



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

June 26, 2003

Mr. F. Andrew Piszkin
BRAC Environmental Coordinator
Base Realignment and Closure
Marine Corps Air Station, El Toro
7040 Trabuco Road
Irvine, CA 92618

RE: Comments on Draft Finding of Suitability to Transfer (FOST) and Draft Finding of Suitability to Lease (FOSL), Former Marine Corps Air Station, El Toro, CA, June 2003

Dear Mr. Piszkin:

EPA has completed its review of both the FOST and FOSL referenced above. The enclosed comments on the FOST supplement the comments sent on June 12, 2003.

Due to the amount of information that must be conveyed in these documents they are quite complex. Most of EPA's comments focus on making these documents as easy to read and reference as possible. The first set of comments address discrepancies in the tables and figures in the FOST, FOSL and EBS. The rest of the comments address issues found in the FOSL.

If you have questions, please call me at (415) 972-3012.

Sincerely,


Nicole Moutoux
Project Manager
Federal Facilities Cleanup Branch

cc: Kyle Olewnik, SWDIV
John Broderick, RWQCB
Rafat Abbasi, DTSC
Content Arnold, SWDIV
Thelma Estrada, EPA
Bob Woodings, RAB Community Co-Chair
Marcia Rudolph, RAB Subcommittee Co-chair
Daniel Jung, City of Irvine

received
7/1/03

**EPA Comments on Tables and Figures in FOST/FOSL for the
Former MCAS El Toro
June, 2003**

GENERAL COMMENTS

1. The following tables lists the discrepancies found between the tables included in the Finding of Suitability to Lease (FOSL) or the Draft Finding of Suitability to Transfer (FOST) and the tables in the Draft Final Environmental Baseline Survey (EBS).

Facility	Environmental Condition of Property		Comments
	FOSL/FOST	EBS	
FOSL Table 1 / EBS Table A-1			
Facility 5	5 (ECP Categories defined below)	7	
Facility 154	6	7	
Facility 305	7	6	
Facility 351	6	2b	Note 1
Facility 378	1	7	Note 1
Facility 398	2c	6	
Facility 677	2c	3	Note 1
Facility 824	6	4	
Facility 897	6	3	
Facility 1656	6	1	
Facility 1719	6	7	
Facility 1782	6	5	Note 1
Facility 1783	6	5	
Facility T-11	6	2a	
Runway Infield Area	1 and 7	Not included, Page A-20 indicates runways are 7	

Facility	Environmental Condition of Property		Comments
	FOSL/FOST	EBS	
Aqua Chino Wash	2a	7	
Bee Canyon Wash	6	7	
FOSL Table 3 / EBS Table 4-1			
Runway Infield Area	7	3/7	
FOSL Table 6 / EBS Table 4-4			
APHO 59	7	5	
FOSL Table 8 / EBS Table 4-6			
AST 390B	2a	1	
FOSL Table 9 / EBS Table 4-7			
UST 463	2b	4	
FOSL Table 11 / EBS Table 4-9			
Wash Rack 764	6	4	
Wash Rack 759	6	5	
FOSL Table 12 / EBS Table 4-10			
SRU 03A	5	7	
FOST Table 7 / EBS Table 4-6			
AST 376	2a	2b	
UST 101	2e	No Entry	
UST 259	2e	No Entry	
UST 43	2a	2b	
FOST Table 12 / EBS Table 4-14			
MSC ST19B	2b	2c	

Note 1: There were differences in the notes to the tables in each document

Please revise the FOSL or FOST to clarify these discrepancies. In cases where the Environmental Condition of the Property (ECP) has changed because of remedial or

removal action or additional investigations, please revise the FOSL or FOST to include a reference that documents the post-EBS change that resulted in the change in ECP.

2. The following facilities were found suitable for transfer in the FOST even though their ECP was listed as 6 or 7 in the EBS: VORTAC Facility (399), Air Operations (378), NBC Gas Chamber (832), and Hazardous and Flammable Materials Storehouse (921). Please provide documentation or a reference to the document in which the ECP of these facilities was changed to a category that would allow transfer.

SPECIFIC COMMENTS

1. **FOST Table 1, Facilities within Parcels Proposed for Transfer, Page 14 of 16:** It is unclear what facilities 9001 and 9002 are as they are not listed in the EBS nor shown on any of the figures in the FOST. Please identify these facilities, provide their ECPs and a reference to the document where their ECPs were established.

MINOR COMMENTS

1. **FOST Section 4.2.3.2, IRP Sites LOCs in Parcel III-A, Page 4-9:** The FOST indicates that portions of IRP 25 are situated in Parcel III-A. Figure 6, Installation Restoration Sites, and EBS Figure 4-5, Installation Restoration Program Sites, do not show a portion of IRP 25 in Parcel III-A. Please verify that a portion of IRP 25 is located in Parcel III-A.
2. **FOST Figure 6:** Please include Installation Restoration Program (IRP) Site 6 on this figure.
3. **FOST Table 10, PCB Transformers and PCB Transformer/Equipment Storage Areas, Page 5 of 7:** The ECP Category was inadvertently left off the table for Transformer ID PCB T057. Please provide this ECP Category for PCB T057.
4. **FOST Table 13, Environmental Factors Considered, Page 1 of 1:** For completeness, please include Parcel V-A on the table.

