



Department of Toxic Substances Control

M60050.002390
MCAS EL TORO
SSIC #5090.3



Jesse R. Huff, Director
5796 Corporate Avenue
Cypress, California 90630

Gray Davis
Governor

Winston H. Hickox
Secretary for
Environmental
Protection

February 22, 1999

Mr. Joseph Joyce
BRAC Environmental Coordinator
U.S. Marine Corps Air Station - El Toro
AC/S, Environmental (1AU), BRAC Building #899
P. O. Box 95001
Santa Ana, California 92709-5001

Dear Mr. Joyce:

COMMENTS ON DRAFT FINAL PROPOSED PLAN (PP) FOR OPERABLE UNIT (OU) 3, SITES 8, 11 AND 12, MARINE CORPS AIR STATION (MCAS) EI TORO

The Department of Toxic Substances Control (DTSC) has received the draft final PP on February 5, 1999. Based on our review of the document, we find the draft final PP essentially unchanged from the previous draft dated July 1998. Also, we did not receive a response to our September 21, 1998 comments on the draft document to help us understand why changes have not been made to satisfy DTSC comments. Enclosed are comments on the revised PP. Many of the comments are duplicate of our September 98 comments that have not been addressed. Please submit a response to the enclosed comments and a revised PP prior to releasing the document for public review.

In addition, please review our September 1998 comments regarding changes to the May 1998 Proposed Plan for Closure of Inactive Landfills and inform us in writing how you intend to satisfy the NCP requirements addressing pre-ROD changes to the proposed plan (section 300.430(f)(3)(ii)(A) and (B), NCP). Please note, you may want to expand this PP to include a discussion of the Landfill cap that will receive nonhazardous contaminated soil from Sites 8, 11, and 12 as a cap foundation layer for Sites 2 & 17. If this PP is used to satisfy the regulations, then the pre-ROD changes for the landfills and the new information should be highlighted and clearly discussed on the first page of this pp.

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Thank you for your cooperation. If you have any questions, please call me at (714) 485-5418.

Sincerely,



Tayseer Mahmoud
Remedial Project Manager
Office of Military Facilities
Southern California Operations

Enclosure

cc: Mr. Glenn Kistner, SFD-8-2
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cc: Ms. Marsha Mingy
Public Participation Specialist
Department of Toxic Substances Control
Cypress Office

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MEMORANDUM

TO: Mr. Tayseer Mahmoud
Remedial Project Manager

FROM: Ms. Marsha Mingay *mjm*
Public Participation Specialist

DATE: February 18, 1999

SUBJECT: DRAFT FINAL PROPOSED PLAN FOR CLEANUP AT THREE SHALLOW
SOIL SITES, OPERABLE UNI 3, SITES 8, 11 AND 12, MCAS EL TORO,
CALIFORNIA

Thank you for the opportunity to review and comment on this final draft. As stated in my memorandum of September 17, 1998, the proposed plan addresses two issues: 1) a change in the May 1998 Proposed Plan for Closure of Inactive Landfills at Marine Corps Air Station El Toro (namely Sites 2 and 17) and 2) the proposed plan and supporting documentation addressing the three shallow soil sites (namely Sites 8, 11 and 12).

This memorandum is organized into two distinct areas. The first addresses the May 1998 Proposed Plan for Landfill Sites's 2 and 17. The second set of comments are specific to the proposed plan for Sites 8, 11 and 12.

Please note that substantive comments submitted in my September 17, 1998 memorandum have not been addressed by the military. Due to the significance of these comments, it is requested that a response to the following comments be forwarded to my office prior to the document's copying and publication.

As always, please contact me directly if there are any questions regarding these concerns. I can be reached at (714) 484-5416.

I. Changes to the May 1998 Proposed Plan for Closure of Inactive Landfills

As stated in my September 17, 1998 memorandum, the regulations require the lead agency to circulate for public comment any changes to the proposed plan that the public could

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not "reasonably anticipate". It is my belief that using nonhazardous contaminated soil as a cap foundation layer for Sites 2 and 17 could not be reasonably anticipated. Therefore, the public must be notified of this change and provided with an opportunity to comment on the proposed plan.

