

~~Airman Point~~
El Toro

M60050_003687
MCAS EL TORO
SSIC NO. 5090.3.B

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

7 July 2006

Mr. Darren Newton
BRAC Environmental Coordinator
Base Realignment and Closure
7040 Trabuco Road
Irvine, California 92618

Subject: Draft Finding of Suitability to Transfer (FOST) #3
Former Marine Corps Air Station, El Toro, California

Mr. Newton:

EPA has completed its review of the subject draft document dated May 2006. We offer the attached comments on the document for clarification in the draft final FOST.

If you should have any questions/concerns, please contact me at 415-972-3349.

Sincerely,



Rich Muza, RPM
Superfund Division

cc. Content Arnold, NFECSW SDIEGO
Art Tamayo, NFECSW SDIEGO
Soad Hakim, DTSC
John Broderick, RWQCB
Bob Woodings, RAB Co-Chair
Marcia Rudolph, RAB Sub-Committee
Thelma Estrada, ORC
John Hamill, SFD-8

received
7/17/06

COMMENTS ON THE DRAFT FOST #3

1. Section 2, Pages 2-1 & 2-2 & Figure 3 – The discussion of acreage to be included within this FOST as provided in this section is confusing. It was discussed at the 30 May 2006 BRAC Cleanup Team Meeting that the DON had become aware of the fact that areas included in the defined transfer parcels were actually within the alignment of Irvine Boulevard. This finding is mentioned in this section; however, a definitive statement as to the actual acreage included in the FOST does not seem to be provided. The figure also does not define the area that is included in the transfer parcels verse that within the alignment of Irvine Boulevard. It is recommended that this issue be clarified in the draft final FOST.

2. Section 4.1, Page 4-2 – “The ECP Area Type is 1 for transfer parcels I-C and II-U...” Under what section of CERCLA would the resulting transfer of these parcels fall – ie., Section 120(h)(3) or Section 120(h)(4)? The pipeline was to be removed in spring of 2006; did this occur? If so, were any signs of leaks or any soils contamination identified in the process? It is recommended that this information be provided to support the transfer designation. If this is a CERCLA Section 120(h)(4) transfer, the transfer will require a covenant warranting that response action or corrective action found after the date of the transfer will be conducted by the United States and a clause granting the United States access to the property. It is recommended that this issue be addressed in the draft final FOST.

3. Section 5, Page 5-1 – “It is anticipated that the transferee will complete the pipeline removal in the spring of 2006.” It is recommended that the status of pipeline removal be updated in the draft final FOST as per comment 2 above.

4. Section 7, Page 7-1 – See Comment 2 above..