



## Department of Toxic Substances Control

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Gray Davis  
Governor

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Agency Secretary  
California Environmental  
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April 7, 2000

Mr. Dean Gould  
BRAC Environmental Coordinator  
Marine Corps Air Station El Toro  
Base Realignment and Closure  
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REVISIONS TO RESPONSE TO COMMENTS INCLUDED IN DTSC LETTER DATED FEBRUARY 22, 2000, CONCERNING LANGUAGE IN THE RECORD OF DECISION FOR OPERABLE UNIT (OU) 2B, INSTALLATION RESTORATION PROGRAM (IRP) SITES 2 AND 17, MARINE CORPS AIR STATION (MCAS) EL TORO

Dear Mr. Gould:

The Department of Toxic Substances Control (DTSC) reviewed the revisions letter dated March 29, 2000, and received by this office at the Base Realignment and Closure (BRAC) Cleanup Team (BCT) meeting the same day. DTSC understands that the revisions identified in the letter dated March 29, 2000, modify the response to comments provided by the Department of the Navy (DON) in a letter dated March 7, 2000. The letter dated March 7, 2000, provided DON responses to DTSC comments that were forwarded in a letter dated February 22, 2000.

The modifications proposed for comment numbers 5, 6, and 10 originally identified in the DTSC comment letter dated February 22, 2000, are acceptable to DTSC.

In addition to the revisions to the response to comments, the DON also presented other modifications that have been made to the Record of Decision since the "Working Draft" Final version was issued. DTSC has the following comments after review of these additional modifications:

1. The last two bulleted modifications state that "The last sentence in the third paragraph in Section 7.2.1.4, under the heading Environmental Restrictive Covenants (California Civil Code Section 1471) has been modified to delete the word 'following' and to add 'set forth in Section 10.2.3.' This is consistent with

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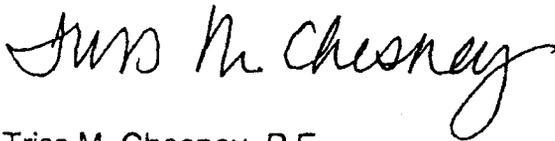
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moving the ARARs [Applicable or Relevant and Appropriate Requirements] discussion to Section 10" and "The next paragraph in Section 7.2.1.4 addressing Civil Code Section 1471 has been deleted to be consistent with moving the ARARs discussion to Section 10."

As previously expressed by electronic mail correspondence, DTSC would prefer to include reference to Civil Code 1471 and Health and Safety Code Sections 25202.5, 25222.1, 25232(b)(1)(A)-(E), and 25233(C) in both Sections 7 and 10 of the ROD because institutional controls, including restrictions specified by these statutes, are an integral part of the remedial alternatives and are considered in the evaluation; however, as long as the references to these statutes are included in Section 10, DTSC will accept the proposed revision.

In general, the proposed revisions to the response to comments and the additional modifications to the text of the ROD are acceptable to DTSC. Please contact me at (714) 484-5395 if you have any questions.

Sincerely,



Triss M. Chesney, P.E.  
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Southern California Branch  
Office of Military Facilities

cc: Mr. Glenn Kistner  
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