

**TAXPAYERS FOR
RESPONSIBLE
PLANNING**



*Stop the
"Special Interest"
Airport at El Toro*

M60050_004125
MCAS EL TORO
SSIC NO. 5090.3.A

July 12, 1998

Mr. Joseph Joyce
BRAC Environmental Coordinator
AC/S Environment (IAU)
MCAS El Toro
Post Office Box 95001
Santa Ana, CA 92709-5001

RE: Comments on the Draft Final Proposed Plan for Landfill Sites 2, 3, 5, and 17
MCAS El Toro

Dear Mr. Joyce,

Taxpayers for Responsible Planning (TRP) is a non-profit, political action committee qualified under California State law with a membership of almost 20,000 resident stakeholders in the area surrounding MCAS El Toro. Though there are many contentious 'political' issues surrounding reuse of the base, restoration of the land to a "clean condition" prior to transfer is an issue on which all the stakeholders agree. Toward that end, we offer the following comments on our members' behalf.

Our member stakeholders have conducted a careful investigation of the reports, regulators comments, proposed plans for a closure of the landfill sites and find the selected presumptive remedy, though prescriptive in specific design, to be inadequate to the protection of human health and the community environment.

Our concerns arise from the fact that the presumptive remedy approach was followed in the 'investigation' of the contents of the landfill. This approach included interviews with former Station employees in an effort to determine the contents of the respective landfills. The presumptive "CAP" remedy was chosen based upon these subjective interviews and NOT on objective analysis that included boring into the landfill. Such objective testing methodology was postulated to be too dangerous because it could possibly contaminate the ground water. TRP disagrees with this conclusion.

TRP opposes the proffered non-scientific remedy for a variety of reasons including:

1. It leaves in place unknown materials and potential contaminants;
2. It requires monitoring for a prolonged time (30 years or longer);
3. It presupposes a cure without a scientific basis. Even presuming 10% of the materials are in some way toxic, we are unaware of the synergistic production of other toxics accompanying the breakdown of the accumulated mass;
4. It presupposes a "cure-cost" without a sound financial examination. Though the presumptive remedy may appear to be cost-effective now, it does not reflect the ongoing cost of monitoring, the price of the land covered by institutional controls and the potential expense should the cap be inadvertently compromised.

The presumptive remedy of capping the four landfills is NOT a permanent remedy – merely a temporary fix. The 'accumulated refuse from over fifty years of unscientific disposal practices portends future contamination and health issues. TRP is strongly advising the DoD and the DoN to depart from the recommended presumptive remedy and conduct a CLEAN/CLOSE REMOVAL ACTION OFF BASE. This standard of remedy is particularly necessary for Sites 3 and 5. With the landfill devoid of their contaminants, the Sites will be truly restored and the land becomes completely convertible to the broad range of alternative reuse options currently contemplated.

As to Sites 2 and 17, it is our opinion that more definitive evaluation of the contents of those sites needs to be made. There seems to be a lack of interest in these two sites, apparently because they are in the area expected to be transferred to the Department of the Interior. The neighboring stakeholder community is certainly not disinterested in resolution of these sites – particularly Site 2. There is considerable concern regarding down-gradient infiltration of toxics into the valuable watershed of the Back Bay of Newport Harbor from the Borrego Canyon Wash into San Diego Creek. We have not been provided an evaluation of this issue from the DoI and believe that the presumptive remedy should be delayed until such an input is available.

We note the following excerpt from the Base Reuse Implementation Manual, Chapter 2.1.3, "environmental decisions are based on how the land is to be reused. . . . this way, environmental priorities can be reconciled with community reuse priorities, and appropriate cleanup levels can be established to reflect anticipated future land uses." The DoD Policy on Responsibility for Additional Environmental Cleanup after Transfer of Real Property (25 July 1997) 1) further states "Under the NCXP, future land use assumptions are developed and considered when performing the baseline risk assessment, developing remedial action alternatives, and selecting a remedy."

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These citations clearly mandate that the resident stakeholders' redevelopment alternatives, as delineated in the reuse plan provided to the Department of the Navy, be integrated into the remedial action to prepare a parcel ready for transfer/sale. The remedial process must be guided by the reuse plans that have been accepted by the County of Orange and by the federal government. . These reuse plans include both aviation plans as well as the non-aviation Millennium plan. The remedial action plan must anticipate either development.

Without knowing the ultimate reuse plan, the decision to cap and not perform a clean process for Sites 3 and 5 is viewed as an expedient solution which prioritizes cost above the health and the environmental protection of our community.

The neighbor stakeholders were promised an efficient and cost-effective cleanup of MCAS El Toro that would address "... any anticipated reuse". We expect no less.

Sincerely,



Bill Kogerman
Executive Director

BK/da

- c. Mr. Glenn R. Kistner
- Mr. Lawrence Vitale
- Mr. Patrick Brooks
- Mr. Gregory F. Hurley