



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

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San Francisco, CA 94105-3901

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MCAS EL TORO  
SSIC # 5090.3

February 9, 1995

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Mr. Jim Pawlisch  
Southwest Division  
Naval Facilities Engineering Command  
1220 Pacific Highway  
San Diego CA 92132-5190

RE: EPA COMMENTS ON MARINE CORPS AIR STATION EL TORO  
DRAFT ENVIRONMENTAL BASELINE SURVEY REPORT

Dear Mr. Pawlisch:

The following comments address the Naval Facilities Engineering Command's document, "Marine Corps Air Station El Toro Draft Environmental Baseline Survey Report" (EBS), dated November 11, 1994. U.S. EPA Region 9 staff discussed these comments with representatives from El Toro Marine Corps Air Station and Cal/EPA in a conference call on January 30. Some of our comments have changed as a result of our conference call. The comments below do not represent EPA concurrence on CERFA findings; EPA will make a concurrence decision upon receipt of a revised map of the parcels proposed for concurrence and written response to the comments below.

We will have additional opportunity to discuss these comments with you and Cal/EPA representatives at the meeting on the Draft EBS which is scheduled for March 6 at El Toro. In the meantime, we expect to be discussing some of these comments with you over the phone as we work with you to accurately identify all uncontaminated property and make the CERFA identification process as successful as possible.

This letter separates EPA's comments into both general and specific comments.

GENERAL COMMENTS:

1. Use of Term "Uncontaminated":

In the Report's introduction, and throughout the document, the Navy uses the word "uncontaminated" in a manner which is inconsistent with CERCLA §120(h)(4) (CERFA). For example, on p. ES-3, the statement is made that "[i]n general, the Navy considers Area Types 1, ... 2, 3, and 4 as being uncontaminated property." This statement is incorrect, in that §120(h)(4) defines "uncontaminated" specifically as "real property on which no hazardous substances and no petroleum products or their

derivatives were stored for one year or more, known to have been released, or disposed of." Thus, "uncontaminated" should be used to refer only to property in BRAC category 1. Because the Navy has written the EBS specifically to comply with CERCLA §120(h)(4), it is critical that the document use the term "uncontaminated" as §120(h)(4) defines it.

If the Navy intends also to provide information about property in categories 2, 3, and 4 as property which may be available for transfer in the near future, you could discuss these areas such that "types 2, 3, and 4 are areas where contamination is not expected to impede property transfer." As the term "uncontaminated" is used inaccurately throughout the text, a reference to this general comment will appear throughout the specific comments included below.

## 2. Use of Term "Locations of Concern":

"Locations of Concern" is not specifically defined in the document. Please provide a definition and explanation of how the various subsets of sites (locations of concern, areas of concern, IRP sites, SWMUs, uncontaminated parcels) relate to one another. For example, does "locations of concern" describe the entire set of all issues at El Toro, with Areas of Concern and IRP sites as subsets within this set? Please be specific about whether any areas identified as Locations of Concern are also identified as category 1 parcels and provide any information in support of considering these parcels uncontaminated.

## 3. Categorization of PCB transformers:

On pages 3-8 through 3-10, it appears that all areas where PCB transformers are located or were located are considered in the report to be Locations of Concern. For purposes of EPA's concurrence with category 1 uncontaminated property, it is important to distinguish areas in which PCB transformers are in use from areas where they are being, or were, stored. Areas where PCB transformers were stored, such as SWMU/AOC 7 and IRP Site 11 (Transformer Storage Area), do not qualify as uncontaminated property. Areas where PCB transformers are intact, not leaking, and in use in an electrical system; or areas where PCB transformers were intact and in use up to the time when they were removed; can be considered Category 1. Classifying property under this definition will potentially identify more uncontaminated property than the current draft EBS identifies. The same definition should also be applied to characterize "non-transformer PCB items" and "PCB light fixtures": areas where these PCB-containing equipment are intact, not leaking, and in use; or areas where PCB-containing equipment were intact and in use up to the time when they were removed; can be considered Category 1.

#### 4. Asbestos:

The Report places asbestos-containing materials under Locations of Concern. For the purpose of identifying uncontaminated property, it is not necessary to rule out areas with asbestos as long as the asbestos is in place within a building and has not been released into the environment. The Navy's disclosure of asbestos-containing materials in site structures is appropriate. However, designating them as locations of concern implies that some further action may be conducted. It would be helpful if the term Locations of Concern were defined more specifically, and if a statement were included which explained how the presence of asbestos did or did not affect property categorization.

#### 5. Mapping of groundwater contamination:

EPA has some concerns regarding the representation of groundwater contamination on the maps.

a) The data used to represent plume boundaries is based on October 1993 data. It is essential that the maps reflect current knowledge about the status of groundwater contamination.

b) The statement is made that the map on Figure 3-2 "shows location and extent of plumes, which are contoured to appropriate MCLs." Since the maps need to distinguish uncontaminated from contaminated areas, and because MCLs exceed concentrations which show the evidence of a release into the environment, it is necessary for the maps to designate contaminated groundwater by indicating the non-detect boundary line.

c) It is our understanding from our January 30 conference call that a plume resulting from a leaking UST located in the central airfield area has not been included in the plume maps for this EBS. Please depict this plume in your revised maps.

