



UNITED STATES MARINE CORPS

HEADQUARTERS MARINE CORPS AIR STATION EL TORO
PO BOX 95001
SANTA ANA CA 92709-5001

M60050.002725
MCAS EL TORO
SSIC #5090.3

IN REPLY REFER TO:

Cert. No. Z 288 008 967
6284
1AU
June 29, 1999

CERTIFIED MAIL RETURN RECEIPT REQUESTED

U.S. Environmental Protection Agency
Region IX
Attn: Mr. Glenn R. Kistner
Remedial Project Manager
Hazardous Waste Management Division, (SFD 8-2)
75 Hawthorne Street
San Francisco, CA 94105-3901

RE: Federal Facility Agreement Schedule, Marine Corps Air Station (MCAS) El Toro

Dear Mr. Kistner:

This letter is to request changes to the MCAS El Toro Federal Facility Agreement (FFA) Appendix A Schedule for primary documents. Operable Unit (OU) -1 (Site 18) and OU-2A (Site 24) require revised milestone deliverable dates for the draft Proposed Plan and draft Record of Decision (ROD). Enclosure (1) presents our FFA schedule with the revised primary milestones incorporated. This extension request is made pursuant to Section 9.2 (g) of the FFA.

As stated in our April 29 and May 28, 1999 extension request letters and discussed at our May 26, 1999 Restoration Advisory Board (RAB) meeting, and June 23, 1999 groundwater remediation meeting, with the Orange County and Irvine Ranch Water Districts (OCWD/IRWD) and the Department of Justice (DOJ), the water districts are considering significant changes in the design and purposes of the Irvine Desalter Project (IDP). At the June 23, 1999 meeting, the water districts presented the concept of their new proposed alternative that they want to model, along with a simple schedule of required actions that allow us to develop a new draft Proposed Plan for the groundwater remedy.

After the June 23, 1999 meeting in San Diego, the BRAC Cleanup Team (BCT) met to discuss the schedule ramifications of the water district's proposed new alternative and the initial schedule presented. The BCT was in general consensus that all the actions necessary to develop and submit a new revised draft Proposed Plan for groundwater remediation would take approximately seven months to complete. The following are the basic actions and time frames that were utilized as planning assumptions in developing this time estimate:

Resolution of contractual organizational conflict of interest (6/25/99 - 7/9/99)
ARARs request letter to CalEPA from Department of the Navy (DON) (7/9/99)

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ARARs identification/analysis response back to DON from CalEPA (8/9/99)
Complete groundwater modeling/report by IRWD/OCWD (7/9/99 – 8/27/99)
Complete new alternative cost estimate by DON (8/27/99 – 10/1/99)
DON (with Agencies) prepares feasibility study (FS) addendum to include evaluation of proposed new alternative using the USEPA nine criteria and a comparative analysis with existing alternatives (8/27/99 – 10/15/99)
Confer with DON/IRWD/OCWD/Agencies on FS addendum (10/15 – 11/5/99)
Resume discussions with OCWD/IRWD on Settlement issues (11/5/99 – 12/3/99)
DON completes/submits draft groundwater Proposed Plan (12/3/99 – 1/28/00)

The proposed plan has been accelerated in two previous drafts and submitted to the agencies for review. Currently, we have as much of the proposed plan written until actions (listed above) are complete. The new information will be incorporated into the third draft and submitted to the agencies when all comments are resolved.

While we realize the extension request is significant, it is considered fair and reasonable under the complex circumstances. It is impossible to complete the next draft Proposed Plan without completing the actions outlined in this request. Again, the BCT has been briefed on these points and understand the actions necessary by DON, OCWD, IRWD, to complete the draft Proposed Plan.

The draft ROD schedule is significantly impacted by the delays in re-submitting the draft Proposed Plan. IRWD initiated a community focus group discussion that has created a level of sensitivity not previously appreciated by the water districts, DON, or regulatory agencies. While we would like to accelerate the CERCLA process, we would recommend issuing the draft ROD one month after the close of the formal public comment period which we would anticipate being of 60-day duration. The schedule sequence places the draft ROD submittal approximately nine months after the draft Proposed Plan is issued for agency review. This would avoid the opportunity for perceived public perception of pre-selection of the CERCLA remedy.

