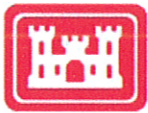


Shaw Environmental, Inc.
Total Environmental Restoration Contract
DACW05-96-D-0011
Task Order 16
846075

Submitted to:
U.S. Department of the Army
Corps of Engineers
1325 "J" Street
Sacramento, California 95814-2922

Submitted by:

Shaw Environmental, Inc.
P.O. Box 1698
Marina (Fort Ord), CA 93933



Draft Final
Remedial Design/Remedial Action Work Plan
Parker Flats Munitions Response Area
Former Fort Ord, California
Revision 0

To: Distribution **Date:** March 26, 2009
From: Document Control Center **DCN:** ACE16639-S
Subject: Draft Final, Remedial Design/Remedial Action Work Plan, Parker Flats \
Munitions Response Area, Former Fort Ord, California, Revision 0

The above referenced document is being issued after Agency review. Comments are due by May 7, 2009.

- Comments received from Agency have been addressed in the revised document.
- No comments were received.
- Replace the draft document with the attached draft final.
- Insert the attached pages into the draft document.

Please return this signed memorandum to:

Document Control
PO Box 1698
Marina, CA 93933-1698
831-883-0152 (fax)

Should you have any questions, please direct your questions to Peter Kelsall, Project Manager, Fort Ord, at (831) 883-5809 or at peter.kelsall@shawgrp.com.

I have received the subject document:

Signature

Print Name

**Draft Final
Remedial Design/Remedial Action Work Plan
Parker Flats Munitions Response Area
Former Fort Ord, California
Revision 0**


Prepared for


Shaw Environmental
P.O. Box 1698
Marina (Fort Ord), California 93933

On behalf of

Department of the Army
U.S. Army Corps of Engineers
Sacramento District
1325 J Street
Sacramento, California 95814-2922

MACTEC Project No. 4084086513 01c


Margaret Stemper
Senior Engineer


Edward Ticken
Senior Principal Environmental Scientist

March 31, 2009

Draft Final
Remedial Design/Remedial Action Work Plan
Parker Flats Munitions Response Area
Former Fort Ord, California

Revision 0

MACTEC Project No. 4084086513 01c

This document was prepared by MACTEC Engineering and Consulting (MACTEC) at the direction of Shaw Environmental, Inc. (Shaw) on behalf of the U.S. Army Corps of Engineers (USACE) for the sole use of the U.S. Department of the Army (Army), USACE, Shaw, and regulatory agencies, the only intended beneficiaries of this work. No other party should rely on the information contained herein without prior written consent of Shaw, the USACE, and Army. This report and the interpretations, conclusions, and recommendations contained within are based, in part, on information presented in other documents that are cited in the text and listed in the references. Therefore, this report is subject to the limitations and qualifications presented in the referenced documents.

CONTENTS

1.0	PURPOSE.....	1-1
2.0	DESCRIPTION OF THE SITE	2-1
3.0	LAND USE CONTROL PERFORMANCE OBJECTIVES	3-1
4.0	REMEDY IMPLEMENTATION ACTIONS.....	4-1
5.0	REMEDIAL ACTION SEQUENCE.....	5-1
6.0	REFERENCES	6-1

TABLES

- 1 Summary of Reuse Parcels

PLATES

- 1 Former Fort Ord Location Map
- 2 Parker Flats MRA Map
- 3 Parcel Reuse Area Map

APPENDIX

- A Army Responses to Comments on the Draft Remedial Design/Remedial Action Work Plan

1.0 PURPOSE

This Remedial Design/Remedial Action Work Plan (RD/RAWP) addresses the three parcels that comprise the portion of the Parker Flats Munitions Response Area (Parker Flats MRA) at the Former Fort Ord, California (Plate 1) that are not part of the Environmental Services Agreement Cooperative Agreement (ESCA) between the U.S. Department of the Army (Army) and the Fort Ord Reuse Authority (FORA). The three parcels include the Army Maintenance Center (Parcel F2.6), the Monterey/Salinas Transit (MST) Park and Ride (Parcel L2.3), and the MST Maintenance Facility Center (Parcel L2.4.1). These parcels are shown on Plates 2 and 3.

