APPENDIX H

RESPONSE TO COMMENTS ON THE DRAFT FINAL TRACK 2 MILITARY MUNITIONS RESPONSE REMEDIAL INVESTIGATION/FEASIBILITY STUDY, PARKER FLATS MUNITIONS RESPONSE AREA

APPENDIX H
RESPONSE TO COMMENTS
DRAFT FINAL TRACK 2 REMEDIAL INVESTIGATION/FEASIBILITY STUDY
PARKER FLATS MUNITIONS RESPONSE AREA

In response to Comments on the Draft Final Track 2 RI/FS, several modifications have been made to the text. Replacement text pages have been prepared for insertion into the Draft Final Document. In addition to modifications identified in the responses to comments, revised Cover pages and tables of contents are provided for insertion into the document.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION IX
COMMENTS DATED MARCH 6, 2006.

GENERAL COMMENTS

Comment 1: **Acronym List, page vii: In the comments provided on the previous version of the Draft Final Track 2 RI/FS, Parker Flats MRA, Specific Comment 1 noted that: "Also, the definitions for "MR" and "MP" are out of alphabetical order." It further requested that this be corrected. The Army response to this comment (Appendix F) stated that, "The acronym list has been revised as suggested." However, a review of the Acronym Listing in the Draft Final Track 2 RI/FS, Parker Flats MRA revealed that this correction had not been made. Please correct the alphabetization of the two cited terms as previously requested.**

Response 1: The requested correction has been made. A replacement page with revised text has been provided for insertion into the final document.

Comment 2. **Glossary, page x: In the definition of the term "Discarded Military Munitions," the reference cited is "10 U.S.C. 2710(e)(2)(6)." The correct citation should be "10 U.S.C. 2710(e)(2)." It appears that the "(6)" is intended to be a designation of the source of the definition. If this is the case, the term "Source: (6)" should be listed at the end of the definition text. Please correct the referenced cited and the source listing as noted.**

Response 2: The (6) is the source. The glossary has been modified to show this. A replacement page with revised text has been provided for insertion into the final document.

Comment 3: **Section 2.3, MR RI/FS Background, last 2 sentences on Page 12: These two sentences stretch the truth somewhat. While the regulators were given notice of Army removals and the results thereof, the regulators were not on board with or in favor of the**

Parker Flats removals going forward at the time for a number of reasons. These reasons included concerns with the use of SiteStat/GridStat sampling at some sites as well as the fact that the Army had decided that MEC detection technologies other than the Schonstedt such as the EM 61 were not to be used at Parker Flats despite their successful use elsewhere on the Former Fort Ord. Further, the regulators were not expressly involved in scoping, overseeing or reviewing the Parker Flats removal work. These two sentences make it sound as if the regulators were more involved in the removals than we actually were. Please revise. The report can note that we are now involved in the RI/FS but should clarify that the removals were done solely by the Army using its delegated removal authority under CERCLA.

Response 3: The intent of this section was to indicate that the Army provided the work plans for review, and the regulatory agencies had the chance to comment on the work plans for the removal actions. It is however true that the Army implemented the removal actions using its delegated authority under CERCLA. A replacement page with revised text clarifying this issue has been provided for insertion into the final document.

Comment 4: **Section 3.3 History of Military Munitions Response Program Investigations, page 23: In the comments provided on the previous version of the Draft Final Track 2 RI/FS, Parker Flats MRA, Specific Comment 9 noted that: "There are a number of instances where the types of munitions suspected of having been fired/employed in a specific MRS are not provided. As a result, the potential hazard which existed or which may remain in the referenced area cannot be determined." It then requested that this be corrected. The Army response to this comment (Appendix F) stated that, "The text was modified to include additional information if available, or to indicate that the type was unknown, if appropriate." However a review of the subsection entitled 1994 HFA Investigation revealed a sentence which read, "Two MEC items, a blasting cap and a mine fuze, and 246 munitions debris items were found and removed from MRS-3 (Appendix B)." The mine fuze is not identified as to whether it was a practice mine fuze or a HE loaded mine fuze. Please correct the cited statement to identify the mine fuze by type as originally requested, or list it as unknown if that is the case.**

Response 4: The mine fuze specified in the comment is a practice mine fuze. The text was modified to state that it was a practice mine fuze. A replacement page with revised text has been provided for insertion into the final document.

Comment 5: **Section 3.3 History of Military Munitions Response Program Investigations, page 24: In the comments provided on the previous version of the Draft Final Track 2 RI/FS, Parker Flats MRA, Specific Comment 10 noted that: "The last three lines (lines 1-3) of this subsection contain a sentence which reads, 'The AAR indicated that while not probable, it is possible that DMM is buried beyond the detection capabilities of the Schonstedt Model GA-52/Cx, may remain at MRS-53 and the MRS-53 expansion area.' It is unclear what this sentence means." It then asked that the sentence be reviewed and corrected as necessary. The Army response to this comment (Appendix F) stated that, "This sentence was revised to read as follows: On the basis of the site walk, an overall investigation including sampling was recommended in the Revised ASR." However a review of the subsection entitled 1997 Archives Search Report revealed a sentence which read, "On this basis of the site walk, an overall investigation including sampling was recommended in the Revised ASR." As this reads somewhat different than the sentence noted in the Army response (i.e., the word "this" is present instead of the word "the" as stated in the response to comments), please revise the sentence to match that provided in the Army response.**

Response 5: The sentence was revised to match the response previously provided. A replacement page with revised text has been provided for insertion into the final document.

Comment 6: **Section 3.5.2.4 Quality Assurance/ Quality Control, Additional Site Validation, Page 71: EPA's records indicate that this work was performed November 2 to November 4, 2005 not on November 1 to November 3, 2005. This section should also note that EPA and DTSC munitions contractors/experts accompanied the ACOE and Parsons and that these regulatory representatives carried their own instruments. The text should note that a DTSC representative participating in the site validation of Parker Flats used an all meal detector, the Garrett 2500 (it resulted in detection of small arms brass), so that it cannot be argued that non-ferrous munitions items were missed. Further, didn't DTSC perform at least two additional walks thereafter including one that included the use of an EM61 and yet nothing of concern was found? Shouldn't this also be mentioned?**

Response 6: According to the electronic global positioning system (GPS) and personal data assistant (PDA) records, the work was completed on November 1 through November 3. The text was modified to include the additional information. The section was further expanded to document

the results of an EM-61 survey of the quarter grids conducted by DTSC. Revised text has been provided for insertion into the final document.

