Report	15 Jan 94	TBD	
Draft Proposed Plan	15 Apr 94	TBD	
Draft Record of Decision	15 Sep 94	TBD	

\* These completion dates are target dates (not enforceable).

\*\* Removal Action not controlled by the Federal Facility Agreement.

\*\*\* Secondary Document.

TBD: To Be Determined following concurrence of the RFA Report.

**JUSTIFICATION FOR FEDERAL FACILITY AGREEMENT (FFA) SCHEDULE EXTENSION  
MCAS EL TORO**

Time extensions to the FFA have been requested because the situation at MCAS El Toro has differed considerably since the FFA was initially signed in October 1990. The justification which is described in this enclosure has been openly discussed in all or part during Project Managers conference calls on 11 December 1991 and 16 January 1992, and during meetings on 18 July, 12 September, and 13 November 1991, and 30 January 1992.

**Philosophy/Level of Effort:**

In the Draft Work Plan and Sampling and Analysis Plan, the approach was to perform the RI/FS in two phases. Listed are some of the major differences between the time of the signing of the FFA and the current situation facing the project managers.

**Signing of FFA.**

For phase 1, OU #1 was the major emphasis, exploration on a Remedial Investigation (RI) level. OU #2 & #3 would be explored on a Site Inspection (SI) level and the areas of concern would be tested for suspected contaminants only. The Waste Management plan involved drumming the investigative wastes, store on base, and deal with the drums at a later time. For phase 2, OU #1 efforts were to resolve minor data gaps produced by phase 1. The soil, OU #2 & #3, would be studied at a RI level to find the extent of contamination and fill-in the required data gaps identified from phase 1. Again, the sites would be tested for suspected contaminants only.

**Current Situation.**

For phase 1, OU #1 philosophy remained unchanged, but the level of effort increased with the addition of two cluster wells. One cluster well may involve the drilling, installation, and development of five separate wells. OU #2 & #3 efforts have been increased to a RI level, and to test each site for the universe of chemicals. Installation of deep wells at the soil sites were added. No clean sites would be identified or deleted after phase 1. The Waste Management plan includes testing, segregating, and sometimes treating the investigation derived wastes. During phase 1, Data Quality Objectives (DQO) will be established for phase 2. Like before, phase 2 is to resolve minor data gaps, and test for suspected contaminants only to define the extent of contamination. DQOs will be implemented.

**Estimated Field Quantities:**

Since the negotiation of the FFA, the scope of work has increased significantly and under mutual agreement through ongoing project managers' meetings. Between the Sampling and Analysis Plan (SAP) of September 1990 and the SAP of February 1991, the number of proposed monitoring wells increased from 95 to 126 and the total number of samples required increased from approximately 500 to 875. The RFA, which initiates Operable Unit 4, has identified 299 sites with 157 recommended for a sampling visit, much more than the 35-37 sites identified by the water control board. Added increases in scope have also occurred in the development of the Site Office and Decontamination Facilities and the Waste Management Plan.

Listed below is a comparison of RI/FS field quantities identified for phase 1 between the two plans, excluding QA/QC, waste management, and required lab sampling. Phase 2 quantities are unknown.

	Sep 90	Feb 91	Difference	
Soil Samples=	350	639	+289	
Sediment Samples=	17	49	+ 32	
Groundwater Samples=	113	145	+ 32	
Surface Water Samples=	18	42	+ 24	
Total Samples=	498	875	+377	(+76%)
Vertical Soil Borings=	24	10	- 14	
Monitoring Wells=	95	126	+ 31	(+33%)

#### Estimated Cost of RI/FS Efforts:

With an increase of effort comes an increase in project cost and duration. Prior to the FFA negotiations, the anticipated cost of the RI/FS work was estimated to be \$5,300,000 for phase 1, and \$4,500,000 for phase 2. With the changes to the project that have occurred since the signing of the FFA, the estimated costs have also changed. The current cost estimate of \$20,000,000 is estimated for completing each of the two phases and work.