This RD/RAWP presents the procedures that will be used to implement the selected remedial action of Land Use Controls (LUCs) for munitions and explosives of concern (MEC) documented in the *Record of Decision, Parker Flats Munitions Response Area, Track 2 Munitions Response Site, Former Fort Ord, California* (ROD; Army, 2008) for the three parcels. The selected remedy documented in the ROD addresses current or potential risks to human health and the environment from MEC that potentially remains in the Parker Flats MRA. The principal threats at the Parker Flats MRA have already been treated (i.e., MEC removal actions have been completed), significantly reducing the risks to human health and the environment. However, no MEC detection method is 100 percent accurate and there were use limitations where the ground surface was obstructed by pavement or other structures at the time the MEC removal actions were conducted. Therefore, to manage the risk to future land users from MEC that potentially remains in the property, the selected remedy includes the LUCs that will be implemented as described herein. The implementation of the selected remedy for the additional parcels included in the ROD will be addressed under a separate Land Use Control Implementation Plan prepared by FORA in accordance with the ESCA and the Administrative Order on Consent for Cleanup of Portions of the Former Fort Ord (CERCLA Docket No.09-2007-03) (EPA, 2008).

The purpose of this RD/RAWP is to present the procedures that will be used to implement the selected remedy of LUCs for MEC documented in the ROD, which include: MEC recognition and safety training for workers conducting intrusive activities; construction monitoring for intrusive activities; and restrictions against residential use. In addition, Long Term Management Measures comprised of a deed restriction, Covenants to Restrict Use of Property (CRUPs), annual monitoring and reporting, and five-year review reporting will be implemented for all reuse areas within the Parker Flats MRA.

The objectives of this RD/RAWP are to:

- Identify the LUCs, as documented in the ROD;
- Describe how the LUCs will be implemented,
- Describe the types of control(s) that will be implemented, and where they will be recorded;
- Identify the planned duration of the LUCs and how they will be monitored; and
- Establish roles and responsibilities for implementation, monitoring, reporting, and enforcement of the LUCs.

This RD/RAWP for the Parker Flats MRA at the former Fort Ord, Monterey County, California has been prepared by MACTEC Engineering and Consulting, Inc. (MACTEC) at the direction of Shaw Environmental, Inc. (Shaw) on behalf of the U.S. Army Corps of Engineers (USACE), Sacramento District under the Total Environmental Restoration Contract II, Contract No. DACW 05-96-D-0011 (TERC II). Army responses to comments received on the Draft RD/RAWP are presented in Appendix A.

2.0 DESCRIPTION OF THE SITE

Table 1 summarizes the description of Parcels F2.6, L2.3, and L2.4.1, located within the central portion of the former Fort Ord, on the southeastern edge of the Main Garrison within the Parker Flats MRA (Plate 2). The parcels are bounded by Gigling Road on the south side, and by 8th Avenue on the west side. The parcels lie within an area that was privately held agricultural land until the 1940s. The land was acquired by the Army in 1941 as part of the expansion and development of Fort Ord. Parcel F2.6 is mostly paved and includes several structures that were used for military support. Parcels L2.3 and L2.4.1 remain undeveloped.

The land that includes these parcels has been used for a variety of training activities since the 1940s. Training activities that have occurred, as documented on training facilities maps, include practice mortar training, bayonet training, hand-to-hand combat training, physical fitness training, and possibly rifle grenade training (MACTEC, 2006). These parcels overlie one munitions response site (MRS), MRS-13B.