Comment 7: **Appendix B Data Tables, Military Munitions Discovered and Removed within the Parker Flats MRA, Table B1, Pages 1-14: In the comments provided on the previous version of the Draft Final Track 2 RI/FS, Parker Flats MRA, Specific Comment 22 stated that, "Table B1 (and all others in Appendix B) has a column labeled 'Burialbit.' It is unclear what the term 'Burialbit' represents. Please review this term and explain its meaning or correct it throughout Appendix B if it is a typographical error." The Army response (Appendix F) stated that, "This was a typographical error. It has been corrected." However, a review of Appendix B found that this term is still present on each page of all of the tables therein. Please make this correction as originally requested.**

Response 7: Appendix B: The column heading should have been burial pits. The tables were modified and revised CDs are provided for insertion into the final document.

Comment 8: **Appendix G, Memorandum for Record, Site Validation Parker Flats. EPA's records indicate that this work was performed November 2 to November 4, 2005 not on November 1 to November 3, 2005. This section should also note that EPA and DTSC munitions contractors/experts accompanied the ACOE and Parsons and that these regulatory representatives carried their own instruments. The text should note that a DTSC representative participating in the site validation of Parker Flats used an all meal detector, the Garrett 2500 (it resulted in detection of small arms brass), so that it cannot be argued that non-ferrous munitions items were missed. Further, didn't DTSC perform at least two additional walks thereafter including one that included the use of an EM61 and yet nothing of concern was found? Shouldn't this also be mentioned?**

Response 8: Appendix G: According to the electronic global positioning system (GPS) and personal data assistant (PDA) records, the work was completed on November 1 through November 3. The main text was modified to include the additional information. The main text has also been updated to describe the results of the additional EM-61 investigation conducted by DTSC.

Comment 9: **Additional Appendix? Would it be possible to include the AARs for the 13 MRS sites included in Parker Flats MRA on a diskette as an Appendix H?**

Response 9: A table has been provided as Appendix I that lists each of the After Action Reports referenced in the document, the contractor, and the Administrative Record number.

Specific Comments, Volume 3

Comment 1: Section 2.2.2.4, last bullet page 14: Please add language and a citation that clarifies that "remedy" in this bullet means the DTSC land use covenant per DTSC policy not the overall CERCLA remedy.

Response 1: The language was added to the text. A revised page is provided for insertion into the final document.

Comment 2: Section 7.0 Approval Process, Second Bullet, page 38: In the comments provided on the previous version of the Draft Final Track 2 RI/FS, Parker Flats MRA, Specific Comment 28 requested that the words, "presents the Army's preferred alternative for Track 2 and" be inserted in this bullet following the word "that." The Army response (Appendix F) stated: "Change made as requested." However, a review of Section 7.0 in the Draft Final Track 2 RI/FS, Parker Flats MRA, found that the change was not made. Please make the revision to Section 7.0 as originally requested in the comments on the previous version of the Draft Final Track 2 RI/FS, Parker Flats MRA.

Response 2: The change was made as requested. Revised text has been provided for insertion into the final document.

Comment 3: Plates: Please add a second plate that shows the 13 Parker Flats munitions response sites on top of the reuse areas shown on Plate 1.

Response 3: A second plate (Plate 2) has been provided that shows the 13 Munitions Response Sites on top of the reuse areas.

DEPARTMENT OF TOXIC SUBSTANCES CONTROL, CALIFORNIA EPA COMMENTS DATED MARCH 6, 2006.

DTSC provided a letter stating that review was complete and that the only comments are those provided by Dr. Brian Davis, below.

Comments provided from Dr. Brian Davis of the DTSC.

General Comments

Comment 1: **Changes in the Report. The report has been improved, based on previous regulatory comments and discussions by the team. We appreciate the Army's willingness to work with the regulators.**

Response 1: Comment noted.

Comment 2A: **MEC Depth. Our previous review (DTSC, 2005) questioned the characterization of the choice of a MEC depth score of 6 as "conservative", because the detection efficiency was less than 100% at all depths. Therefore, there may be items remaining in the 0-6 inch interval and in the 7-12 inch interval. During the July 7, 2005 conference call, we agreed to accept the depth score of 6 provided that the issues with the score are acknowledged.**

Response 2A: Comment noted.

Comment 2B: **The responses to comments and the text in Section 2.5 and Section 5.2.1 continue to ignore the detection efficiency findings and to suggest that no items remain near the surface. Section 2.5 states that "A MEC depth score of 6 is selected, representing that no MEC is present on the surface and MEC items may be present at a depth greater than one foot…The use of this score is considered valid for the Parker Flats MRA because of the detection efficiencies demonstrated in the top 12 inches." The Ordnance Detection and Discrimination Study (ODDS) results (table in Section 3.5.2.3 of Volume 1) show 88% recovery of Signal Illumination Flares at 0-6 inches below ground surface, 50% recovery of 37mm Projectiles at 7-12 inches below ground surface, 50% recovery assumed for 60mm Projectiles at 7-12 inches below ground surface, 50% recovery of hand grenades at 7-12 inches below ground surface, and 60% recovery of Signal Illumination Flares at 7-12 inches below ground surface. Although we are aware that the Army believes that the actual clearance achieved better recoveries, we see no justification for dismissing the ODDS results in the text.**

Response 2B: The percent detection values used to calculate the assumed densities, as shown in Table 2-4 and discussed in Section 2.2.2, are the same as those presented in the comment. The ODDS results are being used in the application of the risk assessment.

Comment 2C: The responses to comments also state that "A detection efficiency of 100% is not a premise in the risk protocol for determining depth of removal. The protocol establishes scores based on the best available information." We have found nothing in the risk assessment protocol (Malcolm Pirnie, 2002) to specifically address this issue. We do not agree that the "best available information" should exclude the ODDS. All information should be considered to arrive at the "best" and most defensible conclusion.

Response 2C: The ODDS results are not being excluded, but are used to calculate the assumed density. Table 2-4 consolidates the results from the ODDS presented in Table 2-3 to apply to the calculation of the baseline and after action densities.

Comment 2D: The development of the risk assessment protocol (Malcolm Pirnie, 2002) relied on the Data Quality Objectives (DQO) process to validate decisions. Since DQOs were not prepared for the investigation and clearance at the Parker Flats MRA, the Army is arguing (Response 2B) that Quality Assurance/Quality Control (QA/QC) is a substitute. Please state explicitly whether the BRAC Cleanup Team has evaluated and approved the QA/QC for the Parker Flats MRA work.

Response 2D: The QA/QC processes completed for the removal action at the Parker Flats MRA are described in the RI, and this information was reviewed by EPA and DTSC during the review of the Track 2 MR RI/FS report. Additional field work to validate the removal conducted at the Parker Flats MRA was performed by the Army in November 2005 with regulatory agency oversight. In December 2005 and January 2006, DTSC also conducted a digital survey and intrusive anomaly investigation in the validation areas.

Comment 3A: We have previously (DTSC, 2004, 2005) recommended confirmation sampling. This recommendation was discussed during the July 7, 2005 conference call. Confirmation sampling would be an audit or a validation of the previous work. It would reduce the uncertainty and provide greater confidence in the QA/QC for the Parker Flats MRA.

