

BRAC Cleanup Team (BCT)
Munitions Response (MR) BCT Meeting Minutes
May 12, 2010
Fort Ord BRAC Conference Room

Members / Invited Attendees

(p): by phone

Gail Youngblood, BRAC
Roman Racca, DTSC
Lewis Mitani, EPA
Eric Morgan, BLM
Beth Flynn, MACTEC
Ed Ticken, 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 (p)
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 Relations	Update	by Melissa Broadston
Fieldwork / Track 3 Update	Update	by Lyle Shurtleff
MRS Security Program	Update	by Lyle Shurtleff
Remaining RI/FS Areas	Update	by Beth Flynn
Track 2 DRO MRA RD/RAWP	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. March 2010 – Draft deed reviewed and sent back to USACE, forwarded to FORA for review.
 - b. April 2010 – USACE drafted memorandum to Mr. Whiteford and transmittal to FORA, reviewed by Fort Ord BRAC.

- c. May 4, 2010 – Monterey County Board of Supervisors approved agreements (license to cross South Boundary Road), covenants and conditions (relating to future use of the property) between the County and York School
- d. May 5, 2010 – York School rescinded its public benefit conveyance (PBC) request.
- e. May 10, 2010 – Department of Education withdrew its assignment request.
- 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 requested assignment for Chartwell School. USACE South Pacific Division completed review of assignment letter and submitted to USACE Southwest Division May 5, 2010.

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.
- 4. April-May 2010 – Army ELD consulting with OGC. Additional information requested from Fort Ord BRAC Office was submitted on April 19 and 21.

FOST 12:

- 1. Parcel E20c.1 (fishhook with grenade range) requires Track 1 Plug-in Approval Memorandum.
- 2. Parcel E29b.3.1 (Yadon’s piperia) requires completion of biological opinion by USFWS.
- 3. Parcel S2.1.2 (OU1) requires determination of OPS for OUCTP in the Lower 180-Foot Aquifer.

FOST 13:

- 1. Parcels E8a.1.1.1 and E8a.2 (Fort Ord Landfills) requires completion of Site 39 remedial action and closure of the Landfills.

FOSET 2 deed amendments:

- 1. October 2008 – Five deed amendments 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). Sixth deed amendment for Parcel L37 (City of Seaside) not drafted. 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 revised deed amendments.
4. March 2010 – USACE submitted draft deed amendment to FORA for legal review.
5. April 2010 – FORA completed legal review. USACE issued amendments to recipients for signature April 23.
6. May 2010 – FORA notified Army the County will require legal descriptions to be attached to the deed amendments.

FOSET 4 deed amendment:

1. November 2008 – ROD for Del Rey Oaks MRA complete and signed.
2. April 2010 – Preliminary Draft RD/RAWP issued to Army for review. Fort Ord BRAC Office submitted comments April 14, ARCADIS provided responses on April 23. Draft RD/RAWP issued to agencies for review April 30.

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.
7. May 2010 – FORA received executed deed amendments and will have them recorded.

FOSET 5 deed amendment, 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. Draft deed amendment forwarded to USACE HQ for review April 21; forwarded to Kutak Rock April 27.

FOSET 5 deed amendments, Group 3 MRAs:

1. Five deed amendments issuing the CERCLA Warranty for Group 3 MRAs.

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, draft deed submitted to USACE HQ for review.

Bureau of Land Management ECOP 2:

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)

Upon completion of applicable Track 1 Approval Memoranda, draft Environmental Condition of Property (ECOP) document for transfer of Track 1 areas to BLM for Army technical and legal review.

ESCA/FORA Update: FORA announced a planned community meeting on May 12, at 6:00 p.m.

Community Relations: Army provided an update on completed, on-going, and planned outreach. DTSC described an inquiry received about the quality of the drinking water on Fort Ord.

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, in progress in Units 14, was noted at 90 percent complete. Unit 19 DGM began on 26 April.

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

A position paper describing a recommended change to the extent of subsurface remediation in vicinity of Broadway Rd. was presented. With BLM approval, Army proposed a change from subsurface remediation to surface remediation and grading to support restoration for the area. The proposed approach was acceptable to EPA and DTSC. A fieldwork variance will be provided to document the change.

2. Army described the surface remediation in designated grids in vicinity of Range 48, MRS-BLM as complete. The action, in response to an August 29, 2009 incident involving a Grenade, Hand, M15 White Phosphorus (WP) was scheduled to involve approximately 92 acres was expanded to approximately 100 acres in response to the location of suspected MEC finds. No M15 WP grenades were found during the recently completed surface remediation. 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 was described as scheduled to begin in June. As part of a discussion of future prescribed burn planning, areas of difficult terrain and history of limited range uses were identified as needing site-specific evaluations. BLM expressed an interest in being involved in the future prescribed burn planning.
4. The status of MEC remediation in preparation for soil remediation and habitat restoration in Site 39, Range 26 was described.

5. The annual monitoring of surface remediation areas was presented as complete. The report is pending data from recent soil remediation activities in those areas.

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

1. One MEC incident since the last MR BCT. Reported on May 13 the item was determined to be an expended signal flare and deposited in the project munitions debris bin for final disposition by the project USACE ordnance safety specialist. The total incidents for 2010 is now 4.
2. No trespass incidents were reported since the last MR BCT.
3. MEC Recognition and Safety Training: 4 personnel required or requested training since the last MR BCT. A total of 42 individuals have been trained in 2010.
4. The MRS Security Annual Report (2009) is scheduled for publication on 17 May 2010.

Track 2 DRO MRA: The draft RD/RAWP was published in April for agency review through 30 May.

Remaining RI/FSSs: The TM Site Assessment Approach BLM East/Post-1940 (Southern Portion) will be final May 21 if responses to EPA comments are acceptable to EPA. The TM Site Assessment Approach BLM East/Post-1940 (Northern Portion) will be issued as draft in late May. Two additional site assessment TMs will be provided for agency review in June and July.

The area of BLM-Headquarters (MRS-35) will be evaluated as a Track 1 site, incorporating a reconfigured boundary for the development parcel as provided by BLM. Draft Track 1 Approval Memorandum would be made available for agency review in late August.

Report Status: Reviewed and updated. Draft final prescribed burn plan for Units 15/21/32/34 was published April 29. Draft RD/RA work plan for the Del Rey Oaks site was issued at the end of April with comments due by end of May.

FFA Schedule: Reviewed, no update was necessary.

Action Items: Reviewed and updated. MEC safety briefing provided by BLM to volunteers will be documented in the final site security annual report. The Army will provide a summary of deed/CRUP amendments reflecting final remedy for the Del Rey Oaks parcels. FOST11 is scheduled for 30-day public comment period at the end of May.

Future Meetings: The next MR BCT was scheduled for June 25 at 10:00 a.m. Subsequent meetings were scheduled for July 20 at 10:00 a.m. (conference call) and August 18 at 10:00 a.m.

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