No development occurred on these parcels until the mid 1970s. Development, including grading, excavating, construction of facilities, and paving, occurred in Parcel F2.6 beginning in 1977. Additional construction of facilities occurred in 1980 and 1985 adjacent to facilities constructed in 1977. The area of development was approximately 35.5 acres. This construction occurred in areas previously identified in the 1950s and 1960s as the Guard duty area, a mortar training area, and a physical training area. A small area was paved in the west-central portion of Parcel L2.3 on an unknown date. The paved area was probably associated with training activities that occurred at this location. Parcels L2.3 and L2.4.1 remain undeveloped. Parcel F2.6 is used by the Army for maintenance and support for the Presidio of Monterey and Ord Military Community.

A MEC removal to four feet below ground surface (all anomalies detected were investigated using the Schonstedt Model GA-52/Cx magnetometer) was completed at MRS-13B, except in the paved portions of the site.

As summarized in Table 1, proposed future land use for these parcels includes a park and ride facility (Parcel L2.3) and a maintenance center (Parcel L2.4.1) that will be used to support the Monterey/Salinas Transit (MST) system. Parcel F2.6 is to be retained by the Army, and will continue to be used for maintenance and support for the Presidio of Monterey and Ord Military Community.

3.0 LAND USE CONTROL PERFORMANCE OBJECTIVES

The following performance objectives for the LUC remedy to be implemented at the three parcels within the Parker Flats MRA are described in the ROD:

- **Restrictions against residential use:** to preclude residential development or modification to residential restrictions without approval by EPA and DTSC.
- **MEC recognition and safety training:** (1) to ensure that land users involved in ground disturbing or intrusive activities are educated about the possibility of encountering MEC, and (2) to ensure that land users involved in ground disturbing or intrusive activities stop the activity when encountering MEC and report to the appropriate authority.
- **Construction monitoring:** to ensure projects involving ground disturbing or intrusive activities are coordinated with unexploded ordnance (UXO)-qualified personnel so discoveries of potential MEC items will be handled appropriately.

LUCs will be maintained until EPA and DTSC concur that the land use may be conducted in a manner protective of human health and the environment without the LUCs. This concurrence may be based on:

1. New information (e.g., limited geophysical mapping, site development); or
2. Where the depth of soil disturbance related to ground disturbing or intrusive activities is sufficient to address the uncertainty of MEC remaining in the subsurface and any MEC encountered during such activities is removed.

4.0 REMEDY IMPLEMENTATION ACTIONS

The Army will perform the following implementation actions to ensure that the LUC objectives are met: (1) provide MEC recognition and safety training for reusers conducting intrusive activities; (2) provide construction monitoring for intrusive activities; and (3) place restrictions against residential use.

In addition, Federal deeds for transferring property will contain a notice that includes: a statement notifying future property owners that MEC was found and removed from the property; information for the future property owners describing the selected remedy; and an outline of the appropriate procedures to be followed in the event that MEC is encountered. The restrictions will be documented in the Federal deeds, will be recorded with the county recorder's office, and will run with the land in perpetuity unless modified in the future.

MEC Recognition and Safety Training

MEC recognition and safety training will be required for people conducting ground disturbing or intrusive activities. The training will be modeled on the Fort Ord Site Security Program and will consist of an approximate 30-minute training session that describes what types of MEC might be found at the three reuse areas that comprise the Site, and the procedure to follow if suspect MEC is found. The training also includes a warning to workers performing ground disturbing or intrusive activities that MEC items may be present and appropriate care must be taken. The training is currently conducted at the former Fort Ord.

Construction Monitoring

Construction monitoring will be required during any ground disturbing or intrusive activities (activities that disturb more than 10 cubic yards of soil), and will be provided by UXO-qualified personnel to address potential explosive safety risks posed by MEC to construction personnel. Additional requirements may be warranted by the particular circumstances of a given project. Construction monitoring will be arranged during the planning stages of a construction project, prior to the start of any ground disturbing or intrusive activities. UXO-qualified personnel will monitor ground disturbing and intrusive construction activities for the potential presence of MEC, and will (1) be equipped with appropriate geophysical equipment; (2) comply with qualification requirements of the Department of Defense Explosive Safety Board Standard (DDESB) 6055.9, "DoD Ammunition and Explosive Safety Standards", February 2008, and other appropriate standards. If MEC is encountered, ground disturbing activities in the area and adjacent areas will cease and the encounter will be reported to local law enforcement. The local law enforcement agency will promptly request DoD support for response (e.g., an Explosive Ordnance Disposal [EOD] unit).

