

10/9/07-05323

Marine Corps Air Station Cherry Point MRP Team Final Meeting Minutes:

MRP Meeting: October 9, 2007

ATTENDEES: John Myers/MCAS Cherry Point EAD
Dale McFarland/MCAS Cherry Point EAD
Jan Nielsen/NAVFAC Mid-Atlantic
George Lane/NCDENR
Gena Townsend/EPA
Tom Roth/CH2M HILL/Atlanta
Mike Skeeane/CH2M HILL/Charlotte
Doug Bitterman/CH2M HILL/Virginia Beach

FROM: Mike Skeeane/CH2M HILL
DATE: May 28, 2008

LOCATION

Visitor's Center, Havelock, North Carolina

MINUTES

October 9, 2007

1300 to 1630 hours

Meeting began at 1:12 PM. Team went around the table and made brief introductions.

Mike Skeeane led the team through a PowerPoint presentation providing background information on the Cat Island Bomb Target (BT-2) and surrounding Surface Danger Zone (SDZ) and the former Skeet and Trap Range #1, Site Inspection (SI) Project Summary. The Skeet and Trap Range #1 is located on the main base Cherry Point MCAS (an NPL site) and therefore part of the CERCLA process. The investigation of Cat Island Bomb Target (BT-2) and SDZ will be addressed using the MRP protocol as a guideline. Since this site is not part of the NPL site, NCDENR is the regulatory agency required to participate and approve of actions. Questions/Discussion during the presentation:

George asked if a Preliminary Assessment (PA) on these sites had been previously completed. John indicated that the MC considered the Range Assessment report produced in 2001 as satisfying the requirements of the PA for the munitions documentation. Gena indicated that the EPA considers a PA to include the exposure pathways that might exist at a range. Using this definition, the Range Assessment does not meet the threshold of a PA. However, she does not feel that it is necessary to perform

a PA at this point, as the SI will gather the information that would have been part of a PA and the requirements will be met using the SI. It was agreed that no separate PA would be necessary.

Gena stated that, apart from the explosive hazard, the environmental risks associated with Cat Island are ecological in nature, rather than human health. The island appears to be an area not frequently visited by people due to the size, location and general condition of the island.

There is confusion between two islands in Bogue Sound – Cat Island and Wood Island. Google Earth reports Cat Island as a different island west of the Cat Island that is the subject of the SI. John Myers reported that the westerly island is actually Wood Island and the island being investigated is Cat Island.

Tom Roth stated that there were 3 different sets of coordinates indicating the center of the target area. Dale McFarland indicated he thought this was due to inaccuracies in the calculation of the center point rather than there actually being 3 different range delineations.

Gena pointed out that the 3,000 yard boundary shown on the figure extended onto the mainland, whereas the investigation area was not going to include the mainland or Emerald Isle. Tom answered that the SI would examine if ordnance extended north and south from Cat Island compared to east and west along the sound to determine if future work on the mainland or Emerald Isle would be necessary. The SI will examine patterns of ordnance dispersal to determine what areas would be investigated in future phases of work. John explained that we are not excluding the populated areas, but would only sample them in a future phase if the patterns of ordnance suggested there might be some on the mainland or Emerald Isle. Gena indicated her approval of this approach, but wanted to make sure it was documented that the land areas would not be excluded from the study area. George did not raise any objections to the approach proposed.

John Myers mentioned the Old Rocket Range that straddles Emerald Isle and Bogue Sound shown in the Range Assessment report and said that we should be aware of this site during our investigations. This is considered a FUDS, which is managed by the Army Corps of Engineers. John Baden of the Corps of Engineers in Wilmington, NC would be the person to contact regarding this site, according to Dale McFarland.

Jan brought up the fact that there is a new Navy policy for work plans – the UFP-SAP. Doug told Tom that he would provide details offline, but indicated that the new policy would dictate the format and content of the work plan for the SI.

Gena stated that she felt the proposed number of samples in the SI were on the light side, particularly the Sound sediment samples, and indicated that it might be necessary to collect some additional samples depending on the results.

