



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

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MCAS EL TORO
SSIC #5090.3

December 21, 2000

Base Realignment and Closure
Attn: Mr. Dean Gould
BRAC Environmental Coordinator
MCAS El Toro
P.O. Box 51718
Irvine, CA 92619-1718

RE: FEDERAL FACILITY AGREEMENT (FFA) EXTENSION REQUEST FOR
GROUNDWATER SITES 18 & 24, MARINE CORPS AIR STATION EL TORO, CA

Dear Mr. Gould:

The United States Environmental Protection Agency (USEPA) has received your letter dated December 15, 2000 requesting a six (6) month extension to submit the draft Record of Decision (ROD) for Sites 18 & 24 groundwater. Your letter also contains a schedule for submitting the Draft Final Proposed Plan for those sites to the El Toro Base Closure Team (BCT) by April 6, 2001, and beginning the formal public comment period on May 11, 2001.

Your letter states that "there has been significant progress on both the CERCLA and settlement sides" since the last extension and that "the number of issues remaining to be resolved for the settlement agreement continues to shorten with very few remaining." While we are pleased that progress has been made, we are also aware that within the last year or so, the BCT was informed on several occasions that the parties were "close" to an agreement and that there were only a few remaining issues. Also during this time period, the configuration of the desalter system extraction wells were changed several times, causing further delays in reaching a settlement agreement.

Because of the history of these negotiations, USEPA is wary about the potential for new issues to arise, old issues to resurface and additional desalter reconfigurations to come about during the six (6) month extension period that you are requesting. Therefore, we are willing to grant an extension until May 1, 2001, to submit the draft ROD for Sites 18 & 24. In addition, we are requesting that the Proposed Plan be issued for formal public comment by March 30, 2001, which should allow sufficient time for the United States Department of Justice to obtain their necessary concurrences on the settlement agreement. We would also be willing to discuss with the Navy some additional time beyond these dates, if the negotiating parties can actually point to a signature date. In addition, USEPA requests that the Navy finalize the Proposed Plan with the BCT during this time period so that the Proposed Plan is ready to be mailed out by March 30.

USEPA remains concerned that so much time has lapsed without an agreement and that there has been no groundwater remedy implemented. Because there is still the possibility that a settlement

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will not be reached or that an even greater amount of time will be needed than your most recent request, USEPA requests the Navy to begin reconsidering other remedial alternatives including the Navy "stand-alone" alternative. By reevaluating these alternatives, the Navy will save much time in being able to issue a new proposed plan if the ongoing negotiation issues are not finally resolved within the six (6) month extension period. While USEPA has waited over seven (7) years for an agreement, we are not prepared to wait indefinitely.

Please contact me or Nicole Moutoux at (415) 744-2366, if you have any questions.

Sincerely,



Glenn Kistner
Remedial Project Manager
Federal Facilities Cleanup Branch

cc: Mr. John Broderick, RWQCB
Ms. Triss Chesney, DTSC
Mr. Greg Hurley, RAB Co-Chair
Ms. Polin Modanlou, El Toro
Ms. Nicole Moutoux, USEPA
Mr. Dave Thompson, USDOJ