After the response, the Army will assess the probability of encountering additional MEC based on guidance from DDESB. Such assessment may include additional investigation which will be coordinated with EPA and DTSC. As part of the assessment the Army will evaluate available historical records, onsite investigation data and other physical evidence, such as:

- MEC items that have been found to-date during the ongoing construction project.
- Most-recent five-year review.
- Annual reports since the most recent five-year review.

The Army will propose to EPA and DTSC an appropriate site level designation (low or moderate/high), and a recommendation for the level of UXO support appropriate for the site condition. The agency consultation process will be completed as expeditiously as practicable. The probability of encountering MEC and the resulting level of UXO support will be determined jointly by the Army and EPA, in consultation with DTSC. If the probability of encountering MEC is low, construction may resume with construction monitoring. If the probability of encountering MEC is moderate/high, the level of UXO support will be modified based on an evaluation of the available information and DDESB guidance. If the Army, and/or EPA in consultation with DTSC, determines that the selected remedy is no longer protective, the Army will propose, and the Army and EPA will jointly select, an additional response action or modification of the remedy. DTSC will be provided an opportunity to review and comment on the proposal. The additional actions required and their remedial objectives will be documented in an ESD or ROD Amendment, as appropriate.

Restrictions Against Residential Use

Federal deed restrictions and State of California Covenants to Restrict Use of Property (CRUPs) prohibiting residential use will be implemented by the Army for property to be transferred. For Army retained property, the Base Master Plan will include appropriate restrictions on residential use. Any proposal for residential development in the Parker Flats MRA will be subject to regulatory review. It should be noted that, per the Fort Ord Base Reuse Plan (*FORA, 1997*), the planned land uses for the MST Facility Maintenance Center and the MST Facility Park and Ride are Public Facility/Institutional and Business Park/Light Industrial/ R&D (research and development), respectively. These planned uses do not contemplate residential use. The planned land use for the Army Maintenance Center is Military Enclave that could include a variety of uses for military support. Currently the complex is used for light industrial and municipal uses. The currently available preliminary draft Real Property Master Plan for the Presidio of Monterey describes a development alternative that includes a self-contained learning and living center located within the “Joe Lloyd Way industrial/maintenance/storage area.” At a minimum, the learning center could accommodate up to three General Instruction Buildings, three 400-person barracks, a battalion headquarters, two dual-company operations facilities, a dining facility, a physical fitness facility, and a recreation center. Reuse Areas are shown on Plate 2, and described in Table 1.

Annual Monitoring and Reporting

Physical on-site inspections to confirm continued compliance with the LUC objectives and monitoring of the environmental use restrictions and controls will be conducted annually. The monitoring results will be included in a separate report or as a section to another environmental report if appropriate, and provided to the EPA and DTSC. The Army will perform annual monitoring for Parcel F2.6, and Monterey County will perform the monitoring and reporting for Parcels L2.4.1 and L2.3 in accordance with Memorandum of Agreement (MOA) (*DTSC, 2008*) between DTSC, FORA, and the local jurisdictions. However, the Army will be responsible for performing and reporting should Monterey County fail to meet its obligations under the requirements of the MOA. The Army and Monterey County will notify the regulatory agencies, as soon as practicable, of any MEC-related data identified during use of the property, and report the results of monitoring activities annually. The annual monitoring information will be used by the Army in preparation of the five-year review to evaluate the effectiveness of the remedy. As part of the annual monitoring and five-year review reporting, the Project Team (the Army, EPA, and DTSC) would review MEC-related data collected during the property’s development to determine whether the MEC recognition and safety training and/or construction monitoring should continue. If experience indicates that MEC has not been encountered during development or use of an area, the training and/or construction monitoring may, with regulatory approval, be discontinued. However, it may be subject to reinstatement if MEC is encountered in the future.