Response 3A: Comment noted. Since July 2005, additional field work to validate the removal conducted at the Parker Flats MRA was performed by the Army in November 2005 with regulatory agency oversight. In December 2005 and January 2006, DTSC also conducted a digital survey and intrusive anomaly investigation in the validation areas. This information is provided in Section 3.5.2.4 of the RI. No MEC was found during these investigations.

Comment 3B: The response (Response 6) is simplistic. It asserts that there are two possible outcomes, "…either more items would be found or no more items would be found." If a rigorous confirmation sampling were carried out and no more items were found, this would obviously have significant impact on decision-making. On the other hand, if more items were found, obviously the number of items found would be significant, as would the type of item, the depths, the environment, etc. Finding a single additional item at depth would not have the same impact as finding numerous additional items near the surface.

Response 3B: Comment noted.

Comment 3C: The response also cites the November, 2005 grid search and site walk, which found no MEC. This effort is summarized in Appendix G to Volume 1. (1) The Appendix G figures gives a good perspective on the spatial limitations. Only four grids were searched. (2) The spatial limitations were exacerbated by restricting the area to ¼ of each grid. This resulted in searching 0.23 acres out of a total 600 acres. (3) This was further exacerbated by selecting grid locations and configurations to minimize vegetation removal. This is at best, non-representative. (4) The site validation walk is estimated to have covered 6.4 acres. Presumably, if also avoided vegetated areas. (5) The November, 2005 confirmation sampling was thus too limited to substantiate the Army's contention that the investigation and clearance were adequate.

Response 3C: Comment noted. The scope of the November 2005 site validation was developed in consultation with EPA and DTSC, and the work was conducted with regulatory oversight.

Comment 4: Recommendation. The risk assessment correctly identifies a potential residual risk for receptors who may engage in intrusive activities, resulting from the significant uncertainties. Given the absence of thorough confirmation sampling, we recommend that the risk managers take steps to prevent inappropriate land use and to ensure appropriate protection for workers engaged in any intrusive activities.

Response 4: Concur. Recommendations for risk management will be carried forward to the Record of Decision.

Specific Comment

Comment 1: Table in Section 3.5.2.3 of Volume 1. The "7-12' column of "Projectile, 60mm M" has a footnote of "2". Footnote "2" addresses assumptions of 100%, while 50% was assumed in this case.

Response 1: The footnote should have been a "3". Revised text has been provided for insertion into the document.

FORT ORD ENVIRONMENTAL JUSTICE NETWORK, INC.
COMMENTS DATED MARCH 2, 2006.

Comments provided by the Fort Ord Environmental Justice Network were not numbered; however, to make the responses to the comments clear, the general comments have been grouped and numbered. The specific comments have also been numbered for responses.

GENERAL COMMENTS

Comment 1: The document needs an executive summary to help the reader fully understand the context of the document. Currently the readers must go to the end of Volume III to determine the Army's recommendations regarding the Parker Flats site. It is even more difficult to examine the basis for these recommendations, which requires a detailed reading of the entire document. Tracking the recommendations and their basis is particularly important for reports such as a Remedial Investigations where large amounts of data are collected for equally large sites.

Response 1: Conclusions and recommendations are summarized in each of the three volumes. In addition, a proposed plan is being prepared that will present a summary of the RI/FS. It will also present the preferred alternative for remedial action at the Parker Flats MRA and explain the reason for the preference. It is anticipated that the Proposed Plan will be available for public comment in July 2006.

Comment 2: The section detailing the background of the Parker Flats sites should be more in depth. It is unclear what sorts of activities were associated with this area based on troop assignments and development. If historical records do not indicate what activities were performed, then this information gap should be stated clearly

in the background section. Additional maps and figures could be useful in describing former uses.

Response 2: The information on training activities suspected to have occurred at Parker Flats is detailed in Section 3.0 which provides historical information based on existing maps and film footage, and discusses the possible training based historical information and on the items found during the removal action. Plate 16, the conceptual site model, provides diagrams depicting the training known or suspected to have occurred by decade.

Comment 3: The extent of chemical warfare training at Fort Ord needs to be investigated. The discovery of four M119A1 white phosphorous rifle grenades only emphasizes the need for such an investigation. White phosphorous is highly toxic and smokes on contact with air. Several glass vials were also found near metal canisters at MRS-13B during removal actions. If chemical warfare munitions are within the Fort Ord site, they would pose a serious risk not just to the surrounding communities but also to workers directly involved in cleanup activities at the site. No further work should be done in any of the known firing ranges until the Army can find definitive evidence that there were no chemical warfare agents used at the site and/or develops procedures for the safe handling of projectiles that potentially could carry these dangerous compounds.

Response 3: The information on training activities suspected to have occurred at Parker Flats is detailed in Section 3.0 which provides historical information based on existing maps and film footage, and discusses the possible training based historical information and on the items found during the removal action. There is no evidence that munitions containing chemical warfare agents were ever fired at Fort Ord. The M19A1 white phosphorus rifle grenade was used for signaling, screening and incendiary effect against flammable targets. It should be noted that incendiary devices are not considered chemical warfare materiel (*Army, 2005*) and that only 2 live M19A1 rifle grenades were identified within Parker Flats. The glass vials found within MRS-13B were from Chemical Agent Identification Sets (CIAS kits). These are the only sets found at Fort Ord during the environmental investigations that began in mid-1980's. The Army has developed guidance for response to potential biological warfare material and non-stockpile chemical warfare materiel (*Army, 1998*). In the event that suspect chemical warfare materiel is discovered in the future, the Army will follow the response procedures.

Comment 4: **The previous use of WWI era mortars, particularly Livens projectors for training at the site raises serious concerns for the safety of residents and workers. Because these projectiles were used as a means for chemical warfare agent delivery, full soil screening for mustard, lewisite, arsenic, chlorine compounds, chloropicrin, and their breakdown products should be implemented. Any fragments associated with these rounds should also be tested for chemical warfare agents and related compounds. According to documentation obtained during the investigations at the Spring Valley site in Washington DC where there was extensive training using these rounds, standard operating procedure was to bury "dud" rounds in a disposal pit. These pits could have been potentially deeper than the removal actions already performed at the site. Finding the location of such pits should be a top priority.**

Response 4: There is no evidence that Livens projectors were used for chemical warfare materiel delivery at Fort Ord. It should be noted that there is historical evidence that Livens projectors were used to project smoke for troop training. In addition, one Livens projector was located within the Impact Area that appeared to be the type that could have been used to deliver chemical warfare material. Because it was suspect, the Army followed standard operating procedures that included dispatching of a unit from 787th Explosive Ordnance Disposal (EOD). Following confirmation that the item was a Livens Projector, analysis of the filler material was performed by the Technical Escort Unit from Dugway Proving Ground. The results of the analysis indicated that the item contained innocuous sulfur trioxide-chorsulfonic acid mixture (FS) smoke (*Army Information Paper, July 1, 1999*). The Technical Escort Unit also responded to the Livens projector found within the Parker Flats MRA which was also determined to be smoke filled. (*Coon, Personal Communication, 2006*). There is no evidence that munitions containing chemical warfare agents were ever fired at Fort Ord.