#### Contracting Requirements:

Cost of work has a direct impact on Navy contract procurement procedures. Due to the initial estimated costs, the Navy contracting process was not considered as having any impact on the technical progress of the project; such is currently not the case. Cost and the contracting process must be considered. A period of 2-3 months is required for the procurement of indirect investigation efforts (work plans, studies, reports), and 7-8 months for direct field efforts and major sub-contracting awards (large construction activities, drilling, laboratory analysis, and professional services). In managing the project as efficiently as possible, contracting and performance tasks are packaged in a logical manner to reduce administrative burdens, overhead costs, and fragmentation of the program.

For the sake of some clarification, the following is a comparison between contracting efforts at MCLB Barstow and MCAS El Toro. The goals are the same but the methods are different. Different methodologies develop when similar projects are managed by different Navy, consultant, contract, and regulatory agency managers. Regulatory requirements impact the direction of not only technical components, but also administrative and contractual considerations. Contract tasks of value greater than \$5,000,000 require Naval Facilities Engineering Command Headquarters (NAVFAC) approval. Depending on the magnitude (\$6 mil vs. \$19 mil) and complexity, NAVFAC approval time may vary greatly.

<u>MCLB Barstow</u>	<u>MCAS El Toro</u>
3 Separate Contract Tasks.	2 Separate Contract Tasks.
May 91-Jun 91 \$ 1.0 mil	
Aug 91-Oct 91 \$ 5.6 mil	Mar 91-May 91 \$ 0.5 mil
Dec 91-Mar 92 \$ 5.0 mil	May 91-Dec 91 \$17.5 mil
Totals: 10 Months \$11.6 mil	Totals: 10 Months \$18.0 mil

Barstow's \$5.6 million contract task to NAVFAC did not include subcontract consent packages, detailed waste Management plan concerns, or information regarding a significant Site Office and Decontamination Facility. El Toro's \$17.5 million contract task to NAVFAC included major subcontract consent

packages for Drilling, Laboratory Analysis (3), professional services, and the design and construction of a significant Site Office and Decontamination Facility. Also included in the package was the development and implementation of a detailed Waste Management Plan.