CERCLA Five-Year Reviews

The Army will conduct five-year reviews of the three parcels in accordance with CERCLA Section 121(c) and Section 27 of the Fort Ord FFA. The five-year review will evaluate the protectiveness of the selected remedy for the Site. Based on the evaluation, the selected LUCs may be modified or discontinued, with the approval of the EPA and DTSC.

Notice of Planned Property Conveyances

At least 60 days prior to conveyance of the property to any other agency, person, or entity, the Army shall provide notice to EPA and DTSC of such intended conveyance. The notice shall describe the mechanism by which LUCs, as described above, will continue to be implemented, maintained, inspected, reported, and enforced. The specific language pertaining to LUCs and restrictions that will be placed in the deeds shall be included in the Finding of Suitability for Transfer (FOST), which must be approved by EPA and coordinated with DTSC. After the Army signs a FOST for the property, but before executing any deed for conveyance for the property, the Army will provide EPA and DTSC with a draft copy of that deed so that they may have reasonable opportunity, before document execution, to review all LUC-related provisions. It is agreed those provisions will:

- Be consistent with California real property law and be made to run with the land so that they shall be binding on all subsequent owners of the property, unless or until each LUC is released, and shall include a legal description of the property where the LUCs are to be implemented; and
- Provide that the Army shall not modify or release any LUC without prior EPA concurrence and coordination with DTSC.

In addition to the land transfer notice and discussion provisions above, the Army further agrees to provide EPA and DTSC with similar notice, within the same time frames, as to federal-to-federal transfer of property.

The Army will provide EPA and DTSC copies of the final executed deed.

Standard Procedures for Reporting Encounters with Suspected Military Munitions

The standard procedure for reporting any encounter with a known or suspected military munitions (UXO, DMM) item in transferred former Fort Ord property is to report the encounter immediately to local law enforcement. The local law enforcement agency will promptly request DoD support for response (e.g., an EOD unit). After the response, the Army will reassess the probability of encountering MEC. If the probability of encountering MEC remains low, construction may resume with construction monitoring. If the probability is determined to be moderate or high, then MEC removal will be conducted in the construction footprint before construction can resume. The Army will notify the regulatory agencies, as soon as practicable, of any MEC-related data identified during use of the property, and report the results of monitoring activities annually.

Responsibilities of the New Property Owner with Respect to LUC Inspections, Reporting, and Enforcement

Concurrent with transfer of title from the Army to the transferee, information regarding the environmental use restrictions and controls will be communicated in writing to the property owners and to the appropriate state and local agencies to ensure such agencies can factor such conditions into their oversight and decision-making activities regarding the property. The new property owner(s) is responsible for

complying with those LUCs associated with the property as recorded in the deed. If any action is required by the new property owner, it will be identified by the current property owner and/or the Army at the time of property transfer.

Army Responsibilities with Respect to Future LUC Inspection, Reporting, and Enforcement

The Army will be responsible for implementing, inspecting, reporting, and enforcing the LUCs described in this RD/RAWP. Although the Army may later transfer these procedural responsibilities to another party by contract, property transfer agreement, or through other means, and notwithstanding any language in this section or elsewhere in this document, the Army shall retain ultimate responsibility for remedy integrity.

Notification Should Any Action(s) Interfere with LUC Effectiveness

The Army will notify EPA and DTSC as soon as practicable but no later than ten days after discovery of an activity that is inconsistent with the LUC objectives or use restrictions, or any other action that may interfere with the effectiveness of the LUCs. The Army will notify EPA and DTSC regarding how the Army has addressed or will address the situation within 60 days of sending EPA and DTSC notification of any activity on the property that is inconsistent with the Site LUC objectives. This reporting requirement does not preclude the Army from taking immediate action to prevent exposure.

