

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

1 June 2007

Mr. Richard C. Weissenborn  
BRAC Environmental Coordinator  
Base Realignment and Closure  
7040 Trabuco Road  
Irvine, California 92618

Subject: Draft Record of Decision (ROD) for Installation Restoration Program (IRP) Sites  
3 and 5, Former Marine Corps Air Station, El Toro, California

Mr. Weissenborn:

The U.S. Environmental Protection Agency has reviewed the subject draft ROD dated  
April 2007. EPA offers the attached comments on the document.

If you should have any questions/concerns, please contact me at 415-972-3349.

Sincerely,

*Rich Muza*  
Rich Muza, RPM  
Superfund Division

cc. Content Arnold, NFECSW SDIEGO  
Rich Prybil, NFECSW SDIEGO  
Quang Than, DTSC  
John Broderick, RWQCB  
Bob Woodings, RAB Co-Chair  
Marcia Rudolph, RAB Sub-Committee  
Thelma Estrada, ORC

received  
6/11/07

# COMMENTS ON THE DRAFT ROD, OU-2C, SITES 3 AND 5 FORMER MCAS EL TORO

1. Declaration, Statement of Basis and Purpose, Page 1 – “The State of California...and the United State Environmental Protection Agency (U.S. EPA) concur with the selected remedy.” As per the introduction to the signature lines on Page 4, the U.S. EPA coselects the remedy with the Navy. It is recommended that the text cited above be modified as appropriate based on the text of Pages 4 and 5 of the Declaration.

2. Section 2.1.3.1 & 2.1.3.2, Pages 2-6 & 2-7 -- The discussion here on the levels of concern for Ra-226 cite both the NRC's 25 mrem/yr maximum dose level and the EPA's PRG/risk. EPA does not accept the NRC's 25 mrem/yr level as an appropriate cleanup level for radiological contaminants such as Ra-226. It is EPA's position, as stated in agency policy, that the cleanup level for such radiological contaminants should be based on a site-specific risk analysis using EPA's risk range of  $10^{-6}$  to  $10^{-4}$ . EPA desires that the ROD clearly state that the reason no action is being taken for Ra-226 is because the risk analyses show that there are no unacceptable risks using EPA's risk range. It is recommended that the discussion on these pages regarding Ra-226 emphasize this fact.

3. Section 5.2.2.4, Pages 5-7 & 5-8 – For the discussions of Unit 3 and Unit 4 it is recommended that a sentence or two summarizing the sampling results be added – ie., what was concluded from this sampling?

4. Section 5.3.2.5, Pages 5-14 & 5-15 -- For the discussion of ground-water monitoring it is recommended that a sentence or two summarizing the sampling results be added – ie., what was concluded from this sampling?

5. Section 7.2.2.1, General – Figures showing the boundaries of the institutional controls (ICs) for Site 3 and Site 5 are not provided in the ROD. It is recommended that this omission be addressed in the draft final document.

6. Section 7.2.2.1, General – The discussion of ICs does not include information on the duration of the ICs. As these sites include two former base landfills and waste is proposed to be left in place but isolated, it would be assumed that the ICs would run with the land. It is recommended that the following language on the duration of the ICs be included in the ROD: “Land Use Controls will be maintained until the concentration of hazardous substances in the soil are at such levels to allow for unrestricted use and exposure.”

7. Section 7.2.2.1, Page 7-7 -- “The Navy will be responsible for implementing, inspecting, reporting, maintaining, and enforcing the IC objectives described in the ROD in accordance with the approved remedial design reports.” EPA recommends that this statement be edited as follows: “The Navy will be responsible for implementing, inspecting, reporting, maintaining, and enforcing the IC objectives *and LUC controls* described in the ROD in accordance with the approved remedial design reports.”

8. Section 7.2.3.1, Page 7-9 – “With regard to meeting the RAO of minimizing contact with surface water from Aqua Chinon Wash, consolidation of waste from Waste Area C within Waste Area A and the fact that Waste Area A is not in the 100-year floodplain will provide topographic control.” This statement is confusing. It is recommended that this statement be edited for clarity and to provide further description of the issues being presented.

9. Section 7.2.3.2, Page 7-10 -- Figures showing the boundaries of the ICs for Site 3 and Site 5 are not provided in the ROD. It is recommended that this omission be addressed in the draft final document.

10. Section 7.2.4, Page 7-11 -- Figures showing the boundaries of the ICs for Site 3 and Site 5 are not provided in the ROD. It is recommended that this omission be addressed in the draft final document.