Comment 5: **The Army is reluctant to acknowledge the large data gaps that exist regarding munitions at the Parker Flats sites. There are little to no data about munitions more than four feet below the surface. The Army also does not seem to consider the possibility of burial pits at depths greater than four feet. It is quite likely that any burial pits would be far deeper than four feet, and would pose an extreme hazard to workers discovering them during construction operations.**

Response 5: It should be noted that all anomalies detected at Parker Flats were investigated and that no MEC was identified below four feet. According to the November 30, 2001 *Grid Sampling & OE Removal Inland Range Contract Closure After Action Report – Former Fort Ord (USA, 2001h*) prepared by USA Environmental (USA) to document activities

conducted between June 1996 and 2000, USA actively pursued the investigation of all anomalies encountered during 4-foot removal operations. If an anomaly was detected below 4 feet, permission from the USACE safety specialist was obtained prior to continuing the investigation. The report also states "*This statement is made to ensure personnel reading this document do not believe any anomalies detected by the Schonstedt 52 Cx magnetometer were left univestigated in an OE site that a 4' foot removal was performed.*" It is possible that items may be present below 4 feet and this is documented in the report, and the information was used in preparing the risk assessment, and is part of the analysis of alternatives performed in the FS.

Comment 6: **The Army currently cannot provide adequate assurances that workers at the Parker Flats site will not encounter large quantities of unexploded ordinance. Several of the future uses proposed for the site include extensive construction and excavation of soils at depths far greater than the removal actions were performed. Penetration studies are not particularly useful for estimating the depths that munitions will be found, and data support this observation. Many shells and fragments of varying types of munitions have been located well below projected penetration depths. Penetration study data are not sufficiently reliable because construction and/or other factors could cause unexploded ordinance to be found much deeper than predicted. The Schonstedt magnetometer is not a reliable tool for detecting all types of munitions found at the Parker Flats site, particularly when they are located at depths greater than three feet as indicated in the report. Only 32% of munitions and explosives of concern that were seeded more than one foot below the surface during the equipment evaluation for the RI were detected. The use of this instrument alone is not adequate to determine the extent of unexploded ordinance; the failure rate is simply too high. Investigations should include detailed evaluations of additional historical records and more powerful geophysical analysis.**

Response 6: The risk assessment is designed to account for the uncertainty involved in intruding past the depths where there is good confidence in tool performance. The risk assessment results show that the construction worker risk is an E, the highest risk. This information is in turn, used in the FS to evaluate the alternatives for remedial actions at the site. It is true that fragments and munitions have been located below their calculated penetration depths; however, many of these items were found within burial pits. For example, within the 221-acre EVOC parcel, 295 M205 grenade fuzes were found at 39 inches. Grenade fuzes would not be expected to penetrate and all but 1 of the fuzes was identified as

being from a burial pit. It is suspected that the other grenade fuze was also found in a pit because the location is the same as the other fuzes.

As described in the RI, the removal actions were checked by completing QA/QC processes. Additional field work to validate the removal conducted at the Parker Flats MRA was performed by the Army in November 2005 with regulatory agency oversight. In December 2005 and January 2006, DTSC also conducted a digital survey and intrusive anomaly investigation in the validation areas. No MEC was found during these additional investigations.

Comment 7: **Neither the Remedial Investigation nor the Risk Assessment included sampling of heavy metals and other compounds associated with weapons training. If portions of the Parker Flats are slated for future use, then the cleanup needs to include extensive soil sampling for lead, copper, arsenic, mercury, tin, antimony, titanium, and other compounds such as nitroglycerin and nitrocellulose that are associated with the weapons training that occurred at Fort Ord. The report indicates that tear gas agents were used extensively at the site. Soil testing should include the breakdown products of those compounds to insure that those compounds have in fact broken down and do not constitute a risk to public health. Until clear documentation specifically stating that chemical weapons training did not occur at the Parker Flats site, compounds associated with the breakdown of chemical weapons, such as thiodiglycol and mustard sulfoxide, should also be sampled. There have been several other sites at Fort Ord that have undergone remediation due to high levels of lead and other compounds related to the prior use of those sites as training areas for small arms use. It is possible that prior removal actions performed at Parker Flats may have removed some contamination, but the Army needs to perform soil sampling to determine if soil concentrations meet safety screening levels. Any Remedial Investigation, particularly for a site slated for future use in the private sector, is incomplete without such data and cannot provide enough data for an accurate risk assessment.**

Response 7: Site reconnaissance and soil sampling was conducted within the Parker Flats MRA as part of the Basewide Range Assessment program which was developed to evaluate the potential for chemical contamination related to training with military munitions across the former Fort Ord, The Basewide Range Assessment included a literature review, and site reconnaissance and sampling at sites selected based on the literature review. Site reconnaissance was completed at MRS-3, MRS-13B, MRS-37, MRS-50, MRS-53, MRS-54, and MRS-55. Following the reconnaissance, soil samples were collected from MRS-3, MRS-37, MRS-50, MRS-53, and MRS-55, which are all within the Parker Flats

MRA, and analyzed for explosives and perchlorate, and selected samples were also analyzed for lead, copper, antimony, semivolatile organic compounds, and total petroleum hydrocarbons as gasoline, diesel, and motor oil. The results of sampling at the above sites are provided in the Comprehensive Basewide Range Assessment Report (*MACTEC/Shaw, 2005*). No further action related to chemical contamination in soil was recommended for the sites within the Parker Flats MRA.

Comment 8: **The risk assessment is incomplete because it does also not address the potential of adverse health effects occurring from soil contamination. The Army is required under CERCLA to insure that on site soils do not pose a risk to future land users. The Remedial Investigation and Risk Assessment only address risks from unexploded munitions, and not from harmful compounds such as lead or mercury remaining in soil. This omission is a large inadequacy of the report and prevents the Army from meeting its obligations regarding the cleanup at Fort Ord.**

Response 8: See response to Comment 7. Potential risks related to chemical contamination related to military munitions training at Parker Flats were addressed as part of the Basewide Range Assessment program.

Comment 9: **The risk assessment underestimates risks related to buried munitions at the Parker Flats for a variety of reasons. The assessment underestimates munitions densities by excluding items found in deeper burial pits and overlooking low detection rates at depths greater than one foot by the detection equipment for many of the munitions present at the site. The assessment also underestimates the potential depth that munitions may be found by relying on penetration studies that have been shown to be inaccurate during the course of the prior removal actions and by not investigating potential topographical changes beyond erosion. Even without these considerations, the calculated risks to construction workers in the After-Action analysis are still unacceptable even with institutional controls.**

Response 9: See response to FOEJN Volume II specific comment 1.

