

BRAC Cleanup Team (BCT)
Munitions Response (MR) BCT Meeting Minutes
April 13, 2010
Fort Ord BRAC Conference Room

Members / Invited Attendees

(p): by phone

Gail Youngblood, BRAC
Roman Racca, DTSC
Judy, Huang, EPA
Lewis Mitani, EPA
Bruce Wilcer, MACTEC
Chieko Nozaki, BRAC
Lyle Shurtleff, BRAC
Derek Lieberman, BRAC
Bill Collins, BRAC
Chris Duymich, POM FD
Chris Prescott, USACE (p)

Dave Eisen, USACE
Kevin Siemann, SHAW
Peter Kelsall, SHAW
Stan Cook, FORA
Rob Robinson, BRAC
Melissa Broadston, BRAC

Agenda Items:

<u>Item</u>	<u>Action</u>	<u>Comment</u>
Property Transfer	Update	by Derek Lieberman
ESCA (FORA Update)	Update	by Stan Cook
Community Involvement	Update	By Melissa Broadston
Fieldwork / Track 3 Update	Update	by Lyle Shurtleff
MRS Security Program	Update	by Lyle Shurtleff
Remaining RI/FSs	Update	by Bruce Wilcer
Track 2 DRO MRA	Update	by Chieko Nozaki
Report Status	Update	by Chieko Nozaki
FFA Schedule	Update	by Chieko Nozaki
Action Items	Update	by Chieko Nozaki
Calendar of MR BCT Meetings	Update	by Chieko Nozaki

FOST 10 deeds:

1. July 2009 – eight of ten deeds and three CRUPs recorded, 594 acres transferred.
2. Parcel L3.2 (101.19 acres)
 - a. Transfer on hold pending agreement between York School (recipient) and Monterey County (license to cross South Boundary Road).
 - b. Monterey County Board of Supervisors expected to approve agreement at May 4, 2010 meeting, after which York School will rescind its public benefit conveyance (PBC) request.

- c. Draft deed reviewed and sent back to USACE, forwarded to FORA for review on March 16, 2010.
- 3. Parcel L23.5.2 (and adjacent FOST 9 Parcel L23.5.1) was designated for PBC to Monterey Peninsula College (MPC); however, Department of Education withdrew request for assignment to MPC and is working on a new assignment for Chartwell School. USACE San Francisco Division is reviewing assignment letter.

FOST 11:

- 1. Parcels L2.3 and L2.4.1 in Parker Flats MRA.
- 2. January 2010 – Army Environmental Law Division (ELD) and Army BRAC review of Draft FOST complete.
- 3. March 2010 – FOST issued for regulatory agency review.
 - a. Draft MEC-related CRUP also issued to DTSC.
 - b. Comments requested by March 31, 2010. DTSC requested extension to April 16, 2010.
 - c. Two conference calls with USEPA and DTSC to discuss “MEC as a CERCLA hazardous substance” issue and relevant Environmental Condition of Property (ECP) categorization and CERCLA section.

FOSET 2 deed amendments:

- 1. October 2008 – Five deed amendments were issued to FOSET 2 property recipients for signature: Monterey-Salinas Transit (MST), City of Marina, City of Seaside, University of California (UC), and California State University Monterey Bay (CSUMB).
 - a. Sixth deed amendment for Parcel L37 not drafted.
 - b. Some recipients expressed concern about deed amendment language, including the “hold harmless” provision.
- 2. December 2009 – USACE revised/drafted all six deed amendments using FOSET 5 deed amendments as template. Fort Ord BRAC Office reviewed and commented.
- 3. February 2010 – USACE revising deed amendments.
- 4. March 2010 – USACE submitted draft deed amendment to FORA for legal review.
- 5. April 2010 – FORA completed legal review. USACE anticipates issuing to recipients for signature by the end of the month.

FOSET 4 deed amendments:

- 1. November 2008 – ROD for Del Rey Oaks MRA complete and signed.
- 2. April 2010 – Preliminary Draft RD/RAWP issued to Army for review. One deed amendment issuing the CERCLA Warranty drafted, but finalization pending regulatory approval of RD/RAWP.

FOSET 5 deed amendments, Parker Flats MRA:

1. June 2009 – three draft deed amendments issuing the CERCLA Warranty for Parker Flats Munitions Response Area drafted and submitted to USACE and FORA to start review cycle.
2. November 2009 – review/revisions complete, FORA signed deed amendments.
3. December 2009 – USACE began compiling signature packages¹ for Scott Whiteford, Director of Real Estate, USACE HQ.
4. February 2010 – signature packages submitted to USACE HQ through San Francisco District.
5. March 2010 – signature packages in Washington, DC.
6. April 2010 – Mr. Whiteford executed the deed amendments on April 8.