Regarding the Skeet and Trap Range, the presentation indicated that only the portion of the site within the public trust waters (the Neuse River) would be investigated. Jan asked why only those areas were included. Tom indicated it was because during the scoping

phase, the SI could only include inactive range areas, and the land within the Air Station boundary was considered to be an active range. John explained how the Military Munitions Rule (MMR) considered ordnance within an active range to be serving its intended use. The Air Station property is considered an operational range. Dale indicated that operational funding would be necessary to investigate the land area of the range. Jan stated that she would get a clarification of what investigation area she is allowed to fund under this program.

Gena asked how deep the river was in the skeet and trap range area. She was wondering whether or not we were having divers make a visual survey of the bottom surface. She also stated that the form of the lead would be highly relevant - is it bioavailable? Tom indicated that CH2M HILL would investigate the bottom composition issue with respect to the sampling strategy. George asked that the composition of clay targets back in the 1950s be determined as well. There are also other upstream potential contamination sources - a paper plant, hog farms, a former oil terminal in New Bern, etc. Tom Roth indicated that upstream "background" or "unimpacted by the range" samples would be part of the SI.

Tom asked about how significantly the river level fluctuates and whether there is any tidal flow reversal. Dale indicated it was wind driven - the flow can be reversed and the water level can rise up to 4 or 5 feet with a strong NE wind and lunar effects.

Gena stated that if we do start finding contaminants in the sediments, it would be necessary to grid the site and collect samples to characterize each grid location in order to evaluate the site. Tom indicated that CH2M HILL would consult with sediments experts in order to come up with the best strategy for the SI.

John questioned why cadmium was an analyte for the skeet/trap investigation. Tom indicated it was a component of the shotgun cartridge.

After a short break, Tom led the team through a presentation on Munitions Response Site Prioritization Protocol. Questions/Discussion during the presentation:

Tom explained that this Protocol is the MRPs version of the NPL ranking under Superfund.

Gena asked about the Administrative Record component of the program, particularly with regard to the IR Program AR. Cat Island is not part of the MCAS Cherry Point NPL site listing. John pointed out that the MRP AR can theoretically reside separately from the IR Program AR. Discussion involved joining it with the IR Program AR. Jan will investigate how best to house the MRP AR vis-à-vis the IR Program IR. It was suggested by Dale to create a separate "bucket" in the IR Program web site which houses the AR.

The team discussed stakeholder and public involvement issues. John asked if the presentation was indicating that a RAB could satisfy the public involvement component. Tom responded that the RAB was only one component of public involvement, not something considered to satisfy the requirement. Dale indicated that we should start preparing for public involvement before the Work Plan is developed so that their input

can be included in the Work Plan. The team discussed methods for informing the public, as many property owners on Emerald Isle in particular are absentee owners. It will be necessary to determine the addresses of property owners and do a mailing. The first public meeting prior to Work Plan finalization is scheduled for February 2008.

Tom asked when public involvement activities should begin. Gena responded ASAP. It was acknowledged that putting a fact sheet together will likely be less difficult than determining the names and addresses of the public stakeholders. These two actions will be worked on at the same time. The team discussed the possibility of creating a separate web site to be an information repository and a place for the public to download documents. Jan will check to determine what is allowed under the program before we choose a path to proceed down.

Open discussion:

Impacts of site on natural resources: Gena indicated there are two NOAA resources sitting in the EPA Region 4 offices. They would be a good technical resource, but there may be some different viewpoints when it gets to cleanup levels or remedial alternatives. Tom pointed out that there is a component of the scoped Work Plan for CH2M HILL to investigate the potential presence of endangered species and other natural resources – it is mostly a paper study. Tom indicated that we will likely need to do an informal consultation with the FWS for Cat Island – this can add significant time to the document preparation schedule. Dale indicated that their typical concerns are turtles and marine mammals.

Jan indicated that there would be additional funding for the MRP at Cherry Point in 2009 and 2010. This shouldn't impact the timing of activities, as the SI will likely consume most if not all of 2008.