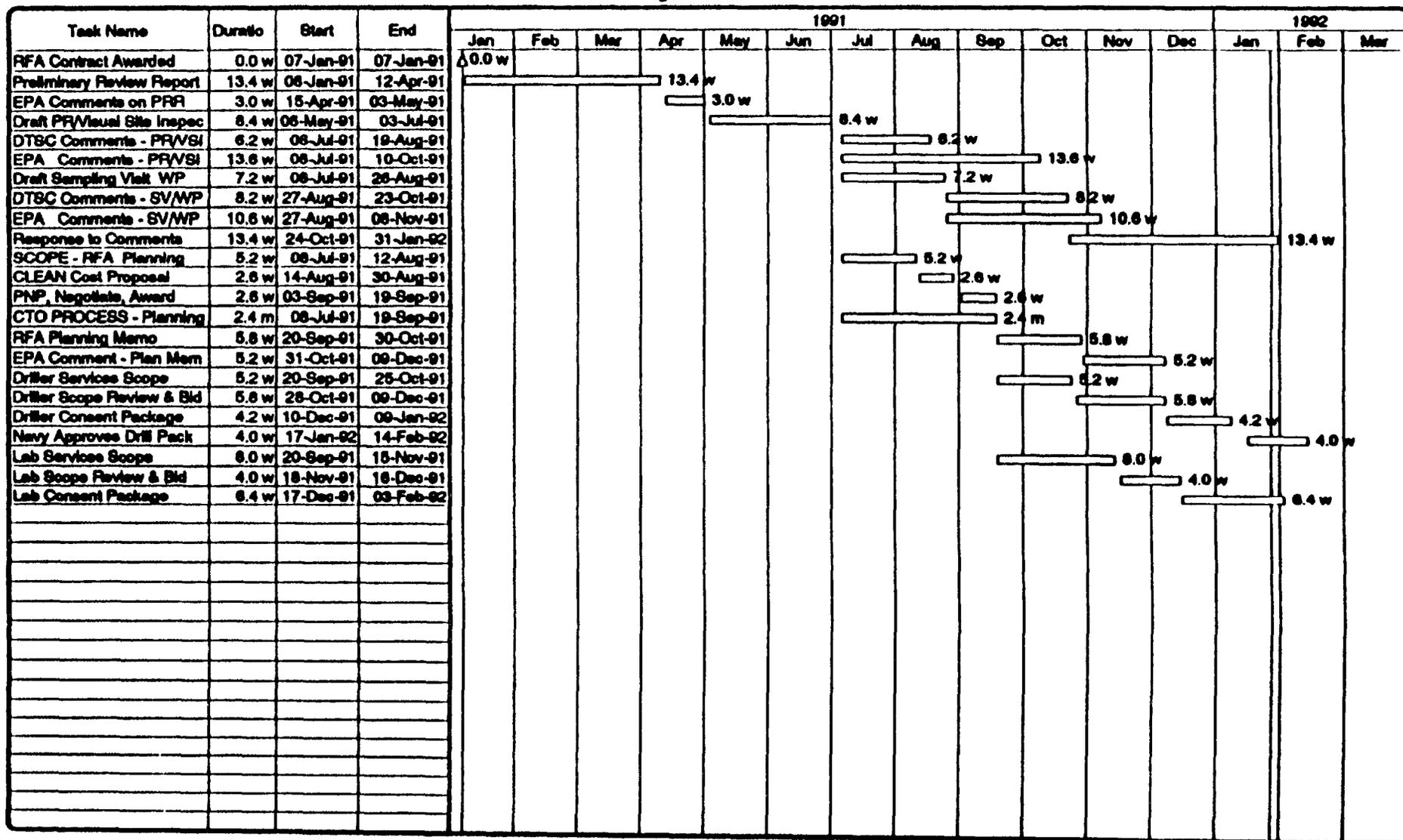
Schedule Differences:

At the 18 July 1991 managers meeting, the Navy presented a schedule to the team that showed significant differences than the milestones set in the FFA. The July schedule was reviewed by the regulatory agency managers and deemed, in general, not unreasonable. Detailed schedules similar to the one presented in July 1991 were introduced at the managers meeting of 30 January 1992. At that meeting and in the few days that followed, detailed schedules were negotiated and approved by the project managers from the Environmental Protection Agency, Department of Toxics Substances Control, Santa Ana Regional Water Quality Control Board, Navy, and MCAS El Toro.

