



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

April 19, 1994

Daniel F. Uyesugi
Colonel, U.S. Army
U.S. Army Environmental Center
Aberdeen Proving Ground
Maryland 21010-5401

re: Fort Ord Uncontaminated Property Identification

Dear Colonel Uyesugi:

Your letter dated April 12, 1994 requested EPA's concurrence on the Army's "uncontaminated" property determination for Fort Ord in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Section 120(h)(4). Included with your letter was the Army's Final Community Environmental Response Facilitation Act (CERFA) Report for Fort Ord (April 1994), which recommended that the United States Environmental Protection Agency (EPA) concur with the Army's conclusion that 99 parcels should be considered uncontaminated as required by CERFA. Given that EPA had only four (4) business days to review this document in order to meet the April 19 statutory deadline to provide concurrence, we are unable at this time to address all 99 parcels for which the Army requested concurrence. However, EPA has evaluated the CERFA document as thoroughly as possible within the required time frame.

Based on the review of the CERFA Report dated April 1994, and without any independent investigation or verification of the information contained therein, the undersigned concurs, as provided below, in the results of the Army's identification of 60 parcels or portions thereof, listed in Attachment A, in accordance with the provisions of Section 120(h)(4)(A) of CERCLA. The review of the CERFA Report was undertaken pursuant to Section 120(h)(4)(B) and the sole purpose of the concurrence is to satisfy the requirements of that provision. The undersigned expressly reserves all rights and authorities relating to information not contained in the CERFA Report, whether such information is known as of this date, or is discovered in the future.

In concurring with the identification, the undersigned notes that the military service has identified as uncontaminated parcels where pesticides and herbicides containing hazardous substances may have been applied (e.g., ball fields, parade grounds, building and home perimeters, etc.). We are concurring that these parcels can be considered uncontaminated for this purpose because the

information contained in the CERFA Report does not indicate that residual levels of pesticides or herbicides present a threat to human health or the environment. However, prior to transfer of these parcels, the undersigned recommends that the Army provide positive confirmation that residual levels, if any, do not pose a threat to human health or the environment.

However, in the absence of more information concerning the application of pesticides/herbicides and residual levels of hazardous substances, the undersigned is unable to concur that parcel 214P (golf course and surrounding area) qualifies as uncontaminated. Until further information concerning application and/or residual levels of hazardous substances is provided, EPA is unable to concur that the referenced parcel is uncontaminated pursuant to CERCLA 120(h)(4). For your information, limited sampling for pesticides in surface soils at Mather Air Force Base demonstrated to us that residual levels do not pose a threat to human health or the environment. We would be glad to work with you to determine the appropriate steps necessary to answer questions about pesticide or herbicide residual levels at this parcel which could enable us to concur pursuant to CERCLA 120(h)(4) that it is uncontaminated.

In concurring with the identification, the undersigned notes that the Army has identified as uncontaminated parcels where petroleum products or their derivatives may have been released or disposed of, as evidenced by stains on paved areas. We are concurring that these parcels can be considered uncontaminated for this purpose because the information contained in the CERFA Report does not indicate that there are residual levels of petroleum products or their derivatives on these parcels presenting a threat to human health or the environment.

In concurring with the identification, the undersigned notes that the Army has identified uncontaminated parcels where lead-based paint may have been disposed of or released into the environment. We are concurring that these parcels can be considered uncontaminated because the information contained in the CERFA Report does not indicate that there are residual levels of lead-based paint on these parcels presenting a threat to human health or the environment.

In concurring with the identification, the undersigned notes that the Army has identified as uncontaminated parcels where there may have been storage, release or disposal of hazardous substances or petroleum products associated with the domestic use of household products containing such materials. We are concurring that these parcels can be considered uncontaminated for this purpose because the information contained in the CERFA Report does not indicate that there are residual levels of hazardous substances or petroleum products associated with household products presenting a threat to human health or the environment on any parcel identified as

uncontaminated.