Regarding the Skeet and Trap Range, we can avoid the Operable Unit (OU) and RI/FS phase if the contamination that is found can be handled in a removal action type process. If more than those actions are required, it would be necessary to elevate in the CERCLA process. If anything other than Unlimited Use/Unrestricted Exposure (UU/UE) is warranted, a Decision Document (i.e., ROD) would be necessary, which would warrant a RI and FS.

The team took a short break.

The discussion turned to identifying stakeholders and stakeholder involvement. John asked if it is necessary under the protocol to educate the public such that they participate in the ranking and prioritization of sites under the protocol or simply to provide them information and accept their feedback. John indicated that it would be difficult to educate them sufficiently to participate. Gena suggested sending out a fact sheet that lists the date of a public meeting. At the meeting, provide an overview of the protocol and walk them through the ranking/prioritization process. John thought it was best to present a broad "brushstroke" of the protocol and solicit their input. Jan pointed out that Cat Island scored very high, meaning that there isn't anything the public could suggest to make it score higher. The only thing that could be added to increase the score would be the presence of

chemical weapons, which were not used at Cat Island. The public is likely to be concerned whether or not the site is scored high enough, and it isn't really possible for them to complain that the selected score wasn't high enough. Tom added that due to property value concerns, some members of the public might desire a lower rating.

John pointed out that there is a requirement to have a Community Involvement Plan (CIP). The scope of work for the SI does not include a CIP. Jan stated that there is an IR Program CIP and that perhaps it could be expanded to address the requirements for the MRP. Gena indicated a preference to have a separate CIP for Cat Island rather than rolling it into the MCAS Cherry Point IR Program CIP. Jan will look into potential funding opportunities to have this addressed.

John mentioned Section 179.5 - Responsibilities of the Protocol. John asked if we could look at each of the rules in these requirements and indicate how we will address each of these requirements. That would help him be sure that we have covered everything we need to. Jan prepared a working table (attached) that summarizes the requirements outlined in Section 179.5 and provides columns which will be populated with responses, methods, and dates that requirements are completed.

John asked if we had a Management Action Plan (MAP), which is required as part of the Protocol. It is somewhat analogous to a Site Management Plan (SMP) under CERCLA. This is another report that will need to be prepared to document the major activities and steps taken at each MR site. It will be necessary to determine whether the preparation of this document creates budget issues for the SI project. It was suggested that the Work Plan serve as the MAP. Tom indicated he would look into scope issues with respect to the preparation of a MAP in conjunction with Jan and report back to the team.

Gena pointed out that it is necessary to determine if there are any Environmental Justice Communities within the study area. These have been delineated and can be checked. We will need to document in the Work Plan that this has been addressed.

Tom indicated that the Fact Sheet for community/stakeholder distribution is anticipated to be 2-4 pages. Action items for CH2M HILL: Prepare the Fact Sheet, list of stakeholders, and Work Plan. Draft Work Plan is expected prior to public meeting (February) - date to be determined shortly by Tom/Mike.

Dale indicates the Fact Sheet should include the web site info as well as indicating date of public meeting. Jan would like the draft Fact Sheet for internal review to be prepared and submitted in the near future. Dale indicated that the Work Plan should be available when the Fact Sheet is sent out.

Jan will mention at tomorrow night's RAB meeting that the SI process is starting. The information covered will only serve to notify the RAB that actions will be beginning to prepare a work plan and fact sheet in the near future and that funding to begin this work is in place.

Action Items

- 10-07-1 Doug to provide details of SAPP off-line.
- 10-07-2 Jan determine what AR process is being used to meet the requirements for the MRP program by NAVFAC and flexibilities.
- 10-07-2 Jan obtain clarification on status of the land area of Skeet Range #1 from headquarters to determine limits of investigation.
- 10-07-3 Tom to investigate the bottom composition issue with respect to the sampling strategy and determine composition of clay targets back in the 1950s.
- 10-07-4 Jan determine if funding is available to develop separate CIP for Cat Island rather than rolling it into the MCAS Cherry Point IR Program CIP.
- 10-07-5 Jan and Tom develop plan for meeting the Management Action Plan requirement and report to team.
- 10-07-6 Tom and Mike verify if there are Environmental Justice Communities in the areas covered by this investigation.
- 10-07-7 Jan address the current status of the investigations to the RAB.