FOSET 5 deed amendments, County North MRA:

1. March 2010 – draft deed amendment issuing the CERCLA Warranty for County North MRA drafted and submitted to USACE for review.
2. April 2010 – USACE preparing signature package.

University of California FOST 3 and FOST 6 Parcels:

1. March 2010 – draft deed for Parcels F7.1 (FO-30), F7.2 (FO-31) and S2.1.4.2 submitted to USACE for review.
2. April 2010 – USACE preparing signature package.

ESCA/FORA Update: FORA provided an update on efforts to keep a designated emergency access corridor open for the authorized vehicles and noted the coordination with other community agencies and event sponsors to provide for equitable access. FORA has hosted an emergency service providers conference to work out details for public safety coverage for increased usage of FORA properties.

Community Relations: Army described an intention to conduct a public tour (hike) of a portion of the impact area to showcase that status of areas where vegetation burning has occurred and is planned as well as to describe the process of MEC remediation and habitat management in those areas. The number of participants will be limited to provide for small group interaction and to ensure an opportunity for personal attention to participant questions and interests by Army staff. BLM, DTSC and USACE are scheduled to assist.

Fieldwork Update: The Army provided an update on recent and planned fieldwork.

1. Work in Units 14/19 was described as in progress with surface remediation complete in Units 14 and 19. DGM is in progress in Units 14 at 75 percent complete. Unit 19 DGM will begin on or about 26 April.

¹ Signature package includes a cover memorandum providing background information and justification for the conveyance or amendment, and supporting documentation (e.g., FOST or FOSET, ROD, RD/RAWP)

A summary of the status of current work as well as the total number of MEC items found and their disposition was provided.

2. Army provided the status of a surface remediation in designated grids in vicinity of Range 48, MRS-BLM. The action is in response to an August 29, 2009 incident involving a Grenade, Hand, M15 White Phosphorus determined to have functioned spontaneously causing a small wildfire. The action, described as nearing completion, was scheduled to involve approximately 92 acres of range area and has been expanded in response to suspected MEC finds. A technical memorandum will be published to describe the results of the action.
3. An update on the planning for prescribed burning of vegetation in Units 15/21/32/34 was provided. Fieldwork in preparation for the 2010 prescribed burn of vegetation is scheduled to begin in June.
4. As a follow-up to the agency review of the Technical Memorandum for MRS-BLM Units 18/22 MEC remedial action, the Army provided final SSWP for Site 39 soil remediation at HA-39/40/40A (issued as a FWV to the Site 39 RD/RA WP), which incorporated regulatory agency comments. The Army will proceed with the soil remediation in HA-39/40/40A as described in the SSWP. The Army will also proceed with developing the MEC remedial action report for MRS-BLM Units 18/22 under the Track 3 program, as the regulatory agency acceptance of the HA-39/40/40A SSWP constitutes their concurrence on the for MRS-BLM Units 18/22 Technical Memorandum.

Site Security Program: The Army provided the following information concerning the security of restricted MRS:

1. No MEC incidents were reported since the last MR BCT.
2. No trespass incidents were reported since the last MR BCT.
3. MEC Recognition and Safety Training: 14 personnel required or requested training since the last MR BCT. A total of 39 individuals have been trained in 2010.
4. Army is scheduled to provide a poster session on MRS Security at the Community Involvement Workshop on April 14.
5. The MRS Security Annual Report (2009) is scheduled for publication in May 2010.

Track 2 Parker Flats MRA: None.

Track 2 DRO MRA: The RD/RAWP will be published in April. EPA recommended no further delay in the schedule for finalizing the work plan. EPA recommended the deed, CRUP and other existing agreements be updated to reflect the restrictions that were documented as part of the final remedy in the Del Rey Oaks ROD.

Remaining RI/FSs: DTSC is reviewing the Draft Technical Memorandum, Site Assessment Approach BLM East/Post 1940 Southern Portion and will provide comments to the Army.

Report Status: Reviewed and updated. Draft final prescribed burn plan for Units 15/21/32/34 will be published late April. Draft RD/RA work plan for the Del Rey Oaks site is scheduled to be issued at the end of the month.

FFA Schedule: Reviewed, no update was necessary.

Action Items: Reviewed and updated. A FWV for MEC work in Site 39/40 area has been provided to the agencies, as well as a technical letter describing the procedures for surface MEC remediation in Range 48. Parcel E20c.1 will be documented as a Track 1 site.

Future Meetings: The next MR BCT was scheduled for May 12 at 10:00 a.m. A following meeting was scheduled for June 25 at 10:00 a.m.

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