

AR EL TORO

M60050_004515
MCAS EL TORO
SSIC NO. 5090.3.A

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

16 December 2008

Marine Corps Air Station El Toro
Base Realignment and Closure
Attn: Ms. Debra Theroux
Deputy BRAC Environmental Coordinator
7040 Trabuco Road
Irvine, California 92618

Subject: Draft Explanation of Significant Differences (ESD), Operable Unit 2B,
Installation Restoration Program (IRP) Sites 2 and 17, Finalizing the
Interim Final Record of Decision (ROD)
Former Marine Corps Air Station, El Toro, California

Dear Ms. Theroux:

The U.S. Environmental Protection Agency (EPA) has reviewed the subject draft ESD dated October 2008. EPA offers the attached comments on the document for the Navy's resolution.

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
Marc Smits, NFECSW SDIEGO
Quang Than, DTSC
John Broderick, RWQCB
Bob Woodings, RAB Co-Chair
Marcia Rudolph, RAB Sub-Committee
Thelma Estrada, EPA

received
12/22/08

COMMENTS ON THE DRAFT ESD IRP SITES 2 AND 17

1. General – The Draft ESD does not include a signature page for endorsement by Navy and regulatory agencies' approving officials.
2. Section 2.2, Page 3 – It is recommended that the status of regulatory approval of the Draft Final O&M Plan be updated in future versions of the ESD.
3. Section 4.2.1, General – The discussion of ICs does not include information on the duration of the ICs. As these sites include two former base landfills and waste is proposed to be left in place but isolated, it would be assumed that the ICs would run with the land. It is recommended that the following language on the duration of the ICs be included in the ESD: "ICs will remain in place until RAOs and remediation goals have been achieved and it can be demonstrated that concentrations of hazardous substances in the landfills are at levels that allow for unrestricted use." (Note: Recommended language is modified from Section 7.2.2.1 of the ROD for Sites 3 & 5.)
4. Section 4.2.1, General -- EPA recommends that the following statement be added to this Section of the ESD: "The Navy will be responsible for implementing, inspecting, reporting, maintaining, and enforcing the IC objectives and the land-use restrictions specified in the Interim Final ROD." (Note: Recommended language is modified from Section 7.2.2.1 of the ROD for Sites 3 & 5.)
5. Section 4.2.1, General -- EPA recommends that the following statement be added to this Section of the ESD: "Although the Navy may later transfer these procedural responsibilities to another party by contract, property transfer agreement, or other means, the Navy shall retain ultimate responsibility for remedy integrity." (Note: Recommended language is verbatim from Section 7.2.2.1 of the ROD for Sites 3 & 5.)
6. Table 1 – EPA found review of this table to be a little confusing. For clarity of purpose, it is recommended that the second and third columns of the table be titled "Remedy for Sites 2 & 17 as Presented in the Final Interim ROD" and "Final Remedy for Sites 2 & 17 as Presented in the ESD", respectively.