Munitions Response Protocol Status for MCAS Cherry Point

Paragraph	Requirement	Response	Method	Specific Response for Skeet Range #1 (as applicable)	Specific Response for Surrounding Safety Danger Zone (as applicable)	Date Complete
179 5 a	Apply the rule in this part to each MRS under its administrative control when sufficient data are available to populate all the data elements within any or all of the three hazard evaluation modules that comprise the rule. Upon further delineation and characterization of an MRA into more than one MRS, Components shall reapply the rule to all MRSS within the MRA. In such cases where data are not sufficient to populate one or two of the hazard evaluation modules (e.g., there are no constituent sampling data for the Health Hazard Evaluation [HHE] module), Components will assign a priority based on the hazard evaluation modules evaluated and reapply the rule once sufficient data are available to apply the remaining hazard evaluation modules.	Initial evaluation has been completed and entered into the ER,N data base. Once the Community Involvement Plan is implemented the community Engineer (RPM) Jan Nielsen using the Range Identification and Preliminary Assessment document. Community and stakeholder input from public meetings will be incorporated in Safety Danger Zone. SI for Skeet and Trap Range #1. Currently determining the limits of the P/ASI (Range Assessment Complete and SI will address all requirements for the P/ASI.				October 2007 - Initial Entries
179 5 b	Ensure that the total acreage of each MRA is evaluated using this rule (i.e., ensure the all MRSS within the MRA are evaluated).	SI will determine limits Cat Island and SDZ	SI will address areas not surveyed for recommended additional investigation if required.			
179 5 b	Ensure that the total acreage of each MRA is evaluated using this rule (i.e., ensure the all MRSS within the MRA are evaluated).	HQ will define closed areas of Skeet and Trap Range #1	SI will address all areas accepted as closed. This area includes the beach IAW e-mail dated 10-17-2007 sent by MC HQ Kelly Dyer.			
179 5 c	Ensure that EPA, other federal agencies (as appropriate or required), state regulatory agencies, tribal governments, local restoration advisory boards or technical review committees, local community stakeholders, and the current landowner (if the land is outside Department control) are offered opportunities as early as possible and throughout the process to participate in the application of the rule and making sequencing recommendations. (1) To ensure EPA, other federal agency, state regulatory agencies, tribal governments, and local government officials are aware of the opportunity to participate in the application of the rule, the Component organization responsible for implementing a munitions response at the MRS shall notify the heads of these organizations (or their designated point of contact), as appropriate, seeking their involvement prior to beginning prioritization. Records of the notification will be placed in the Administrative Record and Information Repository for the MRS.	Community Involvement Plan Final 2005 will be updated to reflect the methods of involving and identification of Stakeholders. Draft will be submitted to Navy and MCAS for review and approval.	Methods will be captured in the Community Involvement Plan. Implementation of the Plan will ensure compliance with the protocol. Advertisements as required will be maintained as part of the A/R. The typical advertisement methods recommended will follow the RAB meeting notifications with additional ads to capture the CIP. notifying stakeholders. This will be outlined in the			

