

**BRAC Cleanup Team (BCT)
Munitions Response (MR) BCT Meeting Minutes
October 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
Chris Prescott, USACE
Clinton Huckins, USACE
Laura Vidaurri, FORA
Bill Collins, BRAC
Lyle Shurtleff, BRAC
Peter Kelsall, SHAW
Derek Lieberman, BRAC
Terry Gleason, USACE
Chieko Nozaki, BRAC
Mark Eldridge, AEC
Bruce Wilcer, MECTEC (p)
Kevin Siemann, SHAW

Rob Robinson, BRAC
Melissa Broadston, BRAC
Jen Moser, SHAW
Beth Flynn, MACTEC
Ed Ticken, MACTEC
Danny Walsh, USAEC
Erin Caruso, ITSI
Steve Crane, ITSI

MR BCT Agenda Items:

<u>Item</u>	<u>Action</u>	<u>Comment</u>
Property Transfer	Update	by Derek Lieberman
ESCA (FORA Update)	Update	by Laura Vidaurri
Community Relations	Update	by Melissa Broadston
Calendars	Update	by Chieko Nozaki
Site 39	Update	By Jen Moser
Fieldwork / Track 3 Update	Update	by Lyle Shurtleff
MRS Security Program	Update	by Lyle Shurtleff
Remaining RI/FS Areas	Update	by Beth Flynn
Report Status	Update	by Chieko Nozaki
FFA Schedule	Update	by Chieko Nozaki
Action Items	Update	by Chieko Nozaki
Next Meeting		by Chieko Nozaki

Property Transfer Update:

The Army provided:

FOST 10 deeds:

1. July 2009 – eight of nine deeds and three CRUPs recorded, 594 acres transferred.
2. Parcel L3.2 (101.19 acres)
 - a. 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covenants and conditions (relating to future use of the property) between the County and York School; York School rescinded its public benefit conveyance (PBC) request; Department of Education withdrew its assignment request.
 - b. June 2010 – FORA and its counsel determining appropriate sequence of transfer.
 - c. July 2010 – FORA and York School negotiating reimbursement of legal fees.
 - d. August 2010 – FORA and York School negotiations complete, Kutak Rock instructed to proceed with deed, submitted draft with revisions to USACE.
 - e. September 2010 – USACE sent deed back to Kutak Rock with comments. USACE determined one MEC provision required insertion. OGC stated letter from FORA requesting property as EDC required. FORA drafted letter and submitted to OGC for review. OGC requested supporting documentation.
 - f. October 2010 – OGC indicated DASA (I&H) will sign deed.
3. Parcel L23.5.2 (and adjacent FOST 9 Parcel L23.5.1) PBC to Chartwell School. Transmittal memorandum signed by USACE Director of Real Estate and forwarded to DASA (I&H) OASA (I&E) for signature on July 28, 2010. OGC sent back to USACE indicating authority was delegated to Director of Real Estate, who signed it on October 7, 2010.

FOST 11:

1. July 2010 – Draft Final FOST issued for 30-day public comment period.
2. August 2010 – no comments received. Final FOST issued to USEPA and DTSC with request for concurrence.
3. September 2010 – concurrence received from USEPA (2 Sep) and DTSC (13 Sep). FOST staffed for Army signature. Draft deed submitted to USACE for review.

FOST 12:

1. Parcel E20c.1 (fishhook with grenade range) requires Track 1 Plug-in Approval Memorandum (draft to be issued October 18, 2010).
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 (estimated transfer in 2015).

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.
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. Amendments issued to recipients for signature.
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.
7. June 2010 – MST and CSUMB signed deed amendments.
8. July 2010 – MST deed amendment countersigned by Department of Transportation and recorded. Remaining five deed amendments signed by recipients and submitted to USACE, forwarded to USACE Southwestern Division.
9. September 2010 – USACE Southwestern Division forwarded deed amendments to USACE HQ for signature. At the request of USACE HQ, additional documentation was provided and the information paper was revised.

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.
5. July 2010 – Del Rey Oaks submitted letter to DTSC requesting variance to the CRUP. Decision pending on type of survey for area where residential restriction to be removed.
6. August 2010 – USEPA determined all remedial actions implemented and completed (20 Aug).
7. September 2010 – Del Rey Oaks retained surveyor.

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.
3. July 2010 – Kutak Rock requested minor changes to deed amendment, Army concurred.
4. August 2010 – FORA executed deed amendment, submitted to USACE Sacramento District.
5. September 2010 – deed amendment submitted to USACE Southwestern Division.

