

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Region 4

245 West Broadway, Suite 425

Long Beach, CA 90802-4444

590-4868

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MCAS EL TORO
SSIC NO. 5090.3.A

December 20, 1995

Mr. Joseph Joyce
BRAC Environmental Coordinator
U.S. Marine Corps Air Station - El Toro
P. O. Box 95001
Santa Ana, California 92709-5001

Dear Mr. Joyce:

**REVIEW COMMENTS ON THE PRELIMINARY DRAFT OF THE BASE REALIGNMENT
AND CLOSURE (BRAC) CLEANUP PLAN FOR MARINE CORPS AIR STATION (MCAS) EL
TORO**

The Department of Toxic Substances Control (DTSC) has completed its review of the above mentioned report, dated 17 November 1995. The enclosed comments pertain to the Draft version of the BCP. Any additional comments will be provided verbally to Mr. Joseph Joyce and Dimitri Hollenbeck of BNI before December 31, 1995. These comments are in addition to the verbal comments provided on October 27, 1995 and December 19, 1995 during BCP meetings.

We look forward to working with you on these and other issues. Feel free to contact me at (310) 590-4919.

Sincerely,

for Juan M. Jimenez
Remedial Project Manager
Region 4 - Base Closure Unit
Office of Military Facilities

Enclosures

cc: See Next Page



Mr. Joseph Joyce
December 20, 1995
Page 2

cc: Ms. Bonnie Arthur
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San Francisco, California 94105-3901

Mr. Lawrence Vitale
Remedial Project Manager
California Regional Water Quality Control Board
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Mr. Vish Parpiani
Environmental and Safety
Marine Corps Air Station-El Toro
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DEPARTMENT OF TOXIC SUBSTANCES CONTROL

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MEMORANDUM

TO: Mr. Juan M. Jimenez
Remedial Project Manager
Department of Toxic Substances Control
Office of Military Facilities
245 West Broadway, Suite 350
Long Beach, CA 90802-4444

FROM: Ron Okuda 
Environmental Assessment and Reuse Specialist
Department of Toxic Substances Control
Office of Military Facilities
Base Closure and Conversion
245 West Broadway, Suite 350
Long Beach, CA 90802-4444

DATE: December 8, 1995

SUBJECT: Review of MCAS El Toro Preliminary Draft BRAC Cleanup Plan

I have reviewed the relevant sections of the BCP and provide the following comments in response to Attachment A that was included with the draft BCP:

1. Chapter 2, Section 2.2

QUESTION FROM BECHTEL:

- a. Second to last paragraph: Department of *Defense (DoD) policy on Community Environmental Response Facilitation Act (CERFA) implementation defines "uncontaminated" land as "any real property on which no hazardous substances and no petroleum products or their derivatives, including aviation fuel and motor oil, were stored for **1 year or more** [emphasis added], or known to have been released or disposed of." In the third paragraph on page 2-3 (Section 2.1), Area Type 1 land is considered "uncontaminated" and therefore, CERFA eligible. However, Area Type 1 land is defined as "property where no storage, release, or disposal of hazardous substances or petroleum products has occurred (including no migration of these substances from adjacent areas).

- b. Is "uncontaminated" land, and therefore CERFA eligible parcels, limited to the time constraint of "no petroleum products ... stored for 1 year or more ... [emphasis added]", or is it limited to "property where no storage, release, or disposal ... has occurred ... [emphasis added]"?

RESPONSE:

In October 1992, Congress enacted the Community Environmental Response Facilitation Act (CERFA) which, among other things, added a new subsection (4) to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Section 120 (h). CERCLA Section 120 (h) (4) defines "uncontaminated" property as "real property on which no hazardous substances and no petroleum products or their derivatives were stored for one year or more, known to have been released, or disposed of."

The Department of Defense (DoD) has developed the BRAC Cleanup Plan Guidebook for the BRAC Cleanup Team (BCT) to expedite the remedial activities and facilitate the disposal and reuse of a BRAC installation, while protecting human health and the environment. The BCP Guidebook designated seven environmental condition of property types. DoD Environmental condition of property (ECP) type 1 is defined as "areas where no storage, release, or disposal of hazardous substances or petroleum products has occurred (including migration of these substances from adjacent areas)." DoD ECP type 2 is defined as "areas where only storage of hazardous substances or petroleum products has occurred (but no release, disposal, or migration from adjacent areas has occurred)." The type 2 category does not differentiate between storage for more or less than one year.

Property that is characterized by the BCT as DoD ECP type 2 may be eligible for CERFA nomination. The BCT would need to decide that sufficient evidence exists to demonstrate that hazardous substances or petroleum products or their derivatives were stored on the property for less than one year (but no release or disposal had occurred).

DoD guidance for preparing a Finding of Suitability to Transfer (FOST) for a parcel specifies that the ECP types associated with the parcel must be identified. If the FOST is prepared for a portion of the base which is CERFA eligible and is designated DoD ECP type 2 (in which the storage was less than a year), the FOST should contain an explanation of the terms "CERFA uncontaminated" and "DoD ECP type 2" to minimize confusion.

