

**BRAC Cleanup Team (BCT)
Munitions Response (MR) BCT Meeting Minutes
February 25, 2011
Fort Ord BRAC Conference Room**

Members / Invited Attendees

(p): by phone

Gail Youngblood, BRAC
Roman Racca, DTSC
Judy Huang, EPA
Lewis Mitani, EPA
Eric Morgan, BLM
Chris Prescott, USACE
Terry Gleason, USACE
Peter Kelsall, SHAW (p)
Derek Lieberman, Ahtna
Lyle Shurtleff, BRAC
Erin Caruso, ITSI
Jen Moser, SHAW

Chieko Nozaki, BRAC
Chris Duymich, POM FD
Beth Flynn, MACTEC
Kevin Siemann, SHAW
Steve Crane, ITSI
Rob Robinson, BRAC
Bill Collins, BRAC
Melissa Broadston, BRAC
Laura Vidaurri, FORA (p)
Brad Park, Ahtna
Ed Ticken, MACTEC

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 Laura Vidaurri
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 - a. May 2010 – Monterey County Board of Supervisors approved agreements between County and York School; York School rescinded PBC request; Dept of Ed withdrew assignment request.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.
 - e. September 2010 – per OGC, FORA drafted letter requesting property as EDC and submitted to OGC for review.

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- f. November 2010 – OGC approved documents, FORA signed request letter, deed and amendment to EDC MOA, sent to USACE HQ.
 - g. January 2011 – Army executed deed and MOA amendment, returned to USACE SPK.
 - h. February 2011 – USACE SPK forwarded executed documents to FORA for recordation.
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 7 Oct.
 - c. November 2010 – Dept of Ed submitted draft deed to USACE.
 - d. December 2010 – January 2011 – USACE HQ and Dept of Ed negotiating deed language.
 - e. February 2011 – Dept of Ed issued deeds to Chartwell School on 17 Feb for execution.

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 – ODASA (JC King) reviewing FOST before DASA (ESOH) signature.
- 4. December 2010 – ODASA sent FOST back to BRAC-D without signature. Army ELD informed and referred issue to OGC. ODASA revised FOST and submitted to BRAC-D.
- 5. January 2011 – ELD and OGC met with ODASA to discuss FOST revisions.
- 6. February 2011 – BRAC-D submitted FOST to USATCES for review and approval. USATCES approved, submitted to DDESB with recommendation for approval. DDESB approved 23 Feb.

EPA expressed concern about the potential nature and extent of changes to the FOST proposed by ODASA, as EPA and DTSC had already concurred on the version of the FOST completed in August 2010. EPA and DTSC stated that, if the Army's final revisions to the FOST are significant, they would have to review the FOST again. Army provided that OGC and ELD are still working with ODASA on proposed changes to the FOST and it was uncertain when that process would be complete; however, Army will provide EPA and DTSC with copies of the revised FOST.

FOST 12:

- 1. Parcel E20c.1 requires Track 1 Plug-in Approval Memorandum.
- 2. Parcel E29b.3.1 (Yadon's piperia) requires completion of biological opinion by USFWS.

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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.
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. June 2010 – MST and CSUMB signed deed amendments.
7. July 2010 – MST deed amendment countersigned by Department of Transportation and recorded. Remaining five deed amendments signed by recipients and submitted to USACE.
8. September 2010 – per USACE HQ, additional documentation provided and information paper revised.
9. December 2010 – Army executed deed amendments and returned to USACE SPK.
10. January 2011 – USACE SPK forwarded executed deed amendments to recipients for recordation.

FOSET 4 deed amendment:

1. November 2008 – ROD for Del Rey Oaks MRA complete and signed.
2. April 2010 – 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. 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.

FOSET 5 deed amendment, County North MRA:

1. March 2010 – draft deed amendment issuing CERCLA Warranty for County North MRA drafted and submitted to USACE.

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2. April 2010 – Draft deed amendment forwarded to USACE HQ and Kutak Rock.
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.
6. December 2010 – deed amendment submitted to USACE HQ. Reviewer indicated issues with the legal description, but issues resolved.
7. January 2011 – Army executed deed amendment and returned to USACE Sacramento District.
8. February 2011 – USACE forwarded executed amendment to FORA for recordation.