**EPA Comments on Draft Finding of Suitability to Lease
Former Marine Corps Air Station, El Toro
June, 2003**

GENERAL COMMENTS

1. The Navy should be very clear in the beginning of each document to alert the reader that the FOST and FOSL are documents that must be read in tandem. The information conveyed in each is critical to the other in order for the transferee/lessee to be fully aware of environmental restrictions on the parcels.
2. The FOSL refers to Attachment 2, Model Lease Provisions quite frequently, however this attachment is not included. As this provides specific restriction language EPA must review it. Please note that EPA's review is not complete until we receive this attachment.
3. The carve-outs shown on Figure 3b which are associated with sites which will require long-term institutional controls (ie, site 16, site 2, site 24) should identify the IR site associated with it.
4. More information regarding the adequacy of the size of buffer zones around carve-outs should be provided. For example, please provide an explanation for how the determination of the buffer zone around Site 16 covers any expected migration of the plume. Also, please explain how buffer zones around sites(ie, some PRLs) that have not been investigated yet were determined.

SPECIFIC COMMENTS

1. P.1-1, Section 1, Purpose: Under the discussion of purposes of the FOSL, one of the purposes would also seem to be to allow reuse of property while environmental cleanup is being conducted.
2. P.4-1, Section 4, Environmental Condition of Property: As was noted in our comments to the FOST, a brief description of what PRLs, Hazardous Substance LOCs, Miscellaneous LOCs, etc., are would be appropriate.
3. P. 4-2, Section 4.1.2.1, Anomaly Area 3: Reference to RSE is made in the last paragraph of this section. Please provide a definition in the list of Acronyms and Abbreviations.
4. P.4-11, Section 4.1.3.15, Major Drainages: In the last paragraph, second sentence, please add the phrase "as a source site" after "designated."
5. P.4-20, Section 4.2.2.4, PRLs: This sentence states that there are 12 PRLs; yet the list only has 11. Please reconcile.

6. P.5-1, Section 5, Notifications and Restrictions: Pursuant to 120(h)(1), the notice should be in the contract for the sale or transfer of the property. Therefore, notification should be provided to the lessee in the contract or by making the FOSL a part of the contract. Also on this page, second paragraph - the correct citation is CERCLA Section 120(h)(1) instead of 120(h)(3)(A)(i).

Also in the third paragraph refers to Attachment 2 and Attachment 3. EPA needs to see these attachments to complete our review of the FOSL. Also in the same paragraph, last sentence - the phrase "to allow access and/or transfer of the area under the lease" does not make sense since this sentence is really addressing revising the lease by removing a restriction. EPA suggests this phrase be deleted.

7. P.5-1, Section 5.1, PRLs: In the paragraph under Restrictions in this section as well as throughout the rest of the text the parenthetical statement "(such as for areas within sites without known soil or groundwater contamination; these areas will require Navy approval only)" is confusing. Please clarify.

8. P.5-1, Section 5.1, PRLs: Also in the paragraph under Restriction, the Navy states that Navy approval will be required for surface disturbance activities. What constitutes "surface disturbance activities."? Please specify here as well as all other places this is stated.

9. P.5-5, Section 5.4, USTs/ASTs: Under Notifications it is stated that there are 166 UST/AST sites; yet later in the paragraph there are 167 listed.

10. P.5-7, Section 5.6, Polychlorinated Biphenyls: The last sentence under Restriction does not appear to be accurate since in the previous section it was stated that the lessee will be required to dispose of PCB light fixtures as regulated items. Please change to reflect this restriction.

11. P.5-9, Section 5.10, Radioactive Materials: Under Restrictions for Radioactive Materials - the first sentence states that access to and occupancy of these buildings will be restricted. Do we mean that occupancy will be allowed pending results of the radiological survey or that occupancy will not be allowed pending results of the survey? "Restricted" seems to imply that occupancy will be allowed but in a limited manner. Please specify.

12. P.5-15, Section 5.14, Lead-Based Paint: Under Notifications, last sentence - change "Please refer to the EBS" to "The lessee will be referred to the EBS."

13. P.7-1, Section 7, Right of Access and Covenant - Additional Remedial Action: If DON wants to have access to monitoring wells, etc, the last paragraph should be rewritten so it states that the leases will contain provisions for access to monitoring wells, etc. It is not clear if what is being discussed are lease provisions or provisions that will be in deeds since this sentence refers to restrictions that "may also be required after the leases expire." Please clarify.

14. Figure 6-b: Please identify the IR sites associated with the groundwater plumes shown on this figure.