



**Opportunity  
Ahead**

MCAS EL TORO LOCAL REDEVELOPMENT AUTHORITY • *Janice M. Mittermeier, Executive Director*  
MCAS EL TORO MASTER DEVELOPMENT PROGRAM • *Michael L. Lapin, Manager*

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MCAS EL TORO  
SSIC NO. 5090.3

September 28, 1999

Dean Gould  
BRAC Environmental Coordinator  
U.S. Marine Corps Air Station – El Toro  
Naval Facilities Engineering Command  
Southwest Division – Code 05BM.DG  
1220 Pacific Highway  
San Diego, CA 92132-5187

Dear Dean:

This letter is in response to the Draft Final Record of Decision (“ROD”) that was issued on September 16, 1999 by the Department of Navy/United States Marine Corps (“DON/USMC”) for Site 11 located at the former Marine Corps Air Station El Toro (“MCAS El Toro”).

As we discussed on the telephone, the Orange County Local Redevelopment Authority (“LRA”) only received a copy of the Draft Final ROD on September 18, 1999. Thus, the LRA has not had an opportunity to review this document to determine if the concerns and issues previously raised by the LRA regarding the proposed remedy for Site 11 have been addressed. Despite this, you indicated to me that DON/USMC and the other signatories to the Federal Facilities Agreement already have agreed to issue a final ROD on September 30, 1999. Therefore, you must receive any comments from the LRA on the Draft Final ROD by early afternoon today.

In light of this deadline, the LRA has little choice but to reiterate and incorporate the concerns that were raised in the LRA’s letter to Glen Kistner, Remedial Project Manager, US EPA Region IX, dated September 9, 1999, a copy of which is attached. First, paving materials exist at Site 11 that could be contaminated with hazardous substances. If so, it is the responsibility of DON/USMC to ensure that any such contamination is properly remediated. Second, it is not clear whether DON/USMC’s analysis of the cancer and non-cancer risk levels posed by hazardous constituents present at Site 11, and the remedy selected based on those risk levels, has accounted for the risks posed by the combined exposure to



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exposure to such constituents. Again, it is the responsibility of DON/USMC to ensure that any such cumulative risks are taken into account in selecting a remedy for Site 11.

In our letter of September 9, 1999, the I.R.A noted that these concerns could be addressed through simple modifications to the final ROD. Specifically, the I.R.A noted that this would require: (1) clarification from DON/USMC that its analysis of the risk levels posed by hazardous constituents present at Site 11 took into account the potential risks posed by combined exposure to these constituents; and (2) a commitment from DON/USMC that the risk levels posed by any hazardous constituents left in place at Site 11 either do not presently or will not after remediation will not exceed  $1.0 \times 10^{-6}$  for carcinogens or 1.0 for non-carcinogens.

Unfortunately, a very brief review of the Draft Final ROD indicates that the modifications suggested by the I.R.A have not been made. In fact, the I.R.A's concern that the cumulative risks posed by hazardous constituents left in place at Site 11 may exceed applicable thresholds seems to be confirmed by the text of the Draft Final ROD. Discussing remediation of Units 1 and 2, the Draft Final ROD states, "Because cancer risks due to multiple COCs [chemicals of concern] may be cumulative, total risk after remediation could be slightly greater than  $1.0 \times 10^{-6}$ ." Draft Final ROD, p. 7-3.

The I.R.A believes that the concerns discussed above (and those raised in its previous correspondence) are significant and should be addressed before the ROD for Site 11 is finalized.

If you have any questions, please feel free to call me at (714) 834-3156.

Sincerely,



Polin Modanlou  
El Toro Master Development Program

cc: Glen Kistner, US EPA  
Alice Gimeno, DTSC



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MCAS EL TORO LOCAL REDEVELOPMENT AUTHORITY • Janice M. Mittermeier, Executive Director  
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September 9, 1999

Glenn Kistner  
Remedial Project Manager  
Region IX  
75 Hawthorne Street  
San Francisco, CA 94015

Dear Glenn:

This is a follow up to our telephone conversation on September 7, 1999 regarding the draft Record of Decision (ROD) for Sites 8, 11 and 12 located at the former Marine Corps Air Station El Toro (MCAS El Toro). You've mentioned that in a conference call between the regulatory agencies and the Navy last week, the Navy agreed to finalize the ROD for Site 11 only, given that the issues and concerns raised by the LRA in comments submitted to the Navy on August 12, 1999 principally pertained to the sites 8 and 12.

While the primary focus of our comments submitted on August 12, 1999 was on the adequacy of the remedy proposed by the Navy for Sites 8 and 12, we raised two important issues with respect to the remedial actions proposed at Site 11. First, we noted that paving materials existing at all three sites, including Site 11, could be contaminated with hazardous substances and, if so, would need to be addressed. Second, we noted that it was unclear from the draft ROD whether the cancer and non-cancer risk levels posed by hazardous constituents present at Site 11, and the remedy selected based on those risk levels, had accounted for the risks posed by the *combined* exposure to such constituents.

We believe these are significant concerns that must be addressed in the Final ROD for Site 11. This simply would require (1) clarification from the Navy that its analysis of the risk levels posed by hazardous constituents present at Site 11 took into account the potential risks posed by combined exposure to these constituents and (2) a commitment from the Navy that the risk levels posed by any hazardous constituents left in place at Site 11 either do not presently or will not after remediation exceed  $1.0 \times 10^{-6}$  for carcinogens or 1.0 for non-carcinogens.

With these clarifications and additions, we would support finalizing the ROD for Site 11.

Thank you for updating me on the above issue. I look forward to working with you on this and other issues concerning the cleanup efforts at the former MCAS El Toro. Should you have any questions, please feel free to call me at (714) 834-3156.

Sincerely,

Polin Modanlou  
MCAS El Toro Master Development Program

cc: Dean Gould, BRAC  
Alice Gimeno, DTSC