Also stated in the September 17, 1998 correspondence was the suggestion to include this information in the Proposed Plan for Cleanup at Three Shallow Soil Sites. Since this document does not contain a discussion of the changes, it is unclear if the military is planning to circulate a separate document addressing the changes or if this information was inadvertently omitted from the draft final Proposed Plan.

Due to the importance of this issue, please request that the military inform DTSC in writing of their intent to satisfy the regulation and the means in which they will fulfill their legal obligations (i.e., will this draft final Proposed Plan be expanded to include a discussion of the changes to Landfill cap or will they issue a separate document for public review and comment). Please note that the discussion should contain sufficient information to educate the public so that they are able to make comments about the proposed changes to the preferred alternative for landfills 2 and 17. (I've attached a copy of my September 17, 1998 memorandum which states what should be included in this discussion; specifically Section I and Section II, Comment 1).

II. Specific Comments on Draft Final, February 1999, Proposed Plan for Three Shallow Soil Sites (Sites 8, 11 and 12)

1. Page 1, first column, second paragraph, third sentence — To clarify that this information is not only for the public's review, but also open for comment, add "... are available for public review **and comment** at the ..."
2. Page 1, second column, third paragraph — To educate and further clarify the information, change the existing sentence to read, "Investigation results indicate all contaminated soil is not hazardous **to human health and the environment.**" (In my September 17, 1998 comments, I stated, "To educate the public, please explain how contaminated soil can be nonhazardous").
3. Page 2, first column, last paragraph — The paragraph includes reference to above ground treatment tanks without an introduction. Please introduce this equipment by explaining how it is related to the sludge drying beds (see my former comment Section III, comment 5).
4. Page 2, second column, second to the last paragraph — The following sentence has been added to the document, "PCB analysis also includes pesticides." This sentence does not logically connect with the information within this paragraph. Please correct.

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5. Page 3, map — Please include a legend which explains the meaning for the different shading and speckled areas.
6. Page 3, second column, italic wording — See comment number 1.
7. Page 4, second column, Risk Assessment Results, Site 12 — Metals were also found at site 12 but are not included in the list. Have they been omitted because they do not pose a human health risk? If yes, then the statement is correct. However, if the answer is no, please research and correct the information.
8. Page 5, Site 8 — The table states, "Arsenic and manganese occur naturally in native soil on and off MCAS El Toro property." Please include in this document a statement which educates the reader on the importance of this fact.
9. Page 5, site 8 — It is not clear why the risk numbers have been combined for units 2 and 3 when the other units have their own risk numbers. It is suggested that a footnote be added to explain this to the public.
10. Page 5, Site 11 — Risk Management Considerations only address PCBs when page 3 mentions that pesticides are also present at these sites. Please include information which addresses risk management consideration in terms of the pesticides found at Site 11.
11. Page 5, Site 12, Unit 1 — Please provide a clearer explanation as to why PAHs are being remediated at Site 8, Unit 3 and not at Site 12, Unit 1.
12. Page 7, first column, first partial paragraph — As stated in my September 17, 1998 memorandum (see Section III, Comment 14), the reference to day care center is misleading and limiting. Please either explain why this narrow focus is being used, or change the wording. The following substitute sentence is suggested, "The covenant would limit use to industrial activities which are protective of the cap and would allow continued maintenance and inspection."
13. Page 7, first column, first full paragraph - The statement that the area would be backfilled if necessary conflicts with the information on page 1. The statement on page 1 clearly indicates that the area will be backfilled. Please research and correct.
14. Page 7, first column, second and third paragraphs — These paragraph state that certain actions will be taken if necessary. Please include information which allows the reader to understand what needs to occur in order for these actions to be implemented (i.e., installation of a drainage system and the seeding and fertilization of backfilled soil at site 12).