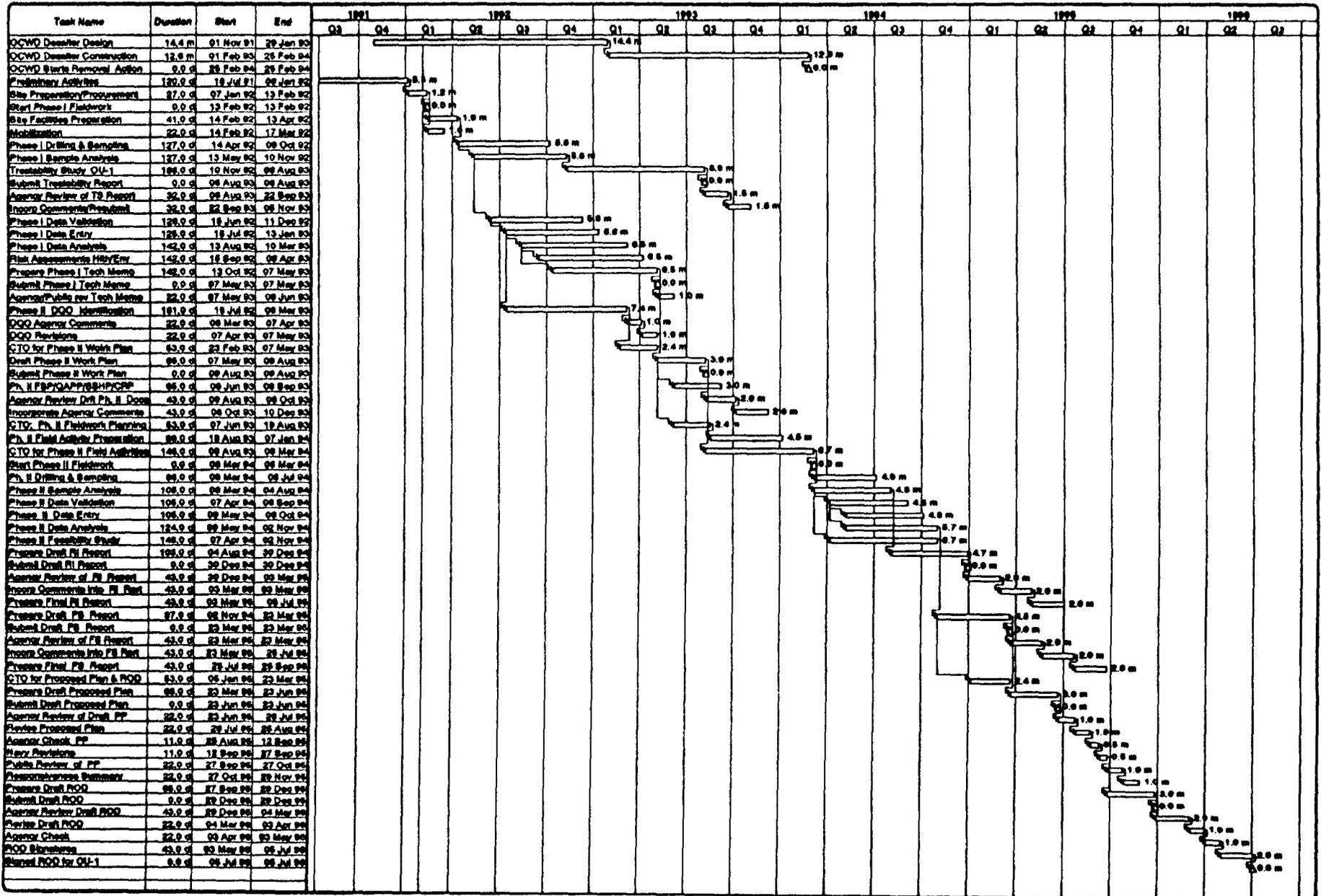
These schedules identified the following tasks not incorporated into the July 1991 schedule: 1) Navy contracting tasks, 2) the DQO processes for phase 2 effort, 3) separation of RI and FS reports, 4) public comment period and responsiveness summary preparation activities between the submittal of the Proposed Plan and the Record of Decision, and 5) the Orange County Water District (OCWD) Desalter groundwater removal project design, construction and start of the removal action.



