

**BRAC Cleanup Team (BCT)
Munitions Response (MR) BCT Meeting Minutes
April 23, 2009
Tenaya Lodge, Fish Camp, CA**

Gail Youngblood, BRAC
Roman Racca, DTSC
Judy Huang, USEPA
Lewis Mitani, USEPA
Chieko Nguyen, BRAC
Lyle Shurtleff, BRAC
Derek Lieberman, BRAC
Bill Collins, BRAC
Peter Kelsall, SHAW
Kevin Siemann, SHAW

Chris Prescott, USACE
Chris Duymich, POM FD
Stan Cook, FORA
Melissa Broadston, BRAC
Rob Robinson, BRAC
Cary Steibel, USACE
Dave Eisen, USACE
Bruce Wilcer, MACTEC

Agenda Items:

<u>Item</u>	<u>Action</u>	<u>Comment</u>
Property Transfer	Update	by Derek Liberman
ESCA (FORA Update)	Update	by Stan Cook
MR Fieldwork	Update	by Lyle Shurtleff
MRS Security Pgm	Update	by Lyle Shurtleff
MRS-16	Update	By Chieko Nguyen
Track 3	Update	by Chieko Nguyen
Remaining RI/FSs	Update	by Bruce Wilcer
Track 2 Parker Flats MRA	Update	by Chieko Nguyen
Track 2 DRO MRA	Update	by Cheiko Nguyen
Report Status	Update	by Chieko Nguyen
FFA Schedule	Update	by Chieko Nguyen
Action Items	Update	by Chieko Nguyen
Calendar of MR BCT Meetings	Update	by Chieko Nguyen

Property Transfer Status: The Army submitted the following update:

FOSET 5 deeds:

1. March 17 – Mr. Houlemard (FORA) signed deeds.
2. March 19 – Mr. Calcara (DASA (I&H)) signed deeds, signed documents sent to Army Office of General Counsel (OGC).
3. March 31 – Army OGC sent documents to USACE HQ.
4. April 9 – deed package collected from USACE by Kutak Rock (KR, FORA legal counsel) courier. KR forwarded to FORA, who submitted to Chicago Title.
5. April 16 – Chicago Title attempted to record deeds with Monterey County, but deeds were rejected:

- a. Need “zero transfer tax” statement on first pages.
- b. Legal descriptions not dark enough/legible.
- c. CRUPs – wrong notary acknowledgement and notary seal is illegible/smeared.

FOST 10 deeds:

1. Eight of ten deeds negotiated and were to be submitted to Army OGC by April 21 to review for legal sufficiency (pre-signature approval), but are still in the possession of KR. USACE estimates completing review of KR changes by April 24.
2. Deed for Parcel L3.2 is on hold pending agreement between York School (recipient), FORA and Monterey County.
3. May 8 – deadline for DASA (I&H) to sign deeds.
4. Notary acknowledgement on CRUP signature pages corrected.

FOSET 2 deed amendments:

1. Five deed amendments were issued to FOSET 2 property recipients for signature:
 - a. Monterey-Salinas Transit – signed and returned to USACE.
 - b. City of Marina – reviewed by Kutak Rock, comments submitted to USACE.
 - c. City of Seaside – reviewed by Kutak Rock, comments submitted to USACE.
 - d. University of California (UC) – comments submitted to USACE.
 - e. CSUMB – tabled pending completion of FOSET 5 deed.
2. Sixth deed amendment for Parcel L37 is pending.
3. USACE is working to resolve “hold harmless” provision issue with recipients. All deed amendments may be reissued depending on outcome.

FOSET 4 deed amendments:

1. ROD for Del Rey Oaks MRA complete and signed.
2. One deed amendment issuing the CERCLA Warranty drafted, but finalization pending completion of FOSET 2 deed amendments.