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15. Page 7, first column, last paragraph — The paragraph states, “recycle all the contaminated soil excavated from these sites that is not hazardous”. Please also state what will be done if hazardous soil is found.
16. Page 7, second column, first partial paragraph — The following sentence needs to be supported with facts. How was this assertion formulated? The recycling of soil will “not change the risks at the landfill sites”. (See my September 17, 1998 comment: Section III, Comment 18).
17. Page 7, second column, first partial paragraph — The following sentence conflicts with the information on page 11. Please correct as appropriate. Page 7, “No exposure pathway to people .. created during this activity.” Page 11, “Excavation may expose workers to contaminants.”
18. Page 7, second column, first partial paragraph — Please also substantiate the claim, “... it is highly unlikely animals ... would burrow down four feet deep through the cap to the foundation layer material.”
19. Page 7, second column, Alternative 4 — The information is essentially unchanged from the previous draft. Consequently my earlier comments have not been incorporated or addressed. Since this article still contains missing information, please refer to and address my September 17, 1998 comments in Section III, numbers 19, 21, 22, 23, and 24. In addition, the document does not state where the treated fine soils will be deposited.
20. Page 7, second column, Alternative 4 - Please include definitions for the following treatment systems, 1) soil washing, 2) thermal destruction, 3) thermal desorption, and 4) thermal oxidation. Without these definitions the public is unable to understand the alternatives being described.
21. Page 7, second column, Alternative 4 — The description does not state if a hazardous byproduct is formulated through thermal desorption and thermal oxidation. Nor does it state how the hazardous byproduct will be handled. To complete the alternative description, please include this information. Also note that this type of information was included for thermal destruction.
22. Page 11, criteria 4 and 6, alternative 4 — The summary only mentions thermal destruction. Since thermal desorption and thermal oxidation are also part of this alternative, they should also be included in the summary. Please correct.
23. Page 12 — As stated in my earlier comment (Section II, Comment 8), it is unclear why the section of applicable or relevant and appropriate requirements (ARARs) contain

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vague language, such as "potentially federal ARARs", "may be relevant and appropriate". It is suggested that the document either state why the wording is such or replace this section with a similar section from the May 1998 Proposed Plan for Inactive Landfills.

24. Page 13, Internet connection — Please note that the "web" site, www.eltoro.usmc.mil does not contain a "BRAC" key. In several attempts, information on MCAS El Toro and the Installation Restoration Program could not be accessed. This is disturbing since the Proposed Plan states that this address will allow the user to access this type of information. Please correct.

cc: Mr. Jim Marxen, Chief
Public Participation & Education



Department of Toxic Substances Control



Pete Wilson
Governor

Jesse R. Huff, Director
5796 Corporate Avenue
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Peter M. Rooney
Secretary for
Environmental
Protection

MEMORANDUM

TO: Mr. Tayseer Mahmoud
Remedial Project Manager

FROM: Ms. Marsha Mingay *mm*
Public Participation Specialist

DATE: September 17, 1998

SUBJECT: PUBLIC PARTICIPATION COMMENT ON THE DRAFT PROPOSED PLAN
FOR CLEANUP AT THREE SHALLOW SOIL SITES AT MARINE CORPS
AIR STATION EL TORO

Thank you for the opportunity to review the above referenced document. This proposed plan addresses two issues: the proposed plan and supporting documentation addressing the three shallow soil sites (namely Site 8, 11 and 12) and a change in the May 1998 Proposed Plan for Closure of Inactive Landfills at Marine Corps Air Station El Toro (namely Sites 2 and 17).

This memo is organized into three distinct areas. My comments regarding the changes to the May 1998 Proposed Plan are contained in the section which immediately follows this introduction. Following these comments are two additional areas entitled, general comments and specific comments. These areas summate Public Participation comments on the draft Proposed Plan for cleanup at the three shallow soil sites.

If you have any questions regarding this information, or would like to discuss the comments further, please contact me at (714) 484-5416.