Comment 10: **Considering the low detection rates for items at depth for the equipment used during removal actions and the heavy construction and excavations associated with proposed future uses of the site, land use controls alone are not adequate protections to public health and safety. There is too much uncertainty regarding potential munitions buried more than one foot below the surface to assume that the Land Use Controls specified would be sufficient to prevent the unintended detonation of munitions. The Army cannot rule out**

the possibility that large numbers of munitions may be uncovered during construction activities that would prove to be a financial burden to both the community and the Army by forcing the halting of construction until all munitions in the area have been safely identified and removed. It is more prudent for the Army to err on the side of caution and perform more powerful geophysical analysis to insure that the land is transferred to public use in a smooth, safe manner.

Response 10: As described in the RI, the removal actions were checked by completing QA/QC processes. Additional field work to validate the removal conducted at the Parker Flats MRA was performed by the Army in November 2005 with regulatory agency oversight. In December 2005 and January 2006, DTSC also conducted a digital survey and intrusive anomaly investigation in the validation areas. No MEC was found during these additional investigations. Based on the detailed evaluation in the RI/FS that included consideration of uncertainties, as well as results of these additional investigations, the Army believes the residual MEC risks at the Parker Flats MRA can be mitigated by the Land Use Controls alternative. The Army will summarize the RI/FS and describe the preferred alternatives in a Proposed Plan and seek public comments on the Proposed Plan.

Comment 11: Overall the Parker Flats Remedial Investigation and the accompanying Risk Assessment and Feasibility Study have not compiled enough data to adequately address the past uses of the site. Without data on soil concentrations of heavy metals and other compounds associated with the long-term use of high explosives, the Army cannot consider the site safe for future use, even with strict land use controls. The documented use of projectiles associated with chemical weapons also raises concerns in the community, and more thorough investigations need to be performed to verify that chemical munitions were not present at the site and do not constitute a risk to public health. This can be accomplished during the soil testing recommended above by sampling for breakdown products of various compounds associated with the breakdown of selected chemical weapons. Once soil data has been compiled, additional remediation alternatives should be reviewed and new recommendations made based on the new data.

Response 11: Please see response to Comment 7. Chemical contamination related to military munitions training is being addressed under the Basewide Range Assessment Program. Results of sampling and recommendations for the Parker Flats MRS sites are presented in the Comprehensive Basewide Range Assessment Report which also serves as the decision document for chemical contamination at these sites.

Specific Comments:

Volume 1

Comment 1: **<u>Section 2.1.2, page 6</u>: It is not sufficient to refer a reader to another document to obtain data. A reader should not have to sort through various reports to find data as important as items found during removal actions, particularly in an RI. Remedial Investigations are intended to compile existing information on a site to prevent such extensive document review. It is possible that the document cited could be included as an appendix to the RI because of its relevance.**

Response 1. These reports were referenced to document the plans and data that were available for review. Data related to the removal actions completed at Parker Flats is provided in the RI/FS. The removal data is provided as Appendix B, and all items found are presented on Plates 3 through 15 of the RI. In addition, the contractor After Action Reports for each of the Munition Response Sites that comprise the Parker Flats MRA are included on CD in Appendix H.

Comment 2: **<u>Section 3.3, page 26, last paragraph</u>: According to this paragraph, various glass vials discovered next to metal canisters were sent to Aberdeen Proving Grounds were testing, but does not give the results of the tests. Such glassware is frequently associated with chemical weapons programs, and raises concerns about such munitions being present at the base. The text should clearly state what the glassware was tested for and what the results of such tests were.**

Response 2. Documentation of the testing performed as a result of the discovery of the CAIS kits found at MRS-13B was reviewed. Documents reviewed included a Memorandum for the Record dated March 12, 1997 by Director, Environmental and Natural Resources management, Presidio of Monterey, and the K951 Chemical Agent Identification Set Assessment Plan at Former Fort Ord, Monterey County, California date September 1997, and the analytical results of the assessment. The memorandum stated that no soil contamination was present in the area where the vials were found. The results of the sampling of the vials indicated that six vials contained phosgene, six contained chloropicrin plus chloroform, six contained between 3.26 and 8.88 percent lewisite solutions and six contained between 4.52 and 5.48 lewisite percent solutions.

Comment 3: **<u>Section 3.4.1, page 31, fourth paragraph:</u> 75mm rounds have been used as munitions for the delivery of chemical warfare agents. This paragraph should acknowledge this, and investigations should be**

performed to determine if chemical weapons training using 75mm rounds was performed at the former Fort Ord.

Response 3: Data from the Parker Flats removal action was reviewed, and no models of 75mm projectiles that were used to deliver chemical warfare agents were identified during the removal action. There is no evidence that munitions containing chemical warfare agents were ever fired at Fort Ord.

Comment 4: **Section 3.4.1, page 31, last paragraph: It is unclear if only practice Stokes mortars were used of if live fire exercises were performed. Stokes mortars were also used as a mechanism for the delivery of chemical agents during WWI, which is not mentioned in the text. Additional investigations should be performed to determine the extent of chemical weapons training at the former Fort Ord.**

Response 4: Only practice stokes mortars were identified within the Parker Flats MRA. Because no high explosives stokes mortars or stokes mortars that could have been used to deliver chemical agents were identified within Parker Flats, these uses were not included in the text.

Comment 5: **Section3.4.1, page 32, second paragraph: While no Livens projectors with chemical agent have been found, without documentation that they were not used it would be unsafe to assume that there are none at the site. There are potential undiscovered burial pits that could contain these munitions. A safety protocol should be developed regarding the handling of these shells under the assumption that they could contain chemical agent.**

Response 5: Safety protocol would be part of implementation plans that would be developed following the Record of Decision. Any military munitions item that is discovered in the former Fort Ord is to be reported to the law enforcement agency having jurisdiction. The Army has a program of notifying the community of the potential for encountering military munitions and procedures for reporting. The Army coordinates with local law enforcement agencies regarding the procedures for reporting and requesting Army response to such discoveries. Should an item that could be munitions that could contain chemical warfare materiel, standard procedures for such instances would be followed.

Comment 6: **Section 3.4.3, page 56, fourth paragraph: While the only white phosphorous grenades found were within the top six inches of soil, this does not mean that all grenades present would be. Many could be buried in disposal pits of topographic changes due to construction could have potentially moved these fragments deeper into the soil. More extensive geophysical analysis needs to be**

performed to verify that all of these very dangerous munitions have been removed from the site.

Response 6: Disposal pits would likely be found based on the presence of abundant metal in the pits. Information on the possibility that white phosphorous hand grenades could be present at the site will be considered in planning and future development of the site.

