



Department of Toxic Substances Control

Edwin F. Lowry, Director
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MCAS EL TORO
SSIC #5090.3



Gray Davis
Governor

Ernest H. Hickox
Secretary for
Environmental
Protection

June 17, 1999

Mr. Joseph Joyce
BRAC Environmental Coordinator
U.S. Marine Corps Air Station - El Toro
AC/S, Environmental (1AU)
P. O. Box 95001
Santa Ana, California 92709-5001

Dear Mr. Joyce:

COMMENTS ON DRAFT RECORD OF DECISION (ROD) FOR OPERABLE UNIT (OU)-2C LANDFILL SITES 3 AND 5, MARINE CORPS AIR STATION (MCAS) EL TORO

The Department of Toxic Substances Control (DTSC) has completed the review of the above subject document dated March 1999. The draft ROD presents the selected remedial action for OU-2C, Landfill Sites 3 & 5 at MCAS El Toro. We are also in receipt of Draft Historical Radiological Assessment (HRA) for MCAS El Toro received on May 25, 1999. The HRA recommends radiological surveys/further investigation of the landfills. The HRA is currently under review by the regulatory agencies and comments on the document must be resolved before the ROD can be accepted. DTSC comments are as follows:

General Comment:

1. Based on our review of the HRA, DTSC requests that you submit another version of the draft ROD because the ROD did not evaluate radioactive waste disposal in the landfills which cannot be ruled out as a contaminant of concern. Also, please send a copy of the revised ROD and any future correspondences that relate to radiation in the landfills directly to the Department of Health Services (DHS).

Specific Comments:

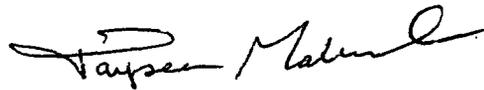
2. Section 1.3, Site Description, Page 1-1 and 1-5 - Please include in the description all information from the HRA that relates to radioactive contamination due to the possible disposal of radium dials and equipment painted with radium paint.

3. Sections 7.2.1 and 7.3.2, Institutional Controls - As indicated in our March 12, 1999, letter, DTSC will be unable to approve the ROD or concur on property transfers if the Department of Navy (DON) or the future land owner is unwilling to enter into a Land Use Covenant (LUC) or a consent agreement for Environmental Restrictions.
4. Sections 7.2.1 and 7.2.1.1, Institutional Controls and Land-Use Control Restrictions - These sections should be revised to include controls to ensure that any radionuclides of concern are not released into the environment. Based upon the HRA statement that it is possible that equipment painted with radium paint could have been disposed of into the landfills, the DHS has advised DTSC that it will request that deed restrictions be established if radioactive waste cannot be ruled out as a contaminant of concern and if it remains in place in either landfill. In addition, DHS must continue to be involved in future oversight of reuse of the landfills. Please note that radioactive material left in place requires radiological controls. Specific licensure is DHS' normal method of control, although 10 CFR 20 now allows for restricted release. These regulations are used to release property and should be familiar to the military entity responsible for radiological issues at military bases.
5. Sections 7.2.1 and 9.2.2, Institutional Controls and Land-Use Control Objectives - Please add DTSC, RWQCB, and DHS to the agencies that will be notified in the event of a transfer of the sites.
6. Section 9, Selected Remedy - This section must be revised to include the radiological controls.
7. Section 9.3, Monitoring - Reference to Section 7.3.4 for monitoring associated with Alternative 4d is not accurate. Please provide the correct reference.
8. Section 9.3, Tables 9-3 and 9-4 Proposed Postclosure Monitoring - Groundwater monitoring for radionuclides was proposed in the Feasibility Study; however, it is not proposed in this ROD. Please add groundwater monitoring for radionuclides. Based on the information provided in the HRA, sampling for radionuclides will be necessary. The methods for analysis were provided previously in DHS' letter dated August 20, 1998. These details should be covered in details included in the unrestricted release carried out per 10 CFR 20 (see comment #4).
9. Responsiveness Summary, Response to the U.S. Department of Interior, Comment #10, Page 4 - The comment states that DOI has only reviewed the Proposed Plan and that supporting documents will be interviewed during the pre-acquisition process. Will the DoN accept comments on the supporting documentation during the pre-acquisition period? If not, it is strongly suggested that DoN contact the DOI to inform them that the comment period on the supporting documents was already held. It is important to note that the Proposed Plan (PP) stated that the public comment period for the PP also

included the supporting documents. It is suggested that DoN work toward a mutual resolution with DOI on any issues/concerns they may have regarding the supporting documents (e.g., Remedial Investigation and Feasibility Study). Please state in the Response to Comments how this issue will be addressed.

For additional comments on the document, please see the enclosed June 8, 1999 comments from Ms. Marsha Mingay, our Public Participation Specialist. If you have any questions, please call me at (714) 484-5418.

Sincerely,



Tayseer Mahmoud,
Remedial Project Manager
Southern California Operations
Office of Military Facilities

Enclosure

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