I. Changes to the May 1998 Proposed Plan for Closure of Inactive Landfills

The draft Proposed Plan for Sites 8, 11 and 12 contain the preferred alternative of excavating contaminated nonhazardous soil and "recycling" the excavated soil to landfills at Sites 2 and 17. Since the May 1998 Proposed Plan does not include a cap foundation layer consisting of contaminated nonhazardous soil it evokes the National Contingency Plan (NCP) requirements addressing pre-record of decision (ROD) changes to the proposed plan (section 300.430(f)(3)(ii)(A) and (B), NCP).

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The above referenced section essentially divides pre-ROD significant changes into two categories, those changes which could be "reasonably anticipated" by the public and those changes which could not be "reasonably anticipated". It is the belief of DTSC Public Participation staff, that the use of nonhazardous contaminated soil as a cap foundation layer could not have been reasonably anticipated and therefore falls under section 300.430(f)(3)(ii)(B) of the NCP.

According to the NCP, and as stated in EPA's Community Relations in Superfund: A Handbook (January 1992) "... the [lead] agency must issue a revised proposed plan that includes a discussion of the significant changes and the reasons for such changes. The [lead] agency must seek additional public comment on the revised proposed plan" (page 16). Therefore, Public Participation requests that a revised Proposed Plan be circulated for review during a 30 day public comment period. Please note that the regulations are silent regarding the need for a community meeting, therefore this activity is optional. It is anticipated that the public will be most interested in:

- public health and ecological impacts associated to a foundation layer consisting of nonhazardous contaminated soil,
- full description of the cap (including depth of foundation layer and any precautions taken to preclude the foundation layer leaching into surrounding areas,
- impact of bringing new contaminants to the landfills (Comparing the list of chemicals, as described in the two proposed plans, results in a conclusion that the contaminated soil contains several chemicals not currently in the landfills. These chemicals include herbicides, pesticides, cyanide and polychlorinated biphenyls.), and
- impact to public highways
- schedule for the various layers to be placed on the landfill. (In particular, what is the time interval between placement of the foundation layer and the remaining upper cap layers?)

As a suggestion, the proposed plan for the shallow soils sites could be written to serve both as the proposed plan for Sites 8, 11 and 12 and the revised proposed plan for landfill sites 2 and 17. If this action is taken, be sure that the publication of the proposed plan and newspaper announcements clearly indicate this.

II. General Comments

1. The preferred alternative is explained without an assessment of risk associated to landfill sites 2 and 17. Since the contaminated, non hazardous, soil will remain on El Toro, it would be prudent to summarize findings regarding risk impacts (both to public health and the ecological receptors). This information should be included immediately after the following sentence "Once the sites have been remediated, ... because the contaminated soil will be recycled and will no longer present a threat to human health or the environment". If space does not permit the placement of information, then a reference to the appropriate page number, in the proposed plan, that contains this information should be included here.
2. To educate the public, please explain how contaminated soil can be non hazardous.
3. To clarify the term "recycling"; demystify it by stating that the soil will be used at landfill sites 2 and 17 as a cap foundation layer. This information may need to be repeated throughout the document.
4. Clarify that the sites were divided into areas and that the **entire** site is being addressed in this proposed plan.
5. In the Investigation Results section, the descriptions for each site do not state the depth of non detect. It gives vague descriptions such as "generally confined", "most frequently between depths of 0 to 4 feet bgs" and "reported in shallow soil". Without defining the extent of contamination, the reader cannot comprehend how the contaminates are dispersed. Please define the areas.
6. The information in the Investigation Results is essential for the public to understand the current site description. Unfortunately the current wording in pages 2 and 3 is very hard to understand. It is believed that the problem stems from having so many units to discuss for each site. In order for me to understand the information, I created a separate table which enabled me to "see" the information being presented. Part of this table is shown below.

It is suggested that the text be simplified and/or a visual tool be used to assist the reader in understanding this information.