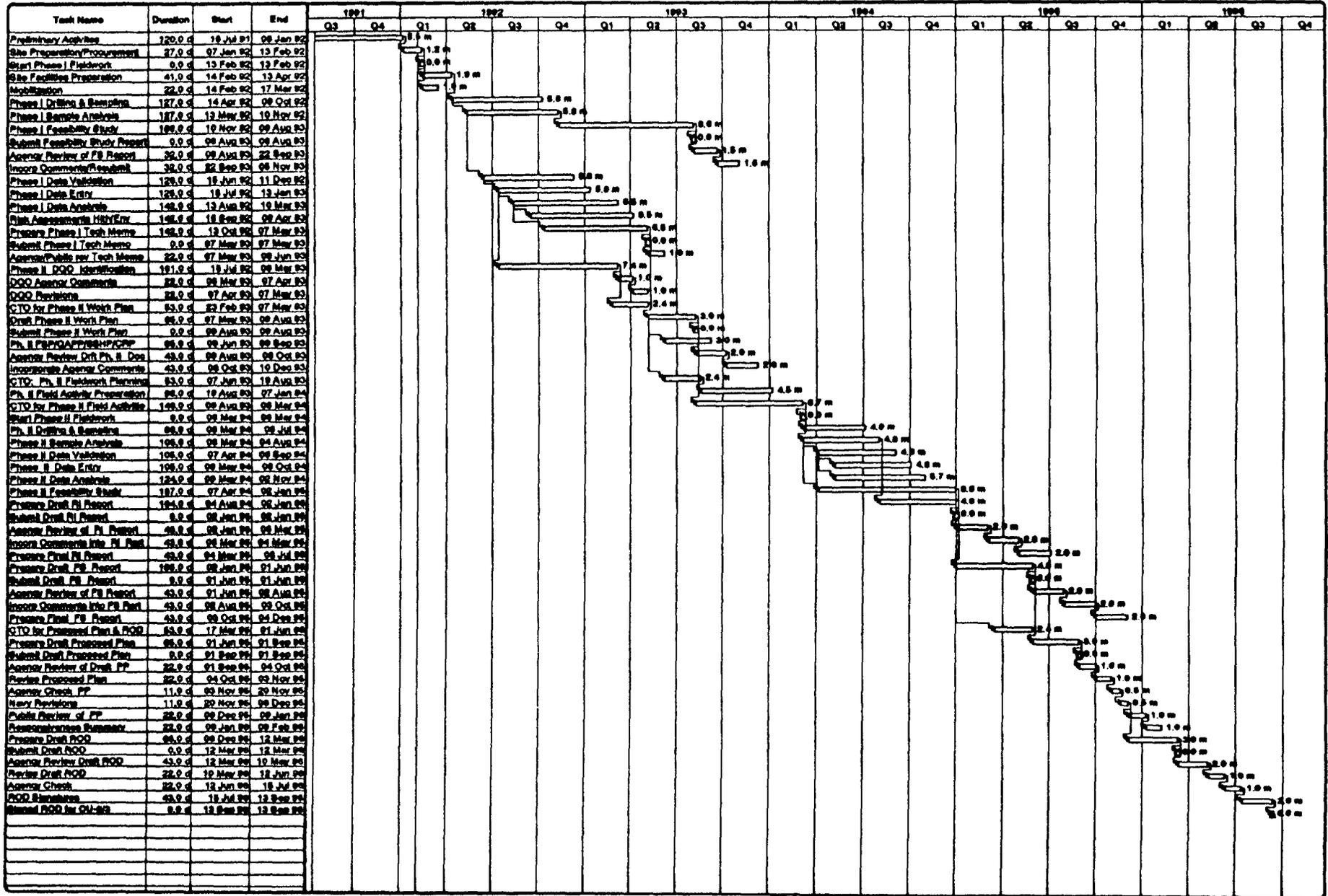
# MCAS El Toro RCRA Facility Assessment (RFA) History of Events



## RI/FS Schedule for OU-1 MCAS EI Toro



## RI/FS Schedule for OU-2/3 MCAS El Toro





**3. Installation of Bee Canyon/Perimeter Wells.**

**Proposal:** During the Remedial Investigation/Feasibility Study (RI/FS) fieldwork, the priority and sequence of well installation will be adjusted by the needs of the OCWD Desalter design team.

The current sequence of well installation and soil sampling is predicated on economic and efficiency issues. Without impacting the soundness of the RI/FS process, this proposal will redirect our strategy to fully supporting the subsurface and groundwater data requirements of the Desalter designers. This proposal will help OCWD base the Desalter design on economic, production, and efficiency criteria at the earliest opportunity.