The undersigned is unable to concur on 30 parcels, listed in Attachment B, section a), because of the presence of Unexploded Ordnance (UXO) on these parcels. We believe that parcels do not qualify as uncontaminated parcels pursuant to CERCLA 120(h)(4) because the presence of UXO constitutes the disposal of hazardous substances, and because EPA believes that the health and safety risks presented by UXO are not compatible with the intent of the identification of uncontaminated property under CERCLA 120(h)(4).

However, the undersigned will concur in the identification of parcel 132Q provided that the two areas within this parcel which are identified with the presence of UXO are excluded. The two UXO areas within this parcel are located in Figure 5-1, Section 4, at (69-70, 124-125), 4 acres total; and (64-65, 125-126), 4 acres total. These areas are described as Machine Gun Square #7 and Mine and Booby Trap Area #6.

The undersigned is unable to concur on the identification of parcel 117Q as identified in the CERFA Report because the designation "LPG Storage" which appeared on the map for that parcel refers to liquid propane gas storage, which indicates storage of petroleum products for one year or more.

The undersigned is unable to concur on the identification of parcel 119Q as identified in the CERFA Report because Fort Ord environmental office staff reported that building 4390, located within parcel 119Q, contains areas where hazardous substances may have been stored for one year or more.

The undersigned is unable to concur on parcel 230P, York Road, as identified in the CERFA Report because the "Draft Environmental Baseline Survey, York Road Parcel, Fort Ord, California," dated March 8, 1994 confirmed that two releases of a hazardous substance occurred on this parcel on January 24, 1991.

The undersigned withholds our decision on the concurrence or nonconcurrence on parcels listed in Appendix C because the results of the Nuclear Regulatory Commission (NRC) Licensed Material Site Characterization Survey for radiological sources have not been included in the CERFA Report or otherwise provided to EPA. EPA understands that the survey was completed in mid-April 1994. Once EPA has verified the survey results for these parcels, we will provide you with our decision on concurrence or nonconcurrence as expeditiously as possible.

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If you would like to discuss the details of this letter, please call John Kemmerer, Chief, Base Closure Programs, at 415-744-2241.

Sincerely,



Julie Anderson, Director
Federal Facilities Cleanup Office

Attachments

cc: David Wang, California Environmental Protection Agency
Joseph Cochran, Base Environmental Coordinator, Fort Ord

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ATTACHMENT A

PARCEL IDENTIFICATIONS WITH WHICH EPA CONCURS

EPA concurs on the following 60 parcels:

105Q	211P
106Q	212P
107Q	213P
111P	215Q
115Q	216P
116Q	217P
120Q	218P
121Q	219P
122Q	220P
123Q	221P
124Q	222P
125Q	223P
126Q	225P
127Q	226P
128Q	227P
130Q	228P
132Q	229P

(EPA concurs on this parcel with the exception of 8 acres within this parcel that contain UXO)

133Q
134Q
135Q
136Q
142Q
144Q
145Q
146Q
147Q
148Q
150Q
192P
194P
195P
196P
197P
198P
200P
201P
202P
205Q
206P
207Q
208Q
209P
210P

ATTACHMENT B

PARCEL IDENTIFICATIONS WITH WHICH EPA IS UNABLE TO CONCUR

a) EPA is unable to concur on the following 30 parcels because of the presence of unexploded ordnance (UXO) on these parcels:

18Q
27Q
66Q
74Q
75Q
90Q
98Q
99Q
101Q
161Q
162Q
164Q
166Q
167Q
169Q
171Q
174Q
175Q
176Q
177Q
178Q
180Q
181Q
182Q
186Q
187Q
188Q
189Q
190Q
191Q

b) EPA is unable to concur on the following 5 parcels or portions thereof; justifications for nonconcurrency have been made explicit in EPA's cover letter for this attachment:

132Q (EPA non-concurs on 8 acres within this parcel which contain UXO)
117Q
119Q
214P
230P

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ATTACHMENT C**PARCEL IDENTIFICATIONS FOR WHICH EPA WITHHOLDS CONCURRENCE**

EPA withholds concurrence on the following identifications for radiological source concerns:

72Q
100Q
113Q
114Q
149Q