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M E M O R A N D U M

FROM: Roy Yeaman *Roy Yeaman*

TO: Juan Manuel Jimenez

DATE: December 18, 1995

SUBJECT: Base Closure Plan (BCP) Comments on Chapters 4 and 5

CHAPTER 4

1. page 4-1, first bullet: The date for the ROD probably needs to be changed according to Appendix A of the revised FFA. Please also compare to the schedule in Figure 5-1 where the adjective 'draft' ROD is used. Avoid confusion when using the adjective 'draft'. Do not use the term 'draft', or use the word 'final' for those items that are deliverables. Maybe it is best to use the adjective final always for deliverables.
2. page 4-1, paragraph 5: add the word 'be' to "Early action... the site will BE brought..."
3. page 4-2, Section 4.1: Using the terms 'zone' and 'LOC' does not add to the clarity of the document. Why have the terminology?
4. page 4-4, Section 4.1.3: Is the OU-1 ROD still scheduled for December 1995 as specified in the FFA schedule? also the handout entitled "El Toro Work Load - Short Term Review says November 1995.
Is this a deliverable or a draft?
5. Table 4-1b: Cannot the headings 'Parcel' and 'OU' have entries?
6. Table 4-2: Cannot some of the 'TBA's' be replaced with dates from the FFA schedule?

7. page 4-6, Section 4.2.1.1, 1st paragraph: The BCP has 'abandon tanks' and 'inactive tanks' as separate for counting reasons. However, the BCP may group them together for counting or separate them at another counting description such as on page 4-7, first line. The BCP would be easier to read if you keep the two groups together as one.

8. page 4-14 Section 4.2.12: change Calif. Congress to Calif Legislature

9. General Comment: Any detailed schedule should be consistent with the dates in the FFA schedule until a written change is made to the FFA. If the schedule have actual days of the month, then listing of dates is preferable over time lines. Be careful about the adjective 'draft' or lack thereof.

CHAPTER 5

NONE

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

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MEMORANDUM

TO: Juan Jimenez
Remedial Project Manager
Office of Military Facilities
Base Closure Unit
245 West Broadway, Suite 350
Long Beach, CA 90802

FAXED TO: JOSEPH JOYCE
11/1/95 PIMITRI HALLETSACH
DEANNA DUNN

FROM: Ron Okuda 
Environmental Assessment and Reuse Specialist
Office of Military Facilities
Base Closure and Conversion
245 West Broadway, Suite 350
Long Beach, CA 90802-4444

DATE: November 1, 1995

SUBJECT: El Toro BCP Review

I have reviewed the portions of Chapter 6 of the 1995 El Toro BCP as requested and provide the following recommended changes for Sections 6.16, 6.16.1, 6.16.2, 6.16.3, 6.19, and 6.24:

Chapter 6 Technical and Other Issues to be Resolved

6.16 IDENTIFICATION OF CLEAN PROPERTIES

In October 1992, Congress enacted the Community Environmental Response Facilitation Act (CERFA) which among other things, added a new subsection (4) to CERCLA 120 (h). CERCLA 120 (h) (4) directs federal agencies with jurisdiction over real property on which federal government operations are to be terminated to identify parcels of the real property:

"on which no hazardous substances and no petroleum products or their derivatives were stored for one year or more, known to have been released, or disposed of."

CERFA refers to such real property as "uncontaminated". The investigation must be based on an investigation of the property including minimum requirements set forth in CERCLA Section 120 (h) (4) (A). For real property that is part of a Station on the National Priorities List, the identification is not complete until the U.S. EPA concurs.

The environmental condition of the Station was evaluated in a basewide CERFA Environmental Baseline Survey (EBS), dated April 1, 1995. The draft CERFA EBS originally divided the base into 20 parcels. After discussions with the regulatory agencies, the Marines decided to drop the parcel designation and nominate the areas of the base not designated Department of Defense (DoD) Environmental Condition of Property (ECP) category types 2 through 7 as CERFA eligible. The U.S. EPA reviewed the CERFA EBS and concurred that 2,982 acres of MCAS El Toro is CERFA uncontaminated. CalEPA agreed with U.S. EPA's decision.

6.16.1 BRAC Cleanup Team Action Items

The BCT will continue to conduct site characterizations and remedial activities to identify clean property and remediate areas on the Station. The BCT will evaluate the possibilities to integrate the remedial activities with the community reuse plan, when developed, to facilitate the transfer of property.

6.16.2 Rationale

MCAS El Toro intends to complete military conversion and transfer of the Station by 1999. Only property which has been designated as DoD ECP category types 1 through 4 are eligible for transfer. The areas of the Station designated as DoD ECP category types 5, 6 and 7 require further investigation and/or remediation before they are eligible for transfer.

6.16.3 Status/Strategy

To achieve successful conversion, the BCT will develop strategies to integrate the remedial activities with the future redevelopment plans for the Station.

6.19 INTERFACING WITH THE COMMUNITY REUSE PLAN

To date, no reuse plan has been prepared for MCAS El Toro. Regular meetings and clear communication between the BCT members and the Local Redevelopment Authority will be critical to incorporate reuse plans in the restoration plans for the Station.

6.24 UPDATING THE EBS AND NATURAL/CULTURAL RESOURCES DOCUMENTATION

Parcel-specific EBSs may be necessary to summarize the information acquired since the preparation of the basewide EBS. The BCT will evaluate the necessity, on a case-by-case basis, whether a Parcel-specific EBS should be prepared.

Natural and cultural resources documentation provided in this BCP will be updated as additional information becomes available.

cc: Joseph Joyce
DeAnna Dunbar
Dimitri Hallerbach