Survey Plat

Survey plats will be provided as part of the property transfer documentation.

5.0 REMEDIAL ACTION SEQUENCE

To achieve the LUC performance objectives identified in Section 3.0 and to assure that proper Operation and Maintenance of this remedy is achieved, the following actions shall be conducted:

- Prior to property transfer, prepare a Finding of Suitability for Transfer (FOST).
- Notify the Presidio of Monterey of the selected remedy and LUCs for Parcel F2.6 to initiate an update to the Base Master Plan.
- After approval of the FOST, prepare the Federal deed with restrictions as discussed in Section 4.0, and record with the county recorder's office. This deed shall prohibit residential development and shall describe conditions for conducting ground disturbing or intrusive activities without prior written approval of the Army, EPA, and DTSC.
- At the time of property transfer, the Army will enter into a CRUP with the State of California that will document the LUCs that are selected as part of the remedy. The applicability of and requirements for CRUPs are described in California Code of Regulations Section 67391.1 and California Civil Code Section 1471.
- LUCs shall be maintained through periodic inspections and enforcement as described in Section 4.0.
- Conduct annual monitoring and submit report to EPA and DTSC.
- When it is determined, with EPA and DTSC concurrence, that one or more of the LUCs at the Site are no longer needed, the Army shall provide to the then current owner of the property an appropriate release for recordation with the deed pertaining to the site and will also timely advise appropriate local authorities of that action.
- New property owners will be notified of, and shall comply with, any deed restrictions as described in Section 4.0.
- The remedy inspections and reporting described in this RD/RAWP will be effective immediately upon approval by EPA and DTSC. The LUC Remedial Design will be applicable to the Site during Army ownership of the site, as well as subsequent to the Army transferring the site.

6.0 REFERENCES

California Department of Toxics Substances Control (DTSC), 2008. *Memorandum of Agreement Among the Fort Ord Reuse Authority, Monterey County and Cities of Seaside, Monterey, Del Rey Oaks and Marina, California State University Monterey Bay, University of California Santa Cruz, Monterey Peninsular College and the Department of Toxic Substances Control Concerning Monitoring and Reporting on Environmental Restrictions on the Former Fort Ord, Monterey County, California.* February.

Fort Ord Reuse Authority (FORA), 1997. *Fort Ord Base Reuse Plan.* March.

MACTEC Engineering and Consulting, Inc. (MACTEC), 2006. *Final Track 2 Munitions Response, Remedial Investigation/Feasibility Study, Parker Flats Munitions Response Area, Former Fort Ord, California.* August 31.

U.S. Department of the Army (Army), 2008. *Record of Decision, Parker Flats Munitions Response Area, Track 2 Munitions Response Site, Former Fort Ord, California.* August 26.

U.S. Department of the Army (Army) and FORA, 2007. *Environmental Services Cooperative Agreement (ESCA) Under the Authority of Title 10 United States Code, Section 2701(d) - Environmental Restoration Program (10 U.S.C. 2701).* March 30.

U.S. Environmental Protection Agency (EPA), 2008. *Administrative Order of Consent for Cleanup of Portions of the Former Fort Ord (CERCLA Docket No. 09-2007-03).* July 25.