Comment 7: **Section 3.4.3, page 57: Because removal actions only focused on items found within four feet of the surface. It is possible that many other 3.5-inch rockets remain at the site. The rockets would penetrate deep into the surface, and also could be buried far deeper than the four feet of the removal action. The possibility of such pits only reinforces the need for more powerful geophysical analysis.**

Response 7: The removal actions were described as 4 foot removals in the Draft Report. However, the Draft Final report indicates that all anomalies detected were excavated and detected military munitions were removed. It is therefore likely that any 3.5-inch rockets would have been removed from the site. It should also be noted that most of the 3.5-inch rockets discovered in Parker Flats were munitions debris and most were found within burial pits, and there is no evidence of firing of HE, 3.5-inch rockets in this area.

Comment 8: **Section 3.4.4, page 61, first paragraph: The Army cannot support the statement that burial pits would not be expected to be encountered because removal actions have been completed. The removal action was only to a depth of four feet, and burial pits could be far deeper. Additionally, the Schonstedt magnetometer is not reliable (under 50% detection rate) for certain munitions at depths greater than three feet. It is likely that many of these munitions will not be found without more powerful geophysical analysis.**

Response 8. See response to Comment 7.

Comment 9: **Section 3.5.2.2, page 68: The section detailing limitations of the Schonstedt magnetometer should include a bullet with the maximum effective depth of the equipment for detecting ferrous items. It should be emphasized that this model of magnetometer is not effective in locating non-ferrous objects, which some of the munitions and explosives of concern are made of. The limitations of the Schonstedt in detecting non-ferrous metal MEC is presented as the number one limitation.**

Response 9: The maximum effective depth of the equipment depends on the size of the item and how much ferrous material is present in the item. It is not

possible to provide a single cut off number. The limitations of the Schonstedt in detecting non-ferrous MEC are presented as the first statement in the list detailing limitations.

Comment 10: **<u>Section 3.6.1, pages 73-74</u>: This section should mention that chemical warfare training may have been performed at the site, even if that training only involved smoke rounds. There are indications that such training took place, as noted by the RI when it described film footage of soldiers using livens projectors with what appeared to be smoke rounds.**

Response 10: By definition, smoke-containing military munitions are not considered CWM (*Army, 2005*). There is no evidence that chemical warfare munitions training occurred at Parker Flats; therefore it was not included in the paragraph.

Comment 11: **<u>Section 3.6.2, page 74:</u> The data contained within the RI are not sufficient to complete a full risk assessment of the site. There has been no sampling for hazardous materials such as heavy metals or other compounds associated with the long term use of portions of the site for weapons training. A risk assessment involving a site that is slated for future public use would be incomplete without such data.**

Response 11. The risk assessment performed as part of this RI/FS was designed to address the physical hazard associated with MEC. The potential for chemical contamination at the site was addressed under the Basewide Range Assessment program. The results of the Basewide Range Assessment are provided in the Comprehensive Basewide Range Assessment Report (MACTEC/Shaw, 2005).

Volume II Comments:

Comment 1: **Section 2.4, pages 10-12: The calculations used by the Army appear to underestimate munitions densities at the Parker Flats site. There are no percent detection values for munitions below four feet, and the risk assessment evaluates hazards associated with munitions up to six feet below the surface. There is also no data regarding the vertical distribution of munitions densities within the soil. It should be assumed that 0% of munitions below four feet were found. Additionally, exclusion of items found in burial pits further underestimates munitions densities. Excluding these items implies that there is no possibility that there are undiscovered burial pits. These errors in calculating density have resulted in an underestimation of the overall risks from MEC at the Parker Flats site.**

Response 1: The overall risks from MEC are determined by a combination of several input factors. MEC Density is evaluated along with depth of items, receptor activities, and site accessibility. The overall risks, as given in Section 6.0, show that for receptors intruding below one foot, the risk remains high, so the risks are not underestimated. As stated in the report, the number of items remaining on site is unknown. For any removal where the total number of items to be removed is unknown, the items potentially remaining could be zero or could be more than zero. The purpose of the calculation described in this section is to provide an input factor for a qualitative risk assessment, not an attempt to determine an exact density. The densities presented are a theoretical estimation using the information available about the items found. It is not possible to determine an exact density based on what was removed, but the approach is to find a general range of densities at the site at different depths. Considering that the Protocol evaluates only a high, medium, or low input factor for MEC Density, the results of the density calculation are considered to be sufficient to describe the potential density remaining. The purpose for excluding burial pits from the calculation was to apply the appropriate removal efficiency to the assumed density. The percent detection values used to calculate the densities were for finding single items. It is assumed that if the detection equipment can detect a single item, that it would be able to detect a pit of items. Therefore, adding the items in pits would skew the results of the density calculations such that it would not represent the distribution of items.

Comment 2: Section 5.1.2, page 57, last bullet: This paragraph overstates the detection frequency of the Schonstedt magnetometer. The 93% value used presumably refers to percent detection for items located one foot or less below the surface. Detection rates for items below one foot fall off dramatically, and should be noted in this section on uncertainty. In addition, the exclusion of items found in burial pits is not representative of site conditions at the Parker Flats site. According to the footnote, only 17% of the items detected were not in burial pits. Detection frequency values should include these data, which would presumably increase the percent detection values, but provide a more accurate description of munitions at the Parker Flats sites.

Response 2: The information included in Section 5.1.2 is presented to further explain the uncertainty involved with using percent detection values to determine a density. The values discussed in the comment were not used to evaluate the density of items at the Parker Flats MRA. The percent detection values in Table 2-4 were used for the calculation of density and do show that, below six inches, the ability to detect items begins to decrease significantly. In addition, the findings discussed are

not from Parker Flats MRA, therefore they are not representative of the number of burial pits detected in Parker Flats MRA. Please see the response to Comment 1 regarding the removal of burial pits from the calculation of density.

Comment 3: **Section 5.1.3, page 59, second paragraph: As previously noted, estimations of penetration depth are not accurate means to determine probable munitions depths, and does not take into account burials or other topographic changes that may have occurred at the site. It is therefore likely that MEC density at deeper intervals is in fact underestimated, rather than over estimated as stated in the text. The equipment test cited in this paragraph only emphasizes this point. That test produced a 0% detection rate for 60mm projectiles at a depth of only one foot. This is inconsistent with the assertion that MEC density is overestimated.**

Response 3: The actual depths of items found at Parker Flats MRA were used to determine the MEC Depth Below Ground Surface input score. Penetration depths are referenced as additional information on the expected depth of items in the field. The purpose of the Migration/ Erosion Potential input factor is to account for topographic changes that may have occurred at the site. Table 2-4 provides the percent detection values used to calculate the estimated density, which includes the 0% detection for 60mm projectiles below one foot. However, reviewing the removal actions in Appendix B shows that the only 60mm projectiles found in the Parker Flats MRA were found at a depth greater than one foot. Therefore, the percent detection achieved in the field during the removal action is considered to have been better than the percent detection from the ODDS study, leading to an overestimation of the calculated density.

