

**BRAC Cleanup Team (BCT)
Munitions Response (MR) BCT Meeting Minutes
January 12, 2011
Fort Ord BRAC Conference Room**

Members / Invited Attendees

(p): by phone

Gail Youngblood, BRAC
Roman Racca, DTSC
Steve Sterling, DTSC (p)
Lewis Mitani, EPA
David Eisen, USACE
Chris Prescott, USACE
Stan Cook, FORA
Peter Kelsall, SHAW (p)
Bruce Wilcer, MACTEC
Lyle Shurtleff, BRAC
Erin Caruso, ITSI
Judy Huang, EPA

Chieko Nozaki, BRAC
Terry Gleason, USACE
Beth Flynn, MACTEC
Kevin Siemann, SHAW
Steve Crane, ITSI
Rob Robinson, BRAC
Bill Collins, BRAC
Melissa Broadston, BRAC
Derek Lieberman, BRAC

MR BCT Agenda Items:

<u>Item</u>	<u>Action</u>	<u>Comment</u>
Property Transfer	Update	by Derek Lieberman
Community Relations	Update	by Melissa Broadston
ESCA (FORA Update)	Update	by Stan Cook
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

Property Transfer: The Army provided an update to current property transfer actions.

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a. May 2010 – Monterey County Board of Supervisors approved agreements between the County and York School; York School rescinded its public benefit conveyance (PBC) request; Department of Education withdrew its assignment request.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.

BRAC Cleanup Team (BCT)
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- e. September 2010 – per OGC, FORA drafted letter requesting property as EDC and submitted to OGC for review.
 - f. November 2010 – OGC gave approval of documentation, FORA signed request letter, deed and amendment to EDC MOA, sent to USACE HQ. OGC requested copy of agreement between FORA and Monterey County to complete package.
 - g. December 2010 – USACE HQ sent MOA to DASA (Calcara) for signature.
3. Parcel L23.5.2 (and adjacent FOST 9 Parcel L23.5.1) PBC to Chartwell School.
- a. July 2010 – Transmittal memorandum signed by USACE Director of Real Estate and forwarded to DASA (I&H) OASA (I&E) for signature.
 - b. October 2010 – OGC sent back to USACE indicating authority was delegated to Director of Real Estate, who signed it on October 7, 2010.
 - c. November 2010 – Department of Education submitted draft deed to USACE. USACE approved deed, forwarded to OGC.
 - d. December 2010 – January 2011 – USACE HQ and Department of Education negotiating deed language.

FOST 11:

1. July 2010 – Draft Final FOST issued for 30-day public comment period. No comments received.
2. September 2010 – concurrence received from USEPA (2 Sep) and DTSC (13 Sep). FOST staffed for Army signature. Draft deed submitted to USACE for review.
3. October 2010 – JC King reviewing FOST before DASA (ESOH) signature.
4. December 2010 – JC King sent FOST back to BRAC-D without signature. Army ELD informed and will refer issue to OGC.

FOST 12:

1. Parcel E20c.1 requires Track 1 Plug-in Approval Memorandum (draft issued Oct 29, 2010, USEPA comments will be submitted by end of January 2011 and will request significant revisions).
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.

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.

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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.
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.
10. November 2010 – deed amendments staffed for signature by Mr. Whiteford.

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. Draft deed amendment submitted to USACE SPK.

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.

BRAC Cleanup Team (BCT)
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6. December 2010 – deed amendment submitted to USACE HQ. Reviewer indicated issues with the legal description.

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 SPK for review.
2. April 2010 – 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.
7. October 2010 – UC signed deed and returned to USACE SPK. USACE preparing signature package.
8. November 2010 – Determined no signed version of FOST 3 is available. USACE Southwest Division said this is unacceptable.
9. December 2010 – revised deed to reference UCSC Phase I FOST, which includes Parcel F7.1, is signed, and has USEPA concurrence. UC accepted this revision.

Community Relations:

Community Relations: Army provided that Marina in Motion would attend a meeting with MR BCT at 5:30 p.m. January 12 prior to the community involvement workshop to discuss setting up regular meetings with the BCT.

Upcoming outreach activities (February bus tour/open house, Community Involvement Workshops and the Guided Nature Walk) were reviewed.

ESCA Update: FORA provided the status of outreach actions and plans, and a fieldwork update.

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

1. Surface removal fieldwork in Units 15/21/34/32 was described as in progress with a planned end date of February 16. Blacklining operations have been suspended for the winter due to moisture conditions in the planned areas. The presence of surface and near surface concentrations of 3.5” practice rocket MD in the east side containment line of Unit 21 may require reassessment and additional removal action. A decision will await completion of current surface removal action.
2. Requisitions of subsurface of specific anomalies in Broadway Rd. area (north) of Unit 14 is in progress and subsurface removal of those anomalies is scheduled for next week to support a planned contouring/grading operation planned to begin with ESS amendment approval. A surface removal in the remainder of Units 14/19 is complete. Army noted that the addendum to the technical memorandum

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for Units 14/19 was published as a revised draft on December 17 with comments due January 17.

3. 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.
4. The fieldwork and data collection for the annual monitoring of surface remediation areas will commence in February with the intention of completing the report in May.
5. The air monitoring protocol for Units 11/12 was discussed. Army described a meeting with the Monterey Bay Unified Air Pollution Control District concerning the protocol.
6. DTSC described a need for 37mm MD for use in QC/QA operations at other sites. USACE provided what items were available to HNC. USACE recommended that DTSC contact HNC.

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. The total number of incidents for 2010 is 7.
2. No trespass incidents were reported since the last MR BCT. The total number of incidents for 2010 is 1.
3. MEC Safety Education: None for 2011.
4. MEC Recognition and Safety Training: 25 contractors and service providers were trained in December/January. A total of 190 personnel were trained by Army in 2010. FORA training numbers for 2010 are pending and will be included in the annual site security report.
5. Annual site security committee meeting has been scheduled for February 23 at 10:00 A.M.

Remaining RI/FSSs: Army will reissue the CD containing TM 3 due to a labeling error on the original CD. Comments will be requested 30 from date of issue.

In the TM 1 site assessment area, an additional evaluation of the suspected practice mine training area near Oil Well Road is pending.

BRAC Cleanup Team (BCT)
Munitions Response (MR) BCT Meeting Minutes
January 12, 2011
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The Army provided a status report on the site assessment fieldwork conducted in the TM 2 area. Fieldwork has been completed with no significant findings. A total of six MD items and no MEC were found during the investigation. The Army recommended the TM 2 area be documented as a Track 1 area.

DTSC indicated that they will concur with a Track 1 recommendation for E20c.1 is the City of Seaside will commit to an ordnance ordinance agreement.

Report Status: Reviewed and updated.

1. Publication of the PD TIP for the BLM East Sliver is scheduled for January 20.
2. Comments on the D Track 1 AM for MRS-24A, MRS-24C and Parcel E20c.1 are due January 26.
3. Publication of the revised F TM for the SA Approach, BLM East/Pre-1940 (North and South Portions) Remaining RI/FS Areas (TM 3) is scheduled for February 28
4. Comments were received Jan 11 from MIM on MRS-BLM Units 14/19 TM.
5. Publication of DF MRS-BLM Units 18/22 RAR is scheduled for 19 January.

FFA Schedule: Proposed schedule updates to the Track 3 and Remaining RI/FS Areas programs were reviewed and approved.

The next meeting of the MR BCT was scheduled for February 25 at 10:00 A.M. Additional meetings were scheduled for March 22 at 1:30 P.M. and April 26 at 10:00 A.M..

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