**4. Participate in Desalter Pump Tests Using El Toro Wells.**

**Proposal:** The RI/FS fieldwork will include additional pump test tasks to help OCWD analyze the characteristics of the Desalter production wells and the relationships among the shallow and deeper aquifers.

In order to accurately define the Desalter well capacities and design the associated piping and pumps, reliable pump test data is needed. MCAS El Toro will assist OCWD in gathering critical information during the pump testing of the Desalter production wells. This task will be accomplished during phase 1 RI/FS field operations by teaming additional field personnel with OCWD hydrologists during their pump testing. The two teams will coordinate the monitoring and gathering of hydraulic data at all the wells within the zone of Desalter production well influence. These include newly installed single wells, multiport wells, and previously constructed wells owned by MCAS El Toro in that vicinity.

**5. Public & Media Outdoor Open House.**

**Proposal:** MCAS El Toro will put on an outdoor open house to kickoff the start of RI/FS Phase 1 Field operations.

The public and media will be invited to participate at a "hands-on" open house event that will include an exhibit of selected drilling, sampling, and safety equipment. In addition to the equipment, there will be an educational display board describing the Installation Restoration Program, the upcoming field operations, and the proposed joint venture efforts between MCAS El Toro and the Orange County Water District (Desalter Project).

This event will be announced to the media and the public to assure appropriate exposure to both the on-base and surrounding communities. This action is in addition to the initial plans involving Phase 1 of the RI/FS.

Concurrent with the fieldwork and the development of the Phase 1 Technical Memo, short informational flyers will be distributed to the public. The flyers will address current operations, findings, and progress on ongoing projects associated with MCAS El Toro such as the Desalter and the lining of Agua Chinon Wash by the City of Irvine.

12 February 1992

**SUPPORT OF GROUNDWATER REMEDIATION  
THROUGH THE ORANGE COUNTY WATER DISTRICT (OCWD) DESALTER PROJECT  
Marine Corps Air Station (MCAS) El Toro**

The following proposals are tasks the Navy has identified at MCAS El Toro as being above and beyond the stipulations of the original terms of the Federal Facility Agreement of October 1990. In fully supporting remediation of contaminated groundwater in the area of MCAS El Toro, the Navy is willing to execute the proposals listed below. In doing so, the Navy will expedite the groundwater remediation through promotion of the OCWD Desalter Project, and communicate our responsibility to the public. It must be made clear, the Navy chooses to support the OCWD Desalter Project as being the quickest and most effective means of groundwater remediation. If a superior alternative is identified, the Navy may pursue groundwater remediation other than with the OCWD Desalter.

**1. Construction Permits/Easements on El Toro Property.**

**Proposal:** MCAS El Toro agrees that a portion of the Desalter Project, production wells and associated pumps and pipelines, can be constructed on Base property; target is mid-April 1992.

El Toro and OCWD met on 10 February 1992 to define what each party needs to do to support the fast-track design and construction of that portion of the project located within Base boundaries.

This proposal has been regarded by OCWD as the single most important factor MCAS El Toro can do to support efforts in getting the Desalter Project started and operating.

**2. Additional Multiport Well.**

**Proposal:** At the Southwest perimeter of El Toro, substitute the two shallow monitoring wells along Marshburn Channel (near Main Gate and at SW corner) with an intermediate/deep cluster well (multiport) at their midpoint along the Channel.

This multiport well will not only supply similar data as the shallow wells, but also provide information critical for evaluating the relationship between the many possible aquifers in that region. The multiports will permit discreet observation of potential contaminant migration across the southwest edge of the base. The shallow wells can not be used for such analysis.

The OCWD has stated that there is a lack of groundwater monitoring points in this area, and have requested a realignment of well locations at additional depths to further support known subsurface conditions. The information obtained from the proposed multiport well will enhance the design of the Desalter Project now, and provide long-term monitoring for future adjustments to maintain safety and improve efficiency.

This proposal is sharply endorsed by the OCWD.