11. Section 7.2.5, Page 7-14 -- Figures showing the boundaries of the ICs for Site 3 and Site 5 are not provided in the ROD. It is recommended that this omission be addressed in the draft final document.

12. Section 7.2.6, Page 7-15 -- Figures showing the boundaries of the ICs for Site 3 and Site 5 are not provided in the ROD. It is recommended that this omission be addressed in the draft final document.

13. Section 8.2, Pages 8-3 & 8-4 – The ARARs discussion with regards to Alternative 4c is confusing. Section 7.2.4.3 indicates that this alternative is a variation of Alternative 4a. In the ARARs discussion Alternative 4a meets all identified ARARs while mention of Alternative 4c is omitted from this paragraph of the discussion. Further, later in this section it is stated that Alternative 4c will not be able to control gas emissions and does not meet these requirements; however, the discussion in Section 7.2.4 does not imply that this would be the case as this remedy would include passive gas control trenches and vertical landfill gas extraction wells. It is recommended that this section be revised to further address and clarify the ARARs for Alternative 4c.

14. Section 8.3, Page 8-5 – Once again it is stated that Alternative 4c will not be able to control gas emissions; however, the discussion in Section 7.2.4 does not imply that this would be the case as this remedy would include passive gas control trenches and vertical landfill gas extraction wells. It is recommended that the ROD be revised to address discrepancies regarding Alternative 4c.

15. Section 8.7, Pages 8-7 & 8-8 -- Are the costs of monitoring ICs considered in the alternatives costs provided? It is recommended that this issue be clarified in the draft final ROD.

16. Section 8.8, Page 8-8 – The discussion provided in the text here looks to be from the original draft ROD in 1999. It is recommended that this section be updated and revised accordingly.

17. Section 8.9, Page 8-8 – The discussion provided in the text here looks to be from the original draft ROD in 1999. It is recommended that this section be updated and revised accordingly.

18. Section 9, Page 9-1 – “Based on the Sites 3 and 5 RI/FS reports,...the DON has selected...” As per the introduction to the signature lines on Page 4, the U.S. EPA coselects the remedy with the Navy. It is recommended that the text cited above be modified as appropriate.

19. Section 9, Page 9-1 – The discussion provided in the introductory paragraph here looks to be in part from the original draft ROD in 1999. It is recommended that this section be updated and revised accordingly based on the January 2007 Proposed Plan public meeting and public comment period.

20. Section 9, Page 9-1 – “On-site consolidation of waste from Unit 1 will occur prior to capping at Site 3.” There is inconsistency within the ROD with regards to this issue. Elsewhere in the text it is stated that waste from Unit 4 and waste from Waste Areas B through F would be consolidated within the Unit 1 footprint at Site 3. It is recommended that the ROD be revised to address this discrepancy.

21. Section 9.2, General -- The discussion of ICs does not include information on the duration of the ICs. As these sites include two former base landfills and waste is proposed to be left in place but isolated, it would be assumed that the ICs would run with the land. It is recommended that the following language on the duration of the ICs be included in the ROD: “Land Use Controls will be maintained until the concentration of hazardous substances in the soil are at such levels to allow for unrestricted use and exposure.”

22. Section 9.2.2, Page 9-3 – “The DON shall notify the CIWMB in the event of a transfer of Sites 3 and 5...” Why are EPA and DTSC not included in the notification of transfer? It is recommended that EPA and DTSC be added to the list of agencies to be notified in the event of a property transfer.

23. Section 10.2.1.2, Page 10-2 -- The NRC regulation requiring "as low as reasonably achievable" is not an ARAR for this remedial action. There are no soil chemical-specific ARARs for Ra-226 because no action is being undertaken with regards to Ra-226 since the risk analysis showed that the risk is within the EPA risk range. It is recommended that this discussion be deleted.

24. Section 10.2.3.2, Page 10-5 – “This plan will include descriptions of the BMPs to be implemented during the removal action...” It is recommended that the term “remedial action” be used here instead of “removal action”.

25. Section 10.4, Page 10-8 – “The DON, DTSC, and RWQCB have determined that the selected remedy...” Why is EPA not listed in the list of regulatory agencies concurring with the selected remedy here? It is recommended that EPA be added to the list of agencies in this statement.

26. Table 10-1 -- For the Chemical-Specific ARARs, as per Comment #2 above, it is recommended that the references to the two NRC Radiological Criteria regulations be deleted.

27. Table 10-3 – For the Action-Specific ARARs, under the South Coast Air Quality Management District, why has the DON made the determination that the second requirement is

relevant and appropriate while the first one is applicable? It is recommended that this issue be clarified in the draft final ROD.