Site 12	Unit 1		Unit 2		Unit 3		Unit 4	
	0-1' bgs	1-2' bgs	2-3' bgs	3-4' bgs	0-5' bgs	1-2' bgs	3-4' bgs	5-6' bgs
VOCs	x	unknown	x	unknown	x	x	unknown	unknown
SVOCs	-	unknown	x	unknown	x	x	unknown	unknown

7. Please ensure that sufficient information is available so that the reader can understand the decisions to remove soil at one unit and not at another unit with similar risks. Andy Piszkin's and Glen Kistner's emails of September 11, 1998 reflect this concern. However, the tentative conclusions still result in different decisions although risks are relatively similar (see my comment III.13).
8. It is unclear why the section on applicable or relevant and appropriate requirements (ARARs) contain vague language, such as "potentially federal ARARs", "may be relevant and appropriate", etc. To avoid leaving the reader with this uncertainty, please either add information which informs the reader why it is unknown or replace this section with the similar section from the May 1998 Proposed Plan for Inactive Landfills.

III. Specific Comments

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1. To assist the reader in understanding the sites, please include the area number, in parenthesis, after each description (e.g., Site 8, "... an old salvage yard (Unit 5) and a main storage yard (Unit 2).")
2. Clarify the wording in Site 8's description of scrap materials. The wording currently suggests that the scrap materials contain various types of liquids. Is this correct? If not, please correct. Additionally, if the scrap materials do contain liquids, please describe them in the Investigation Results section.
3. Site 8 Site Background does not contain a description of Units 1 and 4. Please include this information.

Mr. Tayseer Mahmoud

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4. Site 11 Investigative Results (see page 3) mentions pesticides, however, the Site Background description does not lead one to suspect this type of chemical. Please include additional information which clarifies why pesticides were found at Site 11.
5. Define "drying beds", a term first used in Site 12 Background. To further educate the reader and increase comprehension, include any equipment associated to this process.
6. Repword the second paragraph for Site 12 Background to read, "~~An~~ **The** industrial wastewater treatment plant ~~was also present at Site 12. This plant treated ...~~"
7. The last sentence in the second paragraph for Site 12 Background states, "No evidence of ... is visible today ..." This sentence allows the reader to believe there may be contamination which is not visible. Please reword or clarify.

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8. When describing Investigative Results, please combine the information when ever possible. For instance, Site 12, Unit 3 has the same chemicals of concern (COCs) as Units 2 and 4. Therefore, wording could be simplified by stating, "Site 2, 3 and 4 contain ..." versus listing the COCs twice, once for Units 2 and 4 and then again for Unit 3.
9. Site 12 Remedial Investigation summary contains a sentence which appears to be out of context. Please research and correct the following sentence's placement in this document. "The present grade throughout Units 1, 2, and 4 is approximately 5 feet higher than the original ground surface present during the operational period of the sludge beds and the wastewater treatment plant."

Page 4

10. In the first paragraph of "Identifying Exposure Pathways" the last sentence should be modified by adding the following words. "... health effects from exposure to chemicals **over a long period of time** were evaluated and combined ..."
11. Please note that the definition for "Metals" is site specific while the definitions for the other terms are generic.

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12. I concur with the "Site-by-Site Summary" as shown in the September 8, 1998 draft meeting minutes. This summary clarifies and simplifies the language found in the Risk Assessment Results. However, please ensure that the information clearly supports the conclusion. This does not occur in Site 8, Units 2 and 3. The table shows the same risk for both sites and yet only a portion of Unit 3 is being removed. The reader will not readily understand the difference in decisions for two seemingly situations.