All of these concerns can be addressed by the use of groundwater modeling, or other means to approximate contaminant fate and transport, to represent affected areas.

#### 6. Use of 100-foot buffer zones:

Absent some specific rationale, buffer zones may not be needed around all locations of concern. Several types of these locations of concern appear to be well-contained and will not require a buffer. Former PCB storage areas which do not indicate release, and non-leaking USTs and ASTs are examples of Locations of Concern which do not appear to require a buffer zone because contaminant migration is highly unlikely. Areas where there is no threat of release do not appear to need a buffer zone. Removing the buffer zones where they are not needed will result in the identification of additional uncontaminated property.

7. Categorization of Airfield Operations Area (Runways, Taxiways, and Adjacent Land):

Categorizing much of the airfield as category 7 based on potential releases seems unnecessarily conservative in the absence of more specific information about such releases. EPA's April 19, 1994 guidance memorandum entitled "Military Base Closures: Guidance on EPA Concurrence in the Identification of Uncontaminated Parcels under CERCLA Section 120(h)(4)" states that evidence of incidental releases of petroleum products on roadways and parking lots would still allow EPA to concur that such property is uncontaminated unless there were more specific reasons to consider these areas contaminated. On other bases, EPA has concurred with the identification as uncontaminated parcels where petroleum products or their derivatives may have been released or disposed of, as evidenced by stains on paved areas. EPA concurred that these parcels can be considered uncontaminated for purposes of CERFA because the information contained in the EBS did not indicate that residual levels of petroleum products or their derivatives on these parcels present a threat to human health or the environment. EPA recommends that additional property on the runway area be considered for category 1 eligibility for those areas where minimal staining of pavement is the only factor for which property is currently disqualified.

In nominating airfield property for possible concurrence, the Navy should briefly discuss the sampling results which were obtained from refueling areas adjacent to the runways and taxiways.

8. Criteria for CERFA-eligible property:

The draft EBS includes criteria for the selection of uncontaminated property which is not based in CERFA. This criteria is discussed on p. 5-1 of the draft EBS, and affects the way uncontaminated parcels are mapped and identified throughout the document. The Navy identifies such parcels at El Toro as areas which are "at least 3 acres or larger, accessible, and believed to offer a reasonable opportunity for early transfer." All three of these criteria go beyond the law itself to place extra criteria on the identification of property, which might be needlessly restrictive. EPA encourages the Navy to place as much eligible property in Category 1 as possible, even if it cannot be immediately transferred, for the reason that the Navy and the BCT will not have to re-evaluate these Category 1 areas later when it comes time for them to be transferred as part of a larger parcel. In requesting that some of these small areas be identified for concurrence as uncontaminated parcels, EPA recognizes that enlarged details of some areas of the maps may have to be prepared, or that more specific descriptive language may need to be used to specifically identify the parcels.

## 9. Pesticides:

Information about elevated levels of pesticides was not included in the report itself, but was made available in a memorandum provided by the Navy to regulatory agencies on January 10, 1995. The available information indicates levels of pesticides found in certain areas, but does not specifically state how the Navy will characterize parcels containing elevated levels of pesticides. EPA is unable to concur on property containing pesticides which register above public health protective cleanup levels associated with residential use. EPA, the State, and the Navy need to discuss the specific location of the elevated levels of pesticides so that the specific areas of concern are identified, and that parcel boundaries might be redrawn if uncontaminated areas can be legitimately separated from contaminated areas.

## 10. Records Search:

CERCLA §120(h)(4)(i) through (vii) provides explicit requirements regarding the types of documentation to be reviewed for identification of uncontaminated property. The EBS lacks specific references to such documentation, although it states that the review of records performed for the BCP was comprehensive. Since the Navy states that its search was comprehensive, please make the affirmative statement that the Navy has completed the comprehensive document search required by the law, and provide the list of documents searched (either by providing that excerpt from the BCP or providing some other list).

### SPECIFIC COMMENTS:

P. ES-3: Please amend the reference to "uncontaminated" in the table, per General Comment #1.

P. ES-4: Please revise the text for the "Horse Stables Area" to include the sampling completed in December 1994.

P. ES-5: The Navy characterizes "runways and adjacent land" as category 7, but then states that "it is possible that additional investigation will be required before these areas can be considered to be uncontaminated." This statement is ambiguous because property in category 7 by definition requires further investigation, whether by sampling, documentation, visual inspection and other techniques. See also General Comment #7.

P. ES-5: The Navy characterizes groundwater plumes as category 7. Since it has been established that groundwater contamination exists and that it requires remediation, these areas should be placed in category 5 or 6.