We request seven and fourteen-month extensions to submit the draft Proposed Plan and draft ROD, respectively. No other OU-1/2A submittals are currently impacted by this request. The proposed date for submitting a new draft Proposed Plan would change from July 1, 1999 (draft final) to January 28, 2000 (revised draft). The draft ROD submittal date would change from September 2, 1999 to October 27, 2000.

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We anticipate the settlement negotiation process between the United States and IRWD/OCWD would resume before the draft Proposed Plan is submitted to the agencies for review. The negotiations would then continue with a goal of reaching resolution before the public comment period on the Proposed Plan begins. The Department of Justice has recently reiterated, if the negotiations are successful, they will require OCWD and IRWD sign the Settlement Agreement first and then send it to the Department of Justice for signature prior to publication of the Proposed Plan for public comment. The Department of Justice does not support publication of the Proposed Plan prior to signature of the Settlement Agreement by the Department of Justice. Of course, if the negotiations are unsuccessful, or if there are delays in signature of the Settlement Agreement (conditions which are beyond the exclusive control of DON), this would necessitate additional FFA schedule extensions

Thank you in advance for your support for this schedule extension request. We will continue to keep you posted on our progress to resolve this complex situation with IRWD and OCWD. Please call me at (619) 532-4157, if you have any questions or need additional information.

Sincerely,



JOSEPH JOYCE
Base Realignment and Closure
Environmental Coordinator
By direction of the Commanding Officer

Encl: (1) Appendix A FFA Schedule of Submittals

Copy to:
John Scandura, DTSC
Patricia Hannon, Santa Ana RWQCB

APPENDIX A MCAS El Toro Schedule

<u>Operable Unit (OU)-1: Site 18</u>	<u>Current Completion Dates</u>	<u>New Completion Dates</u>	<u>Change in Dates</u>
Phase I Tech Memo	7 May 93	No Change	
Draft Phase II Work Plan	9 Nov 93	No Change	
Draft Remedial Investigation	30 Dec 94	No Change	
Draft Interim Action Feasibility Study	15 Oct 95	No Change	
Draft Final Interim Action Feasibility Study	9 Aug 96	No Change	
*Agency Approval of Draft Final	11 Oct 96	No Change	
*Response to Regulatory Draft Final Comments	15 Jan 98	No Change	
Draft Proposed Plan	18 Dec 95	No Change	
*re-Draft Proposed Plan	24 Nov 98	No Change	
3 rd Draft Proposed Plan	N/A	28 Jan 00	+ 7 months
Draft Final Proposed Plan	1 Jul 99	per FFA	
Draft Interim Record of Decision	2 Sep 99	27 Oct 00	+14 months
 <u>OU-2A: Site 24 (Vadose Zone)</u>			
Phase I Tech Memo	7 May 93	No Change	
Draft Phase II Work Plan	20 Mar 95	No Change	
Start Phase II Field Work	20 Jul 95	No Change	
Draft Remedial Investigation	20 Feb 96	No Change	
Draft Feasibility Study	9 Aug 96	No Change	
Draft Proposed Plan	11 Mar 97	No Change	
Draft Record of Decision	1 Jul 97	No Change	
Draft Final Record of Decision	24 Sep 97	No Change	
Draft Remedial Design/Remedial Action Work Plan	6 Jan 98	No Change	
Draft Final Remedial Design	11 Aug 98	No Change	
Draft Construction Quality Assurance Plan	11 Aug 98	No Change	
Draft Construction Quality Control Plan	11 Aug 98	No Change	
Draft Contingency Plan	11 Aug 98	No Change	
Draft Project Closeout Report	22 Apr 02	No Change	
 <u>OU-2A: Site 24 (Groundwater)</u>			
Phase I Tech Memo	7 May 93	No Change	
Draft Phase II Work Plan	20 Mar 95	No Change	
Start Phase II Field Work	20 Jul 95	No Change	
Draft Remedial Investigation	20 Feb 96	No Change	
Draft Feasibility Study	9 Aug 96	No Change	
Draft Final Feasibility Study	5 Dec 97	No Change	
*Agency Approval of Draft Final	23 Mar 98	No Change	
Draft Proposed Plan	24 Nov 98	No Change	
2 nd Draft Proposed Plan	N/A	28 Jan 00	+ 7 months
Draft Final Proposed Plan	1 Jul 99	per FFA	
Draft Interim Record of Decision	2 Sep 99	27 Oct 00	+14 months
 <u>OU-2B: Sites 2 & 17</u>			
Phase I Tech Memo	7 May 93	No Change	
Draft Phase II Work Plan	20 Mar 95	No Change	
Start Phase II Field Work	20 Jul 95	No Change	
Draft Remedial Investigation	20 Mar 96	No Change	
Draft Final Remedial Investigation	6 Sep 96	No Change	
Draft Feasibility Study	6 Sep 96	No Change	
Draft Final Feasibility Study	18 Mar 97	No Change	
Draft Proposed Plan	18 Sep 97	No Change	

