



DEPARTMENT OF THE NAVY

NORTHERN DIVISION
NAVAL FACILITIES ENGINEERING COMMAND
10 INDUSTRIAL HIGHWAY
MAIL STOP, #82
LESTER, PA 19113-2090

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NAS SOUTH WEYMOUTH
5090.3a

IN REPLY REFER TO

5090
CSO/TZP

4/1/98

Albe Simenas
MADEP
Federal Facilities Bureau of Waste Site Cleanup
Facilities Bureau of Waste Site Cleanup
5th Floor, One Winter Street
Boston, MA 02108

Patty Whittemore
EPA Region I
Office of Site Remediation and Restoration
90 Canal Street
Boston, MA 02203

Subj: Response to comments on Finding of Suitability to Lease (FOSL) for Building 17, at the former
Naval Air Station South Weymouth, MA

Encl: (1) Final Building 17 FOSL

Dear Mr. Simenas and Ms. Whittemore,

Thank you for your valuable comments regarding the subject proposed lease. The following information is provided in response to your comments of 21 January 1998 and 2 February 1998 respectively.

Response to EPA Comments

General Comments

1. Please provide a copy of Reference (e) Lead Based Paint Hazard Survey for EPA review.

Reference (e) was provided for EPA review on 9 February 1998. The Navy has received a response letter dated 12 February 1998 that indicates this comment has been addressed by the prior submission of reference (e).

2. The EBS and the FOSL should be provided to each lessee prior to execution of the lease (DOD guidance)

Materials will be provided as a standard operating procedure of the leasing process by our Real Estate component.

3. Please provide public notice of signing the FOSL.

Public notice of the intent to sign a FOSL was provided at the Restoration Advisory Board, copies of the draft FOSL were distributed to the public repositories and as an attachment to the RAB meeting minutes distributed in March 1998. Legal Notice of the intent to sign a FOSL was provided in the Patriot Ledger and Boston Globe newspapers on 17 February 1998 and 31 January 1998 respectively.

4. Please include the model lease provisions attached to the DOD guidance in all outleases.

Model lease provisions, in accordance with Department of Defense guidance, are a part of all outleases. These provisions are included by the Real Estate component of Northern Division.

Specific Comments

1. Item #2. Define "accessible surfaces". Specify whether or not surfaces defined as inaccessible have lead based paint which may subsequently peel and become accessible to building occupants.

Inaccessible surfaces are those that building occupants cannot access or be exposed to, without entering spaces or areas which are not normally used or occupied. (i.e. crawlspaces, attics, or wall cavities).

2. Item #6: According to the draft FOSL, "No petroleum products or hazardous substances have been stored on the subject property." The Final Environmental Baseline Survey report, 18 November 1997, page 142 states that transformers with PCBs were probably stored in Building #106 at one time. Also the environmental condition of the property is listed as a Category 2 – which indicates that only storage of hazardous substances or petroleum product has occurred at this site. Please clarify.

An internal draft FOSL had originally excluded Building 106 from what we considered to be an acceptable leasing area due to the presence of live electrical switchgear equipment (non-PCB containing). Building 106 was later deemed acceptable to be included in the leasing area as the FOSL was being developed. The final FOSL will delete the statement "No petroleum products...." to correct the inconsistency.

3. Item #7: last sentence should read "... the Navy and regulatory agencies to conduct/oversee environmental studies and to carry out environmental responses as necessary on this or adjacent property." Please include regulatory agencies in this sentence.

Wording of sentence has been revised to add "regulatory agencies".

4. Item #8: "Public notice has been provided in local newspapers and at the Restoration Advisory Board meetings prior to the execution of this document." Please include the date and name of the newspaper in which the public notice was placed, and confirm date of distribution to the RAB.

Please refer to EPA general comment #3 response.

5. In draft FOSL #7, line 3, please add "lease or sublease: where there is only "lease" presently.

Text added.

6. Add to the FOSL that a copy of any subleases will be provided to the DOD component (DOD) guidance (G) p. 7)

It is the responsibility of the lessee to enforce the environmental provisions of the leases with any subleases and to provide notification to the DOD when entering a sublease. Leasing issues, such as the insuring the provision of subleasing documentation is the responsibility of the Real Estate component of the Navy. The intended use by the subleasees should be consistent with the use that the FOSL is based upon.

7. What is the name of lessee ? (DOD guidance for leases that extend beyond the termination of DOD's operations- (B) p. 6. of guidance)

The lessee is the Charmss Collaborative Education Program. The lease terms of six months does not extend beyond the termination of DOD operations at the site. NAS South Weymouth has ceased their original mission, but as long as there is a Navy presence (CSO) at the site, we still consider this lease to be operated by the DOD (Navy).

Response to MADEP Comments that are not otherwise answered in the EPA comment responses.

Concerning Groundwater

A statement will be added to the FOSL, that based upon available information and reports, groundwater from the adjacent MCP sites does not pose a threat to occupants of Building 17. Furthermore, the FOSL will cite the Building 81 Interim Phase II Comprehensive Site Assessment, Building 81 Supplemental Phase II Comprehensive Site Assessment and Building 115 Response Action Outcome documents which detail information concerning groundwater issues. Since Building 17 does currently utilize groundwater, nor will the leasee(s) be permitted to use groundwater, and contamination has not been shown to be present off-site in relation to the MCP areas, we do not feel further information is required in the FOSL.

Concerning EBS Review Items

The FOSL text has been revised will be revised to indicate that there are no EBS Phase II Review Items that are currently under investigation adjacent to the subject parcel proposed for lease.

We believe that this letter and enclosures have addressed all of your comments and concerns satisfactorily. The final FOSL for Building 17 is enclosed which the Navy intends to sign shortly. If you have any further concerns, please me at (781) 682-2597. Thank you for your input on the Building 17 lease.



Tomas Papoulias
BRAC Environmental Coordinator
CSO South Weymouth