

**BRAC Cleanup Team (BCT)
Munitions Response (MR) BCT Meeting Minutes
June 25, 2010
Fort Ord BRAC Conference Room**

Members / Invited Attendees

(p): by phone

Gail Youngblood, BRAC
Roman Racca, DTSC
Judy Huang, EPA
Lewis Mitani, EPA
Dave Eisen, USACE
Chris Prescott, USACE
Clinton Huckins, USACE
Eric Morgan, BLM
Laura Vidaurri, FORA
Lyle Shurtleff, BRAC
Chieko Nozaki, BRAC
Peter Kelsall, SHAW
Derek Lieberman, BRAC
Bruce Wilcer, MACTEC
Chris Duymich, POM FD
Kevin Siemann, SHAW
Rob Robinson, BRAC
Steve Sterling, DTSC

Combined portion
Bill Collins, BRAC
Melissa Broadston, BRAC
Franklin Mark, DTSC
Martin Hausladen, EPA
Bill Mabey, TECHLAW
Mark Edwards, USACE
Ed Ticken, MACTEC
Jen Moser, SHAW
Linda Temple, WESTON (ESCA)

MR BCT Agenda Items:

<u>Item</u>	<u>Action</u>	<u>Comment</u>
ESCA (FORA Update)	Update	by Laura Vidaurri
Fieldwork / Track 3 Update	Update	by Lyle Shurtleff
MRS Security Program	Update	by Lyle Shurtleff
Remaining RI/FS Areas	Update	by Bruce Wilcer
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

ESCA (FORA Update): ESCA RP provided a copy of the ESCA Monthly Report for May 2010 outlining a summary of technical and public participation for the past month; and, distributed a copy of a map of Current ESCA Work Areas for the month of June.

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 Units 14/14A was complete. Unit 19 DGM was reported as 80 percent complete.

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

2. The status of MEC remediation in preparation for soil remediation and habitat restoration in Site 39, Range 26 was described.
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 approximately 50 percent complete with Units 21 and 34 complete and Units 15 on-going and 32 pending.

BLM noted that several event organizers are now requesting former Fort Ord property use including roads and trails subject to impact by prescribed burning and other cleanup activities. The Army, FORA, BLM, Monterey County, and other property owners are involved in providing authorization for these activities. BLM proposed a general coordination capability among authorizing entities and a written notice to advise event organizers of risks to area availability and reduce potential repercussions when cleanup requirements supersede event area authorizations. BLM recommended BETA as an organization capable of coordinating area use requests. Army will coordinate a presentation to FORA user's group on potential prescribed burn impacts to scheduled events by property users.

4. 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.

Army described an interest in identifying an area or areas east of Riso Ridge that could be considered for Track 1-type outcome due to documentation and investigative information indicating limited or no high explosive munitions use in those areas. The terrain in most of the area was described as not conducive to high explosive weapons training. Army will continue to develop a proposal for this evaluation.

5. The annual monitoring of surface remediation areas was described as complete. Publication of the report is pending data from recent soil remediation activities in some 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 are now 4 for 2010.
2. No trespass incidents were reported since the last MR BCT.
3. MEC Safety Education: 225 Students and staff of Washington Union Elementary School received a MEC safety presentation on May 19.
4. MEC Recognition and Safety Training: 24 personnel required or requested training since the last MR BCT. A total of 68 individuals have been trained in 2010.
5. The MRS Security Annual Report (2009) was published on May 17, 2010.
6. A MEC safety booth was staffed by BRAC personnel at the Presidio of Monterey/Defense Language Institute Safety Day, May 28 receiving more than 1,000 visitors.

Track 2 DRO MRA: Army described a phone conference (June 24, 2010) with DRO and BCT. DRO will produce a letter initiating the modification of the Covenant to Restrict Use of Property as specified in the Record of Decision.

Remaining RI/FSs: The TM Site Assessment Approach BLM East/Post-1940 (Southern Portion) was issued as final; fieldwork will be scheduled. DTSC comments on draft TM Site Assessment Approach BLM East/Post-1940 (Northern Portion) is pending.

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. Final prescribed burn plan for Units 15/21/32/34 is pending agency review of comment responses. Draft final RD/RA work plan for the Del Rey Oaks site will be slightly delayed to incorporate the results of the June 24 meeting.

FFA Schedule: Reviewed. An update to the DRO RD/RA will be published.

Action Items:

1. MEC safety briefing data provided by BLM for volunteer training has been documented in the final site security annual report.