APPENDIX A

MCAS El Toro Schedule

<u>OU-2B: Sites 2 & 17 (continued)</u>	<u>Current Completion Dates</u>	<u>New Completion Dates</u>	<u>Change in Dates</u>
Draft Final Proposed Plan	28 Jan 98	No Change	
Draft Record of Decision	4 Nov 98	No Change	
Draft Final Record of Decision	17 Jun 99	No Change	
 <u>OU-2C: Sites 3 & 5</u>			
Phase I Tech Memo	7 May 93	No Change	
Draft Phase II Work Plan	20 Mar 95	No Change	
Start Phase II Field Work	20 Jul 95	No Change	
Draft Remedial Investigation	20 Apr 96	No Change	
Draft Final Remedial Investigation	8 Oct 96	No Change	
Draft Feasibility Study	8 Oct 96	No Change	
Draft Final Feasibility Study	13 Feb 97	No Change	
Draft Proposed Plan	18 Sep 97	No Change	
Draft Final Proposed Plan	28 Jan 98	No Change	
Draft Record of Decision	15 Mar 99	No Change	
 <u>OU-3: Sites 4, 6, 9, 10, 13, 15, 19, 20, 21 & 22 and OU-2A: Site 25</u>			
Draft Remedial Investigation	20 Nov 96	No Change	
Draft Feasibility Study	20 Mar 97	N/A	
Draft Proposed Plan	15 Apr 97	No Change	
Draft Record of Decision	21 Aug 97	No Change	
 <u>OU-3: Sites 8, 11, & 12</u>			
Draft Remedial Investigation (included Site 16)	20 Nov 96	No Change	
Draft Feasibility Study (FS)	10 Jul 97	No Change	
Draft Final Feasibility Study	13 Jan 98	No Change	
*Agency Approval of Draft Final	22 Jun 98	No Change	
Draft Proposed Plan	28 Jul 98	No Change	
Draft Final Proposed Plan	17 Mar 99	No Change	
Draft Record of Decision	7 Jun 99	No Change	
 <u>OU-3: Sites 7, 14, & 16</u>			
Draft Remedial Investigation (sites 7 & 14 only)	29 Jul 99	No Change	
Draft Feasibility Study	19 Oct 99	No Change	
Draft Proposed Plan	24 May 00	No Change	
Draft Record of Decision	29 Dec 00	No Change	
 <u>OU-3: Site 1</u>			
Draft Remedial Investigation	4 Jan 00	No Change	
Draft Feasibility Study	11 Sep 00	No Change	
Draft Proposed Plan	18 Apr 01	No Change	
Draft Record of Decision	14 Dec 01	No Change	

This schedule reflects current/proposed FFA milestones that are subject to change.

* Not an enforceable FFA deliverable.