Comment 4: **Section 5.2.1, page 60: For the reasons stated above in comments on section 5.1.3, ESC disagrees with the assertion that the Risk Assessment overestimates the likely depth of projectiles. The text states that the depth that many munitions were found during previous removal actions was not recorded. Based on the poor detection frequencies of equipment tests and the lack of data, the Army should assume that there are high densities of munitions at depths greater than 3 feet in the interest of conservatism.**

Response 4: The actual depths of items found at Parker Flats MRA were used to determine the MEC Depth Below Ground Surface input score. To be protective, for receptors intruding below one foot, a score of 6 (MEC remains at greater than one foot) was used for MEC Depth in the after action scenario. This approach provides that receptors could come into contact with items below one foot and gives a higher overall risk for

those receptors. This gives a more conservative overall risk than using a depth of 3 feet to determine density. The MEC Density is independent of the MEC Depth Below Ground Surface score. In general, the density of items assumed in the deeper depths is higher given the number of items found during the removal action. Because of the removals performed at Parker Flats, high densities of munitions are not expected to remain at the site below 3 feet. To be protective, the risk assessment assumes that some areas may still have high densities of MEC and the overall risk score reported is the highest risk determined from each of the combinations of input factors.

Comment 5: **Section 5.2.5, page 62: Intensity of contact with soil should not only consider the length of time exposed to the soil. Intensity should also consider the force at which soils are moved. A large backhoe is more likely to set off a fuse than a citizen using a shovel to plant a tree. These differences should be included into the risk calculations if possible.**

Response 5: As discussed in the Fort Ord MEC Risk Assessment Protocol, the development team considered the difference in the amount of force used, but determined that to be protective, the Protocol would assume that any action could cause an explosive hazard. This assumption was built into the development of the scoring for both the Intensity of Contact with Soil input factor and the Overall MEC Risk result. This assumption adds to the overall conservative nature of the protocol in that the risk to some receptors is assumed to be higher than the actual risk from the activities conducted – i.e., the risk to a person planting a garden is considered on equal footing as the risk to a construction worker.

Comment 6: **Section 6.0, pages 64-65: The Army needs to provide a more detailed summary of the risk assessment's findings beyond the tables provided in this section. Tables composed of letter rankings are ambiguous and do not provide enough information. Discussion of the results of the risk assessment are sparse and do not provide information to support the conclusions presented. The conclusions of a risk assessment should be detailed and summarize all of the factors considered within the text.**

Response 6: Narrative explanations of the risk scores and input factors are provided in Attachment C to the Risk Assessment.

Volume III Comments

Comment 1: **<u>Section 2.3, page 15, second paragraph:</u> MEC recognition and training should be required for all contractors working on the Parker Flats site, and future site owners should be required to inform contractors that MEC potentially exist on site. These requirements should be kept in place even if additional MEC Removal is selected as the preferred alternative.**

Response 1: The MEC Recognition and Safety Training is an ongoing program and is currently available to anyone conducting ground disturbance activities anywhere on former Fort Ord including the areas of Parker Flats MRA. The Additional MEC Remediation alternative includes an evaluation of residual MEC risks after additional MEC removal to determine if land use controls such as the MEC recognition and safety training, may be needed (discussed in Section 5.1.1 of FS). .

Comment 2: **<u>Section 3.3.1, page 21, last bullet</u>: Prescribed burning should be considered as an option of last resort for Vegetation Clearance. The previous prescribed burn at Ranges 48-49 was an unmitigated disaster. The fire spread over 200% more land than intended, and exposed local communities to undue health risks. Communities around Fort Ord consider prescribed burning to not be an acceptable option.**

Response 2: Prescribed burning would only be used in areas that will remain habitat management areas that require burning due to the presence of central maritime chaparral. Most of the Parker Flats MRA is outside of the habitat management areas; therefore prescribed burning is not likely to be selected as a vegetation clearance method as part of the Additional MEC Remediation alternative.

Comment 3: **<u>Section 4.2.1, page 24, second bullet:</u> Workers conducting intrusive investigation would still be at high risk even with these controls. The MEC recognition training cited is not required, and onsite construction monitors could not be expected to monitor intrusive activities 100 percent of the time. Greater protection must be afforded to construction workers than these controls.**

Response 3: MEC recognition training and construction monitoring are identified as requirements during any intrusive activities conducted at the Parker Flats MRA to protect workers under the Land Use Control alternative. The text also states that MEC recognition training would be offered but is not required for any reusers that do not conduct intrusive activities. The Army would prepare a Land Use Control Implementation Remedial Design/Remedial Action Work Plan (LUCI RD/RAWP) that would be

submitted after the Record of Decision for the Parker Flats MRA is approved; this document would identify the specific Land Use Controls for each reuse area and provide details on how they would be implemented to mitigate risks to reusers, and would be available for regulatory agency and public review and comment.

Comment 4: **<u>Section 4.4, page 24:</u> These ARARs should be included in the main text rather than as an attachment.**

Response 4: Potential ARARs are referenced in the main text and are provided as an attachment because they do not apply to all of the alternatives evaluated in the text.

Comment 5: **<u>Section 5.1.1, page 26, last paragraph:</u> As stated in comments referring to Section 4.4, the proposed controls would not be adequate to protect workers performing intrusive work at the Parker Flats site.**

Response 5: Please see Response to Comment 3 above.

Comment 6: **<u>Section 5.1.1, page 27, first full paragraph:</u> Additional MEC remediation would still increase public safety by more thoroughly investigating deeper anomalies. Considering that for many items detection frequencies were well below 50% at depths greater than one foot, any removal action with more powerful geophysical sensing equipment has the potential to greatly reduce risks to public health and the environment. Such investigations should be required given the intrusive construction activities planned for the site.**

Response 6: As described in the RI, the removal actions were checked by completing QA/QC processes. Additional field work to validate the removal conducted at the Parker Flats MRA was performed by the Army in November 2005 with regulatory agency oversight. In December 2005 and January 2006, DTSC also conducted a digital survey and intrusive anomaly investigation in the validation areas. No MEC was found during these additional investigations. Based on the detailed evaluation in the RI/FS that included consideration of uncertainties, as well as results of these additional investigations, the Army believes the residual MEC risks at the Parker Flats MRA can be mitigated by the Land Use Controls alternative.

MICHAEL WEAVER COMMENTS DATED MARCH 5, 2006.