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Paragraph	Requirement	Response	Method	Specific Response for Skeet Range #1 (as applicable)	Specific Response for Surrounding Safety Danger Zone (as applicable)	Date Complete
179.5 c	Ensure that EPA, other federal agencies (as appropriate or required), state regulatory agencies, tribal governments, local restoration advisory boards or technical review committees, and stakeholder input will be updated if changes are necessary. SI for Cat Island and surrounding Safety Danger Zone. SI for Skeet and Trap Range #1. Currently determining the limits of the recommendations will follow the RAB meeting notifications with additional ads to capture the pursuing stakeholders and there have been no CIP pursued simultaneously and there have been no sequencing decisions. (2) Prior to beginning prioritization, the Component organization responsible for implementing a munitions response at the MRS shall publish an announcement in local community publications requesting information pertinent to prioritization or sequencing decisions to ensure the local community is aware of the opportunity to participate in the application of the rule.	Initial evaluation has been completed and entered into the ER,N data base. Once the Community Involvement Plan is implemented the community and stakeholder input will be updated if changes are necessary. SI for Cat Island and surrounding Safety Danger Zone. SI for Skeet and Trap Range #1. Currently determining the limits of the recommendations will follow the RAB meeting notifications with additional ads to capture the pursuing stakeholders and there have been no CIP pursued simultaneously and there have been no sequencing decisions. (2) Prior to beginning prioritization, the Component organization responsible for implementing a munitions response at the MRS shall publish an announcement in local community publications requesting information pertinent to prioritization or sequencing decisions to ensure the local community is aware of the opportunity to participate in the application of the rule.				
179.5 d	Establish a quality assurance panel of Component personnel to review, initially, all MRS prioritization decisions. Once the Department determines that its Components are applying the rule in a consistent manner and the rule's application leads to decisions that are representative of site conditions, the Department may establish a sampling-based approach for its Components to use for such reviews. This panel reviewing the priority assigned to an MRS shall not include any participant involved in applying the rule to that MRS. If the panel recommends a change that results in a different priority, the Component shall report, in the inventory data submitted to the Office of the Deputy Under Secretary of Defense (Installations & Environment) (ODUSD(I&E)), the rationale for this change. The Component shall also provide this rationale to the appropriate regulatory agencies and involved stakeholders for comment before finalizing the change.	Navy MRP Head Quarters personnel completed this action in October, 2007. This information will be reviewed annually as part of the standard ER,N data calls and updates.				
179.5 f		Document in a Management Action Plan (MAP) or its equivalent all aspects of the munitions responses required at all MRSs for which that MAP is applicable. Department guidance requires that MAP be developed and maintained at an installation (or Formerly Used Defense Site [FUDS] property) level and address each site at that installation or FUDS. For the FUDS program, a statewide MAP may also be developed.	Cat Island and SDZ (to be determined document). Skeet and Trap Range #1 included in the Site Management Plan			

Munitions Response Protocol Status for MCAS Cherry Point

Paragraph	Requirement	Response	Method	Specific Response for Sket Range #1 (as applicable)	Specific Response for Surrounding Safety Danger Zone (as applicable)	Date Complete
179.5 g	<p>FDUS with input from appropriate regulators and stakeholders (e.g., community members or an installation's restoration advisory board or technical review committee), and document this development in the MAP. Final sequencing may be impacted by Component program management considerations. If the sequencing of any MRS is changed from the sequencing reflected in the current MAP, the Component shall provide information to the appropriate regulators and stakeholders documenting the reasons for the sequencing change, and shall request their review and comment on that decision.</p>	<p>Developing fact sheets that will include training (meaning of terms and rating process) will be mailed to stakeholders and allow for submittal of comments and additional information will be provided at public meetings and feedback will be documented and responded to.</p>	<p>Updates will be submitted using the standard updating process used to document ER,N in the NORM program.</p>			
179.5 h	<p>Ensure that information provided by regulators and stakeholders that may influence the priority assigned to an MRS or sequencing decision concerning an MRS is included in the Administrative Record and the Information Repository</p>	<p>Developing fact sheets that will include training (meaning of terms and rating process) will be mailed to stakeholders and allow for submittal of comments and additional information will be provided at public meetings and feedback will be documented and responded to and added to the Administrative record via minutes, fact sheets or single input and responses.</p>	<p>RPM responsible for forwarding and completed as for uploading. Ongoing and completed as necessary to maintain files.</p>			
179.5 i	<p>Review each MRS priority at least annually and update the priority as necessary to reflect new information. Reapplication of the rule is required under any of the following circumstances: (1) Upon completion of a response action that changes site conditions in a manner that could affect the evaluation under this rule (2) To update or validate a previous evaluation at an MRS when new information is available where that priority has been previously assigned based on evaluation of only one or two of the three hazard evaluation modules. (4) Upon further delineation and characterization of an MRA into MRSs. (5) To categorize any MRS previously classified as "evaluation pending"</p>	<p>Completed as part of annual data call by RPM.</p>	<p>Updates will be submitted using the standard updating process used to document ER,N in the NORM program.</p>			