FOSET 5 deed amendments, Group 3 MRAs:

1. Five deed amendments issuing the CERCLA Warranty for Group 3 MRAs. Group 3 ROD scheduled to be signed by July 29, 2011.

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.
4. July 2010 – draft deed submitted to UC for review.
5. August 2010 – UC stated deed is acceptable and will sign.
6. September 2010 – deed submitted to UC attorneys for acceptance.

Bureau of Land Management ECOP 2:

1. 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 Update: A written update was provided.

Community Outreach: The Army provided:

1. Marina in Motion (EPA TAG recipient) has received an update of cleanup operations and documents available for comment from the Army.
2. At the request of Marina in Motion, the Army will attempt to improve the timeliness of posting the minutes of MR BCTs.

Site 39: The Army provided a list of HAs by status and schedule:

1. The density subsurface debris encountered during the excavation of contaminated soil in HA-39/40 has significantly impacted the efficiency of the MEC inspection work. Army is considering a screening method to supplement the lay down inspection technique currently in use. A FWV will be produced to describe the screening option.
2. Straw crimping was described as planned for soil excavation areas pending restoration through the winter months.
3. HA-28 is being prepared for excavation with completion of a subsurface removal and the removal of targets.
4. HA-26: all confirmation samples from the remediation areas have been received. Additional sampling to be taken from haul routes, stockpile areas and overexcavation.

5. HA-44: Although validated results of some confirmation samples are not yet available, the Army is proceeding with post-excavation DGM to meet FORA's schedule for upcoming investigation in Range 44 and road work on Eucalyptus Road.

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

1. Fieldwork in Units 14/19 area was described as complete pending contouring and surface removal in Broadway Rd. (north of Unit 14). The Army provided a description of the occurrence surface MD on Unit 19 discovered during reconnaissance for evidence of potential soil contamination after completion of the surface removal on that unit. The appearance of surface MD was described as likely due to the use of heavy tow equipment during DGM operations, the high concentration of MD in former target areas, and wind erosion in areas exposed after the prescribed burn of the unit. The Army described an intention to examine the units 14 and 19 to determine the extent of the surface MD and to devise a suitable response.
2. A summary of the status of the total number of MEC items found and their disposition was provided. Range related debris and munitions debris totals by weight were also provided.
3. An update on the prescribed burning of vegetation in Units 15/21 was provided. The vegetation on those units was burned on October 7 and 8. Near-surface removal in an eastern portion of Unit 21 mastication had been completed; up to three tons of 3.5-inch rocket bodies (MD) had been recovered. Continued blacklining in Units 15/21/32 mastication was described as pending the positioning of resources and suitable weather. The Army described adding some persons to a list for notice when blacklining operations begin.
4. An intent to document a portion of Unit 32 as requiring no further work was described as appropriate due to the lack of MEC/MD found in cleared areas of the unit, the difficulty of the terrain, and a lack of historical evidence of range activity in the area.
5. The fieldwork and data collection for the annual monitoring of surface remediation areas was described as complete. Publication of the report is pending.

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

1. One MEC incident was reported since the last MR BCT. On 9-20-10 BLM reported a "practice rocket" in the area of Units 18. An investigation of item

determined it to be a 2.36" practice rocket M7. The Item disposed as MD. Inspection of the area indicates that it was subject to a surface removal March – April 2009. The item appeared to have become exposed as a result of erosion and soil compaction after the completion of the surface removal. The total MEC incidents are now 6 for 2010.

2. No trespass incidents were reported since the last MR BCT. The total incidents remain 1 for 2010.
3. MEC Safety Education: No change.
4. MEC Recognition and Safety Training: The City of Monterey has requested training for their staff on October 20.

Remaining RI/FSs: The Army reported site assessment field work as continuing. An interim report was provided. Draft site assessment technical memorandum for the third area, BLM-East/Pre-1940 (Northern and Southern Portions) is scheduled for release in October. Technical memorandum for the fourth investigation area (BLM-North) is in preparation. Draft Track 1 documents for BLM-HQ and MRS-24A, 24C and Parcel E20c.1 are expected to be provided to the regulatory agencies in October.

Report Status: Reviewed and updated.

FFA Schedule: Reviewed, no change was made. An updated schedule for the Track 3 program will be provided next month.

Action Items: Reviewed and updated. Photographs of equipment being used in Site 39 soil remediation areas will be provided to the regulatory agencies on CDs. Status of the request to update EPA websites with the current TAG information was provided.

Next Meeting: The next meeting was scheduled for November 17, 2010 at 1:30 p.m. Subsequent meetings were tentatively scheduled for December 9, 2010 (conference call) and January 12, 2011.

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