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. July 2010 – draft deed submitted to UC for review.
4. October 2010 – UC signed deed and returned to USACE SPK.
5. November 2010 – Determined no signed version of FOST 3 is available.
6. 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.
7. February 2011 – USACE Director of Real Estate executed the deed and forwarded to USACE SPK.

Community Relations: Army provided that the procedures for public notice of planned detonation of MEC have been modified at the request of EPA. The modified public notification procedure will feature posting of updates to the project website. EPA requested the modified procedures be made effective as soon as possible.

The Army advised members that requested comments to a draft analysis of data from the 2009 community survey are due within the next 30 days. The 2011 community survey will be distributed to the community June - December 2011.

A planned meeting between Army, BCT and Marina in Motion (MIM) (TAG recipient) was described by Army as an update on the big picture, issues, progress on reports, document schedules, fieldwork, and regulatory issues.

Army reported that MIM technical advisors are to be added to the document distribution list.

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

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

1. Surface removal fieldwork in Units 15/21/34/32 was described complete as of February 16. DGM in Unit 21 is scheduled to begin on March 7. DGM in HA 37 (Unit 21) was completed in January.
2. Subsurface investigation of specific anomalies in Broadway Rd. area (north) of Unit 14 under FWV 41 is in progress. However, challenges with explosives safety for the contouring of the area using armored equipment may require adjustment to that technique. BLM offered that their assessment of the habitat recovery since the abandonment of the roadway may reduce the subsurface requirement. Army will coordinate with BLM for an assessment of habitat recovery in the area of Broadway Rd.
3. The MEC work plan for 2011 includes Units 11 and 12 proposed for prescribed burning and Units 4, 5A and 9 proposed for vegetation cutting. The work plan is similar to previous work plans with the exception of the use of the geophysical system verification (GSV) method instead of the geophysical prove-out (GPO) to demonstrate the performance of the geophysical equipment that will be utilized during the remedial action. USACE provided that this is consistent with the industry trend and additional information can be provided to BCT if requested.
4. The status and utility of Hugo Road (northern boundary for Unit 9) as a fuel break was discussed. Army plans further study.
5. 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.
6. The fieldwork and data collection for the annual monitoring of surface remediation areas was reported as underway with the intention of completing the report in May.

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

1. Two MEC incidents were reported since the last MR BCT. Both were investigated and determined to be MD that has become visible due to erosion of those areas after the prescribed burn and surface remediation action. The total number of incidents for 2011 is 3.
2. No trespass incidents were reported since the last MR BCT. The total number of incidents for 2011 is 0.

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3. MEC Safety Education: None for 2011.
4. MEC Recognition and Safety Training: 19 contractors and service providers were trained in January/February. A total of 34 personnel have been trained by Army in 2011.
5. The 2010 annual site security committee meeting was held on February 23, 2011 at 10:00 A.M.

Remaining RI/FSs: The status of a training minefield described in a previous briefing on the BLM East Post-1940 (Southern Portion) site assessment was discussed. Previously recorded subsurface anomalies were investigated and additional unfuzed practice mine bodies were recovered. The results of examination of the training items found to date was a determination that the area requires no further action.

Site assessment fieldwork in BLM East Post-1940 (Northern Portion) is also complete with recommendation for no additional investigation. The Army is considering a combined Track 1 document to address these two areas (Post-1940) except several MRSs where MCE removal action was previously conducted.

Site assessment fieldwork in BLM East Pre-1940 (Northern and Southern Portions) is in progress.

The Army provided a description of the processes for site assessment of BLM North, north and south areas. A TM for the assessment has been issued. Assessment work will begin during the review period for that TM.

Report Status: The Army provided a review and update:

1. Comments on the Draft MRS-BLM Units 15, 21, 32, and 34 (2010 units) Prescribed Burn 2010 After Action Report are due 3 March.
2. Comments on the DF MRS-BLM Units 18 and 22 (2008 units) Remedial Action Report were due 24 February.
3. Publication of the revised F TM for the SA Approach, BLM East/Pre-1940 (Northern and Southern Portions) Remaining RI/FS Areas (TM 3) is scheduled for 20 March.
4. A report of annual monitoring of remedial land use controls on three parcels within the Track 2 Parker Flats Munitions Response Area has been submitted to the regulatory agencies.

FFA Schedule: Reviewed and approved.

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The next meeting of the MR BCT was scheduled for March 22 at 1:30 P.M. Additional meetings were scheduled for April 26 at 9:00 A.M.

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