Comment 1: **The documents should all very clearly state that the Parker Flats Multi Range Area was a former Army Tank training area, in addition to being used for other training purposes. The report sort of dances around this issue but fails repeatedly to clearly state this prior use.**

Response 1) Based on review of the 1938 and 1940s era film footage, it appears that there is a scene that shows tank driving training that could have occurred in Parker Flats; however, because the location is not documented in the film footage it is possible that the training occurred elsewhere. No evidence of firing of 37 mm from tanks is available, however, 37mm projectiles have been identified within the Parker Flats MRA. It is possible that these items were not fired from tanks, but were fired from other guns as described in Section 3.0 of the RI.

Comment 2: **Under section 1.2, Purpose of Risk Assessment, it describes as an overview that approximately 755 acres make up the Parker Flats Area. It then goes on to list 13 former munitions response sites, which were investigated beginning in 1994. The next page listed the intended reuses for Parker Flats.**

a) I believe that in 1994 that the BRAC was unaware that Parker Flats was the site of former Tank Training. Indeed, Army was insisting that there never were any tanks at Former Fort Ord. When specifically did the investigation of tank ordnance begin on Parker Flats? And in which areas?

b) I could find no map showing the boundaries of the 13 former munitions response areas inside the 755 acres of Parker Flats, next to, or overlaid on top of, a proposed Parker Flats reuse map. How can the reader connect specific cleanup areas with what has been found, so far, with what is proposed to be the use there in the future? With GPS mapping procedures this should not be difficult to do.

Response 2)

a). The use of projectiles within the Parker Flats area (within MRS-52 and MRS-53) was identified based on interviews conducted as part of the 1997 Archives Search Report. The interviews did not specify the type of weapons used. Based on these interviews, sampling of the area was recommended. In 1998 USA Environmental began MEC sampling operations in the sites identified during the ASR. The results of the sampling resulted in implementation of removal

actions within the MRSs that comprise the Parker Flats MRA. During the removal action, 75mm and 37mm projectiles were identified suggesting that the area was an impact area for these items prior to the 1940s. It is unknown whether any of the 37mm projectiles were the result of tank fire or were related only to 37mm guns.

b). A series of maps are included in the RI showing the Reuse boundaries, the MRS boundaries, and the types of items found with each boundary.

Comment 3: **Section 2.2.1 MRA Investigations, Paragraph 4 reads "…All MEC items found during the survey and removal activities were included in the risk assessment with the exception of the partial CIAS kits and two incidental items found in MRS-13B. The CAIS kits are not included in this assessment because the purpose of the Fort Ord MEC Risk Assessment Protocol is to analyze MEC risks. Chemical materials were specifically not included in the Protocol"**

a) This is doublespeak, as the report ostensibly addresses risk, but then says it doesn't include the former chemical warfare material. Chemical warfare material is risk! That some of it was found should not be dismissed rather it should be analyzed. How is the public to know if more of it is buried at Parker Flats.

Response 3a): The risks addressed in this report are explosive risks, the CAIS kits are not considered as explosive risks. Potential chemical contamination in soil is addressed in the Basewide Range Assessment.

Two CAIS kits were discovered and removed during the removal action ar MRS-13B. No other CAIS kit was found during the 14 years of MEC investigations at the former Fort Ord, which involved excavating over 10 million locations, and construction activities that have been occurring at the former Fort Ord; therefore additional CAIS kits are not expected. Should a CAIS kit be found in the future, the Army would follow defined procedures for investigating and conducting a response to the discovery of any such item.

Comment 4: **Section 3.2 Land Use Controls list recommendations. However, it does not list a chain of command, nor does it address accountability, nor does it list a penalty structure for failure to comply. It is very poorly written with loopholes that an army of attorneys could drive through. If a small part of the project is completed, and after five years written off, then a large project undertaken, what happens?**

Response 4): Please see Response to Comment 3 above. Under the Land Use Control alternative, a Land Use Control Implementation Remedial Design/Remedial Action Work Plan (LUCI RD/RAWP) will be prepared and submitted after the Record of Decision for the Parker Flats MRA is approved; this document will identify the specific Land Use Controls for each reuse area and provide details on how they will be implemented to mitigate risks to reusers, and will be available for regulatory agency and public review and comment. The 5 year review process will also be described in the LUCI RD/RAWP, which is ongoing and will consider the results of projects conducted or planned at each reuse area.

Comment 5: Are there any notes for a Parker Flats on-site meeting years ago with representatives from DTSC, USEPA, and local land use attorney Tony Lomabardo?

Response 5) This comment is noted. At this time the regulatory agencies don't recall such a meeting.

APPENDIX I

LIST OF AFTER ACTION REPORTS CITED IN THE REMEDIAL INVESTIGATION

APPENDIX I

List of After Action Reports that were used to prepare the document

USA Environmental Reports

Draft Final SS/GS Sampling and OE Removal, After Action Report, Inland Range Contract, Former Fort Ord, California, Site OE-4B. October 30, 2000
OE-0220A

Draft Final OE Removal After Action Report, Inland Range Contract, Former Fort Ord, California, Site OE-3. November 9, 2000
OE-0224A

Final OE Removal After Action Report, Inland Range Contract, Former Fort Ord, California, Site OE-13B. December 24, 2000
OE-0265C

Final SiteStats/GridStats 100 Percent Grid Sampling & 4' OE Removal After Action Report, Inland Range Contract, Former Fort Ord, California, Site OE-37. September 24, 2001.
OE-0315

Final OE Sampling SiteStats/GridStats After Action Report, Inland Range Contract, Former Fort Ord, California, Site OE-40. September 30, 2001
OE-0321

Final 100 Percent Grid Sampling & 4' OE Removal Action Report, Inland Ranges Contract, Former Fort Ord, California, Site OE-50. September 30, 2001.
OE-0337

Final 100 Percent Grid Sampling & 4' OE Removal After Action Report, Inland Ranges Contract, Former Fort Ord, California, Site OE-53. September 30, 2001.
OE-0326

Final 100 Percent Grid Sampling/4' OE Removal After Action Report, Inland Range Contract, Former Fort Ord, California, Site OE-54 EDC. October 15, 2001.
OE-0334

Final 100 Percent GridStats Sampling /4' OE Removal After Action Report, Inland Range Contract, Former Fort Ord, California, Site OE-55. October 15, 2001.
OE-0343

After Action Report, Geophysical Sampling. Investigation & Removal, Inland Range Contract, Former Fort Ord, California, Site Del Rey Oaks. April 24, 2001.
OE-0293A (6 CD's in set)

Final OE Investigation and Removal After Action Report, Field Latrines. September 30, 2001
OE-0319

Grid Sampling and OE Removal Inland Range Contract Closure After Action Report – Former Fort Ord. November 2001.

OE-0368 (4 CD's in set)

HFA Reports

OEW Sampling and OEW Removal Action. Ft. Ord Final Report. December 1, 1994.
OE-0012 Volume 1
OE-0011 Volume 2
OE-0013 Volume 3