2. The Army will provide a summary of deed/CRUP amendments reflecting final remedy for the Del Rey Oaks parcels.

Combined Portion Agenda Items:

<u>Item</u>	<u>Action</u>	<u>Comment</u>
Site 39 Remediation	Update	by Bill Collins
Property Transfer	Update	by Derek Lieberman
Community Relations	Update	by Melissa Broadston
Calendars/Next BCT Meeting	Schedule	by Chieko Nozaki

Site 39 Remediation:

1. Historical Area (HA) 44: Site-specific work plan (SSWP) is in Army review; it is planned for agency and FORA review July 6. Excavation is planned for July 26 through August 27. Field schedule will be coordinated with FORA. Approximately 1.8 acres will be excavated to depths ranging from 1 to 3.5 feet. Excavated material will be screened to separate MEC if present. QC seeds will be placed in the soil prior to excavations. Other options for soil screens and QC seeding were discussed.

The screened soil will be stockpiled on a hardstand next to FORA ESCA field trailer within the ESCA property. It is the best location for equipment access. There will be no habitat restoration requirement at the stockpile location since the area is designated as a development area. No contaminated soil will remain in the stockpile area. At the completion of the soil remediation activities at HA-44, after the contaminated soil is moved from the stockpile to the landfill, the ground surface of the stockpile area will be excavated to 6 inches (excavated material will be hauled to the landfill) and confirmation soil sampling will be conducted to verify that the new surface is clean. Scraping and sampling will be repeated until confirmation samples meet the standards established under the Site 39 program. EPA and DTSC agreed with the location of the stockpile and transport of the soil between MRAs (ESCA) as well as the confirmation sampling process. EPA requested the Army invite FORA ESCA to participate in the confirmation sampling activities for the stockpile area.

2. HA-26: The Army received no comments from the agencies on SSWP. The SSWP and associated fieldwork variance (FWV) will be finalized prior to the start of soil remediation fieldwork on June 28 in the western portion of the site. Subsurface MEC removal in the eastern portion is in progress.
3. HA-39/40/40A: Fieldwork is planned for October.
4. HA-36: Subsurface MEC removal in Riso Ridge road has been completed.

5. HAs with low probability of encountering MEC: TM will be issued next week. All QC seeds in low-probability ranges have been recovered.
 - a. HA-19: Excavations are complete including over-excavation to address four areas with lead concentration above 1,860 mg/kg.
 - b. HA-23: TM has been issued; RWQCB provided comments, EPA has no comments.
 - c. HA-33: TM has been issued for agency review; RWQCB provided comments.

6. OU2 Landfill: 12 acres have been exposed to receive contaminated soil.

Excavations are 29% complete overall. Any MEC items recovered during the soil remediation activities will be reported to the agencies.

Property Transfer:

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 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; York School rescinded its public benefit conveyance (PBC) request; Department of Education withdrew its assignment request.
 - d. June 2010 – FORA and its counsel determining appropriate sequence of transfer.
3. Parcel L23.5.2 (and adjacent FOST 9 Parcel L23.5.1) PBC to Chartwell School. Revised information paper supporting assignment to Department of Education submitted to USACE Southwest Division June 7, 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.
5. May 2010 – FOST revised based on discussion with OGC and submitted to OGC and ELD for review on May 24.

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. Army issued revised amendments to recipients.

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.
3. May 2010 – comments received from USEPA.
4. June 2010 – comment resolution meeting between Army, USEPA, DTSC and Del Rey Oaks. Del Rey Oaks will send letter to DTSC requesting variance to CRUP restrictions; per USEPA CERCLA Warranty cannot be issued until variance to CRUP is complete.

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 had executed deed amendments recorded, forwarded copies to Army and agencies.

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:

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.
3. June 2010 – received comments from USACE HQ.

Bureau of Land Management ECOP 2:

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.

Community Relations: Army provided an update on completed, on-going, and planned outreach. Community notification of the upcoming prescribed burn season was initiated with newspaper advertisements and targeted mailing. Approximately 70 individuals have registered with the Direct Notification Program. The semiannual Fort Ord Environmental Cleanup Open House and Bus Tours event is scheduled for June 26, 2010. Completed outreach included the Presidio of Monterey/Defense Language Institute Safety Day May 28 receiving more than 1,000 visitors and a bus tour of cleanup sites June 22 for Sustainable Seaside.

Future Meetings: The BCT meetings were scheduled as follows:

HTW BCT July 13 at 10:00 a.m. and MR BCT July 20 at 10:00 a.m. (conference call); August 18 - MR BCT at 10:00 a.m., combined meeting 11:30 a.m. and HTW BCT at

1:30 p.m.; September 22 – HTW BCT at 10:00 a.m., combined meeting 11:30 a.m. and MR BCT at 1:30 p.m.

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