



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

June 17, 2004

Mr. F. Andrew Piszkin
BRAC Environmental Coordinator
Base Realignment and Closure
Marine Corps Air Station, El Toro
7040 Trabuco Road
Irvine, CA 92618

RE: EPA Comments on Draft Final Revision No.2 Finding of Suitability to Transfer (FOST), and Draft Final Revision No. 2 Finding of Suitability to Lease (FOSL) Former Marine Corps Air Station, El Toro, CA both dated May 2004

Dear Mr. Piszkin:

The U.S. Environmental Protection Agency has completed its review of the *Draft Final Revision 2, Finding of Suitability to Transfer(FOST) (Parcel IV and Portions of Parcels I, II, and III)* and the *Draft Final Revision 2, Finding of Suitability to Lease(FOSL) for Carve-Outs Within Parcels I, II, and III, Former Marine Corps Air Station, El Toro, CA*, both dated May, 2004. The FOST is the document used to establish that certain properties on the base are suitable for transfer by deed while the FOSL addresses those areas which require further environmental investigation or response and are available for lease and not transfer.

The focus of EPA's review of the most recent iteration of these documents was on readability and any remaining bigger picture issues. The task of providing all needed information in a format that is as user-friendly as possible has been arduous. We commend the Navy on the resulting documents as they have become much improved with each iteration. Our two remaining concerns center around the appropriate place to provide notification for perchlorate detections in groundwater and the recently-established buffer zones for 3 landfills at the base. The enclosed comments elaborate on these two issues.

We look forward to completing the FOST/FOSL process in support of moving toward redevelopment of the former MCAS El Toro. If you have questions, please call me at (415) 972-3012.

Sincerely,

A handwritten signature in cursive script that reads "Nicole Moutoux".

Nicole Moutoux
Project Manager
Federal Facilities Cleanup Branch



cc: Kyle Olewnik, SWDIV
John Broderick, RWQCB
Tayseer Mahmoud, DTSC
Content Arnold, SWDIV
Thelma Estrada, EPA
Michelle Schutz, EPA
Bob Woodings, RAB Community Co-Chair
Marcia Rudolph, RAB Subcommittee Co-chair
Daniel Jung, City of Irvine
Dean Gould, Base Closure Manager, MCAS El Toro and Tustin

EPA Comments on May 2004 Draft Final FOST and FOSL

Finding of Suitability to Lease:

After numerous discussions, the regulatory agencies and the Navy came to agreement on appropriate buffer zones for IRP Sites 3 and 5 and Anomaly Area 3. These buffer zones are accurately represented in the FOSL, however, the Navy agreed to send the FFA signatories a letter memorializing the decision and associated rationale for the buffer zones. The intent of the letter was to clearly document the reasons for the buffer zones and commit the Navy to including the buffer zones and landfill gas collection systems in the Record of Decisions when they are issued for these sites. It is important that this letter be sent and concurred upon by the FFA signatories prior to finalizing the FOSL.

Finding of Suitability to Lease and Finding of Suitability to Transfer:

Since the state of California's public health goal has recently been set at 6 parts per billion for perchlorate, EPA recommends including notification in the FOST and FOSL for those parcels where perchlorate has been detected above this level. While providing this information in a fact sheet and on the public sale website is a good way to convey the information, in the interest of providing full environmental disclosure in one place, it seems that such notification is best placed in the FOST and FOSL.