FOSET 5 deed amendments:

1. ROD for Parker Flats MRA complete and signed, Draft Final LUCI and O&M Plan complete.
2. Three deed amendments issuing the CERCLA Warranty for Parker Flats area drafted, but finalization pending completion of FOSET 2 deed amendments and transfer of FOSET 5 Parker Flats parcels (FORA schedule indicates deed amendments to be recorded by October 5, 2009).

Parcel F7.1 (FO-30, FOST 6):

1. Army/UC MOA states this parcel to be transferred to University of California (UC), but may have been transferred to Marina Coast Water District (MCWD). Transfer status is uncertain because incorrect legal description was included in the deed.
2. USACE and KR drafted correction deeds and are working with UC, FORA and MCWD to resolve this.
3. When correction deed is recorded, MCWD should be able to deed directly to UC.

ESCA Update: FORA provided the following:

- FORA provided that the kiosks and signs describing the remediation sites had been installed.
- FORA has received a request for a grace period before the enforcement of trail use restrictions in the remediation areas.
- Access issues described by BLM involving FOSET 5 property have been resolved.
- An ROE for FORA work in the CSUMB parcel to County North parcel has been granted by the Army.
- FORA has designed and will issue placards for temporary and infrequent vehicle access to remediation areas when restrictions are in place. Stan Cook will administer the program.

Track 3 Impact Area MRA: The Army provided:

- A request that BCT members review a letter to the public concerning planned prescribed burning for 2009.
- A description of a request for an expanded distribution of direct notice media in areas where residents expressed concern regarding smoke impacts during the 2008 prescribed burn. A plan for the expanded distribution will be provided to the MR BCT.

EPA recommended the Army contact CSUMB and provide current and factual information in an effort to post the Army's prescribed burn notice on the CSUMB website.

Fieldwork Update:

The Army provided that:

- The surface removal action was complete in Units 18/22 effective April 21.
- The DGM of Units 18/22 which began on March 18 is 15 percent complete.
- Barring the location of significant or unstable item(s), detonation of the MEC located during removal operations in Units 18/22 will be completed at the end of the project. The normal notifications prior to detonation will be completed.

The timing for preparation actions for a prescribed burn in Units 14/19 were discussed.

Site Security Program:

MEC Incidents: No incidents were reported in the last 30 days.

Trespass: No incidents were reported in the last 30 days.

Three contractor workers received MEC Recognition and Safety Training in the last 30 days.

The annual MRS security presentation was provided at the Community Involvement Workshop (CIW) and the Technical Review Committee (TRC) on April 8 and 9, respectively.

MRS-16:

The Army has received comments on draft remedial action report for MRS-16. DTSC plans to comment. EPA asked that the closeout of the Interim Action site be formally documented in a final ROD.

Track 2 Parker Flats MRA: Army provided that comments on the draft final version of the RD/RA will be accepted through April 30.

Track 2 DRO MRA: Army provided the outcome of a meeting with Federal Development concerning the preparation of the RD/RA work plan and planned development of the DRO parcel.

Remaining RI/FSs: Army provided that an outline of the plan for moving forward on the remaining MRS sites (FTOs 001, 002, 003, 004, 005, 013 and 021) was presented at the April CIW. The Army provided an FFA schedule for this program, which showed draft RI/FS work plan would be issued in April 2009.

This program includes the parcel E20c.1. The Army recommended pursuing the Track 1 process because of the lack of definitive evidence of hand grenade training and no explosive item was ever found. The BCT explored an administrative alternative to incorporate a requirement for construction support requirement (such as the ordinance ordinance currently in place in the City of Seaside) to the site outcome. Recurring reviews will also be conducted to verify that reuse of the property is consistent with any safety recommendations.

Report Status: Army provided that comments on the draft After Action Report for the prescribed burn of Units 18/22 are being accepted through April 30.

FFA Schedule: Schedules will be updated to reflect the current status of documents as discussed.

Action Items: None.

Future Meetings: The next MR BCT meetings were confirmed for May 12 at 10:00 a.m. and June 25 at 1:00 p.m..

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