P. ES-6: Title search requires completion before CERFA

P. ES-6: Title search requires completion before CERFA concurrence can be obtained. See General Comment #10.

P. 3-4: Please update, as the soil gas survey was completed and results are available.

P. 3-6; Text states that the final RFA Report was submitted on 7/16/93. This section should be updated.

P. 3-10: The miscellaneous electronic equipment stored with hazardous waste stickers in the vicinity of a drum storage area must be checked and properly handled by the Marine Corps/Navy staff.

P. 3-17: Please explain why concerns are limited to persistence of an aerial photo anomaly over time. Wouldn't an anomaly on a single aerial photo present possible concerns as well?

P. 3-13; Please provide the criteria for the non-PCB determination for items which contain PCB concentration less than 50 mg/L.

p. 3-18 to 3-19: The practice of applying "waste petroleum and other miscellaneous liquid wastes" on the unpaved portions of the airfield for dust control requires additional assessment and consensus by the BCT to agree on the extent to which the practice may have resulted in contamination on the airfield. To the extent that this information cannot be better ascertained, these portions of the airfield should remain categorized as Category 7 property.

p. 3-23: In what ways was general construction refuse considered to be a Location of Concern? Was it suspected of hazardous substances?

p. 3-23: The Additional Landfill Area appears to underlie the golf course. Since the Navy plans additional investigation, the Navy should be conducting an evaluation of hazardous substances remaining on this property, not merely "hazardous waste", as stated. Furthermore, it is unclear that this area is eligible for uncontaminated status, unless investigation has already been conducted and the area has been determined to be clear.

p. 3-25: Regarding the history of pesticides on the property, the third paragraph on the page indicates that it is only spills or improper storage which implicate pesticide use. However, the property is not eligible for uncontaminated status if pesticides have been stored on the property. Storage of hazardous substances would place the area in category 2.

p. 3-28: Please provide justification for how the 2 known releases from adjacent property indicate a low potential for

contamination of on-base property.

p. 4-2: "Property that falls under Area Types 2, 3, and 4 does not meet the strict definition for CERFA-eligible property, but is nevertheless believed to be uncontaminated by the Navy." EPA disagrees with this statement; see General Comment 1.

p. 4-12, PCB transformers: It appears that the Navy has classified as Category 2 any area where a PCB transformer may have been located. See General Comment 3.

P. 4-16, Section 4.2.11: The conclusion that five distinct groundwater contamination plumes have been identified at MCAS El Toro may no longer be applicable as groundwater sampling has not been completed since fall of 1993.

P. 4-16: Please provide documentation to support the statement that "pesticides were [not] applied improperly."

Table 4-2: Pages 1 through 5 list transformers that were removed; see General Comment 3 above. If transformers were functioning up to the time when removed, the property may be eligible as category 1 property.

Table 4-2: Pages 13 and following include some areas as category 7 for the reason that they are identified as "wet soil" or "liquid". Please state why this evidence is sufficient justification for identifying a property as category 7. Similarly, many areas are LOC/Category 7 because they contain "Stain". As discussed in General Comment 7 above, evidence of incidental releases of petroleum products on roadways and parking lots would still allow EPA to concur on that property as uncontaminated unless there were more specific reasons to disqualify these areas.

p. 5-2, CERFA-Eligible and Other Uncontaminated Property: This exercise is not useful, because only uncontaminated property can be identified for concurrence. See General Comment 1. Although they can be considered for early transfer, areas which are noted as Category 2, 3, and 4 all require decision documentation in addition to the EBS and CERFA concurrence letter before transfer can occur.

Attachment 3, page 1, Parcels CP-10 and CP-11: Ordnance storage bunkers are identified on uncontaminated parcels CP-10 and CP-11. Please be aware that EPA considers ordnance to be a hazardous substance. However, if storage of ordnance has no impact on public health or the environment, EPA may have some discretion to concur on the property as uncontaminated pursuant to §120(h)(4). In order to determine this impact, it would be useful to review any information about possible leaks or releases to the environment of hazardous substances; any residual levels of

hazardous substances due to history of storage on the parcels; whether the storage areas are contemplated for investigation under the IRP program; whether ordnance is still being stored on the parcels; and whether the stored ordnance will be cleared prior to transfer. Please be aware that the storage of ordnance requires the Navy to comply with the notice requirements under CERCLA §120(h)(1), which requires information about the types of substances stored, the amounts stored, and dates of storage.

If you have questions regarding these comments, please contact me at (415) 744-2389, Deirdre Nurre, Base Closure Specialist, at (415) 744-2246, or Ramon Mendoza, Remedial Project Manager, at (415) 744-2407.

Sincerely,

A handwritten signature in cursive script that reads "Bonnie Arthur -for-".

Bonnie Arthur  
Remedial Project Manager

cc: Ron Akuda, Cal/EPA DTSC Reuse Specialist  
Juan Jimenez, RPM  
Joseph Joyce, BEC