



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

November 18, 2002

Ms. Laura Duchnak
BRAC Operations, Code 06A
Southwest NAVFACENG Com
1230 Columbia Street, Suite 92101
San Diego, CA 92101

RE: Reevaluation of Risk at IRP Sites 8, 11 and 12, Marine Corps Air Station, El Toro

Dear Ms. Duchnak:

For the past several months the Base Closure Team (BCT) for MCAS El Toro has been discussing the Navy's reevaluation of risk at Installation Restoration Program (IRP) Sites 8, 11, and 12. The purpose of this letter is to present EPA's position on IRP Sites 8, 11 and 12.

In summary, a Proposed Plan was issued and public meeting held in 1999 where the Navy recommended further action for several units at Sites 8, 11 and 12. Due to radiological concerns, the ROD for sites 8 and 12 was never finalized, however the ROD for Site 11 proceeded to draft final in June, 1999. Since 1999, several exposure factors and toxicity indices to derive the risk estimates for the sites have been updated. In addition, the Navy conducted additional sampling subsequent to the Remedial Investigation that was not included in the risk assessment. As a result, in December, 2000, the Navy proposed to conduct a reevaluation of risk at the sites using the new toxicity values and additional data.

In August, 2001, the Navy submitted, to the BCT for review, the Draft Technical Memorandum, Reevaluation of Risk, IRP Sites 8, 11, and 12. In the memorandum, based on the reevaluation of risk that, in some cases, included additional data, the Navy recommended No Further Action (NFA) for all units at Sites 8, 11 and 12. The BCT has been in discussions about the memorandum since March, 2002 when all regulatory agency comments were submitted.

The BCT has agreed to No Further Action for Site 8, unit 5 and has also agreed that this type of change will necessitate supplementing the RI/FS, the re-issuance of a Proposed Plan and a new public meeting. The BCT also agreed that the cleanup number stated in the ROD for Site 11 will be changed due to the inability to achieve this number. This will require an Explanation of Significant Differences. The remaining two areas under discussion are Site 8, unit 3 and Site 12, unit 3.

With regard to Site 8, unit 3, the Navy's position (as stated in the technical memorandum) is that NFA is appropriate for this unit due the change in toxicity values and subsequent change

in risk (reduced from 4.1×10^{-5} to 1.1×10^{-5}), the fact that some of the risk is due to background arsenic concentrations, and that the planned reuse of Site 8 is industrial. EPA has maintained in meetings, e-mails and written comments the position that the risk did not change significantly (i.e., it is still in the risk management decision range) and no additional samples have been collected and analyzed (as at Site 8, unit 5). The fact that the number is in the risk management range means that EPA considers many site specific factors that may not only be technical in nature. In this case, we are reluctant to support NFA for this unit for the following reasons:

- Site 8, unit 3 was known to be contaminated with polychlorinated biphenyls (PCBs) that are one of the “red flag” contaminants for many communities;
- Given the status of the reuse plan, the Navy does not know with any certainty the future reuse of this site;
- Because no additional sampling results or analytical data was collected and the risk has not changed significantly, providing a convincing explanation to the public will be difficult and we believe will undermine the trust the Navy has developed with the community;
- PCBs are persistent in the environment.

The Navy’s position on Site 12, unit 3 is that NFA is appropriate due to the lowered risk using updated toxicity values and because the proposed reuse is industrial. For some of the same reasons mentioned above (unknown reuse, no additional sampling results or analytical data), EPA is again not supportive of changing the remedy to NFA. The following additional points contribute further to EPA’s non-concurrence with NFA for these sites:

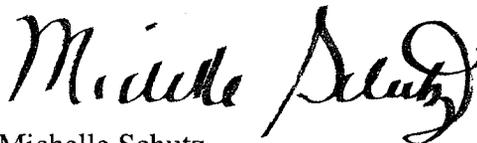
- The samples were located more than 250 feet apart;
- The Hazard Index remains well above 1;
- Although 2-(2-methyl-4-chlorophenoxy)-propionic acid (MCP) was detected above the respective Preliminary Remediation Goal (PRG) in only 1 sample, it was prevalent at all units in Site 12.

Discussions regarding these sites have been ongoing for several months and some of these discussions have centered around past decisions and making sure that decisions we make today are consistent with those made earlier. While EPA believes that consistency is important, we are uncomfortable changing decisions that were made earlier when there is no new physical sampling results to support such a change, particularly when the decision is supported by the public. As you are aware, much valuable information is shared at our BCT meetings and although it may be unclear why certain decisions were made several years ago, absent additional sampling data, EPA believes that revisiting those decisions can cause confusion if the reasons are not clearly justifiable.

We appreciate the open exchange offered to all members of the BCT as each representative provides their unique perspective to cleanup decisions. As mentioned above, these perspectives take into account factors that are not always purely technical. We look forward to soon resolving the issues surrounding these sites and moving forward with cleanup decisions.

If you have any questions, please call me at (415) 972-3021 or Nicole Moutoux at (415) 972-3012.

Sincerely,

A handwritten signature in black ink that reads "Michelle Schutz". The signature is written in a cursive style with a large, stylized initial "M".

Michelle Schutz
Chief, Air Force and Navy section
Federal Facilities Cleanup Branch

cc: Triss Chesney, DTSC
John Broderick, RWQCB
Content Arnold, SWDIV
Andy Piszkin, BEC
Polin Modanlou, County of Orange
Dean Gould, Base Closure Manager