



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105-3901

March 9, 1995

Mr. Joseph Joyce  
BRAC Environmental Coordinator  
Environment and Safety (Code 1AU)  
MCAS El Toro  
P.O. Box 95001  
Santa Ana, CA 92709-5001

Dear Mr. Joyce:

Per our March 6, 1995 meeting regarding the Environmental Baseline Survey (EBS), I am forwarding the following information to address action items regarding ordnance and Parcels CP-6 and CP-15. Ramon Mendoza's action items are also included.

**ORDNANCE**

EPA's decision on whether to concur on Category 1 property containing ordnance storage areas has been dependent on the materials stored. EPA can concur if available information indicates that "incidental" storage. For example, at Alameda NAS, EPA concurred on a storage facility containing ordnance which supported security guard operations. This may be difficult in our case, as we do not have information regarding types of ordnance stored. We would like to discuss this further after you have determined if you can get more information regarding types of ordnance stored at MCAS El Toro. If no further information is available, we will not concur with Category 1 determination for ordnance storage facilities.

**PARCELS CP-6 AND CP-15**

In consultation with EPA toxicologists, we are willing to concur on Parcels CP-6 and CP-15 as Category 1 CERFA properties. The risk level for both of these concentrations is within an acceptable risk range.

If you have any questions, I can be reached at (415) 744-2389.

Sincerely,

  
Bonnie Arthur  
Remedial Project Manager

3/9/95

To: Bonnie Arthur, RPM, El Toro MCAS

From: Ramon Mendoza

RE: Action Items for the El Toro MCAS BCT

I. EPA policy regarding contouring the contaminant plumes in groundwater, as applied to CERFA determination.

Response: As stated in the meeting, EPA defines property that is by underlain by detectable amounts of groundwater contamination to be not uncontaminated. This position is based on EPA's interpretation of CERCLA 120(h)4(A) which states "...the head of the department, agency, or instrumentality of the United States with jurisdiction over the property shall identify 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 releases, or disposed of."

According the the Memorandum from EPA HQ (see attached), The authority to make these determinations have been delegated to the regions (i.e., EPA Region 9). EPA Region 9 has determined that property that is underlain by detectable amounts of hazardous substances or petroleum products in groundwater is not uncontaminated, as we cannot concur that there has been no release.

II. EPA policy on distances used for buffer zones.

EPA identification of clean parcels is based on CERCLA Section 120h(4)(A) which states that "an investigation of the real property to determine or discover the obviousness of the presence or likely presence of a release or threatened release of any hazardous substances or any petroleum product or its derivatives, including aviation fuel and motor oil, on the real property."

Application of Buffer zones (and their distances) should be dependent on the BCT's judgement regarding the "obviousness of the presence or likely presence of a release or threatened release" at each location of concern.

We recommend against the use of buffer zones unless there is a likely release.