



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

July 25, 2008

Mr. Michael Houlemard
Executive Officer
Fort Ord Reuse Authority
100 12th Street, Building 2880
Marina, CA 93933

Subject: Effective Date of Administrative Order on Consent

Dear Mr. Houlemard:

Pursuant to Section XXXXI, Effective Date, of the Administrative Order on Consent for Cleanup of Portions of the Former Fort Ord (CERCLA Docket No. 09-2007-03), EPA hereby advises Respondent Fort Ord Reuse Authority that the conditions for the effectiveness of the AOC have been satisfied: a) the public notice and comment period for this Order has expired and EPA has determined that comments received do not require EPA to modify or withdraw from this Order; b) the public comment process on the FOSET has been completed; c) the ESCA has been executed and is effective; d) the FFA Amendment has been executed; and e) EPA and the Governor of the State of California have approved the Covenant Deferral Request. Accordingly, the Administrative Order on Consent is effective this date (July 25, 2008) with the following changes:

1. Figure 1: Update Figure 1 to include the City of Del Rey Oaks parcels that were omitted in the previous version.
2. Section XIX, Payments for Response Costs, paragraph 63a(i): Change EPA Site/Spill ID Number to 09QJ.
3. EPA Branch Chief: Mr. Michael Montgomery replaced Ms. Kathleen Johnson as the Chief of Federal Facilities and Site Clean-up Branch. Please replace Ms. Johnson's name with Mr. Montgomery's throughout the document.
4. Section XIX, Payments for Response Costs, paragraph 64a: Please change DTSC Site Project Code to 201729-11.
5. DTSC Project Manager: Mr. Roman Racca replaced Ms. Susan Goss as the DTSC project manager. Please replace Ms. Goss' name with Mr. Racca's throughout the document.
6. Section XXXV, Retention of Records, paragraph 112: Delete the extra words [records and documents (including records or documents in electronic form all non-identical copies of)] from the current text so that it reads:

112. Until 10 years after the Respondent's receipt of EPA's notification pursuant to Section XVII (Certification of Completion of the Work), Respondent, or its successor, shall preserve and retain all non-identical copies of the last draft or final version of any documents or records (including documents or records in electronic form) now in its possession or control or which come into its possession or control that relate in any manner to the performance of the Work, provided, however, that Respondent (and its contractors and agents) must retain, in addition, copies of all data generated during the performance of the Work and not contained in the aforementioned documents required to be retained. Each of the above record retention requirements shall apply regardless of any corporate retention policy to the contrary.

If you have any questions or comments, please call Ms. Judy Huang at 415-972-3681 or e-mail her at huang.judy@epa.gov.

Sincerely,



Michael M. Montgomery
Chief, Federal Facilities and Site
Clean-up Branch

cc:

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