Page 6

13. The bold printed material needs to be modified in order to remain consistent with latter terminology. Please rewrite the sentence to read, "... be used as a foundation layer ~~soil~~ **material** beneath ..."
14. The description within Alternative 2 states that the "covenant would prohibit future owners from operating day care centers at the sites and from ..." While this sentence is technically correct, the specific mention of "day care centers" is misleading and limiting. Better wording would be "The covenant would limit use to industrial activities which are protective of the cap and would allow continued maintenance and inspection."
15. For Alternative 3, please state the target level for clean up. This would assist the reader in their attempts to understand and formulate comments regarding the preferred alternative approach. (The Proposed Plan currently states, "... soil sampling would be performed to confirm that all of the contaminated soil that could cause an unacceptable risk to human health has been removed." The public may want to know the number associated with the "unacceptable risk" (or risk based concentrations for residential use). This is further confused by the fact that we are proposing to clean up sites with risk ranges in the acceptable range (defined on page 5 as 1/10,000 to 1/1,000,000) without clear justification.
16. To separate different stages of the cleanup process, please create a new paragraph starting with the last partial sentence on page 6. This sentence begins with, "Upon completion of remedial activities, the backfilled soil ..."

Page 7

17. Insert "(see Map on page 3)" immediately after the second to the last sentence within "Recycling of Excavated Soil".

18. As stated in my earlier comment (II.1), please explain the statement. "and would not increase the risks at the landfill sites." (See the last sentence in "Recycling of Excavated Soil").
19. The current description of soil washing for Alternative 4 and 5. leaves the impression that it merely separates the fine materials from the coarser particles. According to "Treatment Technologies Applications Matrix for Base Closure Activities" (November 1994; Revision 1), this is incorrect. If the "treatment" includes two phases; namely separating particle size and then soil washing to remove contaminants from the finer particles, please add sufficient information to inform the reader of the process. If the "treatment" consists of only separating the particles into two piles, please reword the "treatment" process to be "separation". And, if the coarser particles are also treated through soil washing. please tighten wording to eliminate any possible confusion.
20. The following sentence leads the reader to believe that only the finer particles will undergo soil washing. If this is incorrect, please change the wording to eliminate possible misunderstanding. "Since the fine-grained soils are expected to contain the bulk of the contamination, this will reduce the volume of soil requiring further treatment."
21. Support the rationale behind the following statement. "... the fine-grained soils are expected to contain the bulk of the contamination".
22. If only the finer particles are subject to soil washing, please correct the statement. "The treated (clean) coarser soil ..."
23. State what will be done to ensure that the coarse material is "clean". If samples will be taken, please either refer them to a section regarding target cleanup levels or provide that information within this area of the Proposed Plan.
24. Concern about dioxins have been expressed during past RAB meetings. To avoid possible undue concern, please state for Alternative 4. how the creation of dioxins would be avoided.
25. For Alternative 5, see my comments 21 and 23.

26. To increase access of information within the Proposed Plan. insert "(see page 10 and 11)", at the end of the last sentence for criteria two.

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27. Add the following words to clarify information for criteria 3, "... if the asphalt cap at Sites 8 and 11 and soil cap at site 12 is properly inspected ..."
28. In comparing the information for criteria 4 with the criteria 4 language from the Landfill's Proposed Plan, this alternative would also reduce toxicity and volume. This needs to be assessed and if applicable, the language in this Proposed Plans needs to be corrected. If the toxicity and volume will not be reduced, please be prepared to answer questions regarding this possible contradiction.
29. Please refer the reader to the appropriate section which substantiates the last sentence in criteria 4. This sentence states, "... and would not increase the risks at the landfill sites."

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30. The following are comments for the Comparative Analysis of Remedial Alternatives.
 - a. Line 1; alternatives 4 and 5, add the word "treatment" after "removing"
 - b. Substantiate the subjective term, "significant" found in line 6, alternatives 4 and 5
 - c. Line 8, include information for all alternatives

Page 10

31. Please note that the format for the three introductory bullets is not consistent.
32. It would be helpful to draw lines around the bold face text found in the bottom left hand section of page 10. This will further separate this information from the surrounding article.
33. For chemical-specific ARARs and federal/state location-specific ARARs, explain why none are applicable.

Page 11

34. Eliminate "(TBC)" since the acronym is not used in the text.

Page 12

35. Please correct the title of DTSC's public participation contact. It should read, "Public Participation Specialist".