TABLES

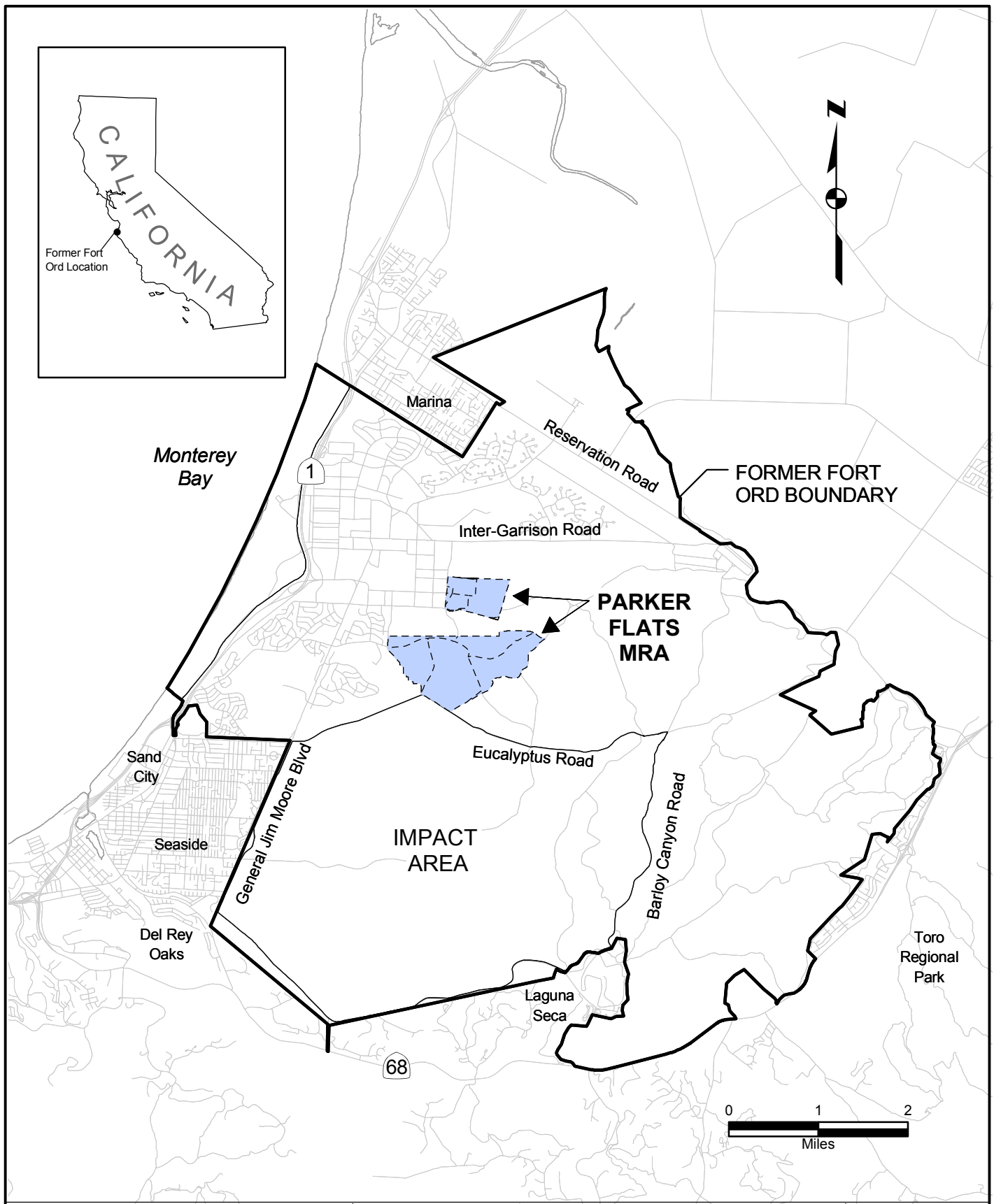
Table 1. Summary of Reuse Parcels

Reuse Area Name (Record of Decision)	Parcel Number	Parcel Name	Approximate Acreage (acres)	Munitions Response Site (MRS) Name	Planned Reuse
Army Maintenance Center	F2.6	Army Maintenance Center	35.5	MRS-13B	Military Support
Monterey / Salinas Transit (MST) Facility Park and Ride	L2.3	Park and Ride	24	MRS-13B	MST Commuter Parking
MST Facility Maintenance Center	L2.4.1	Maintenance Center	3	MRS-13B	MST Maintenance Center and Commuter Parking

Checked by MLS

Approved by EJT

PLATES



Former Fort Ord Location Map
 Parker Flats Remedial Design/Remedial
 Action Work Plan
 Former Fort Ord, California

PLATE
1

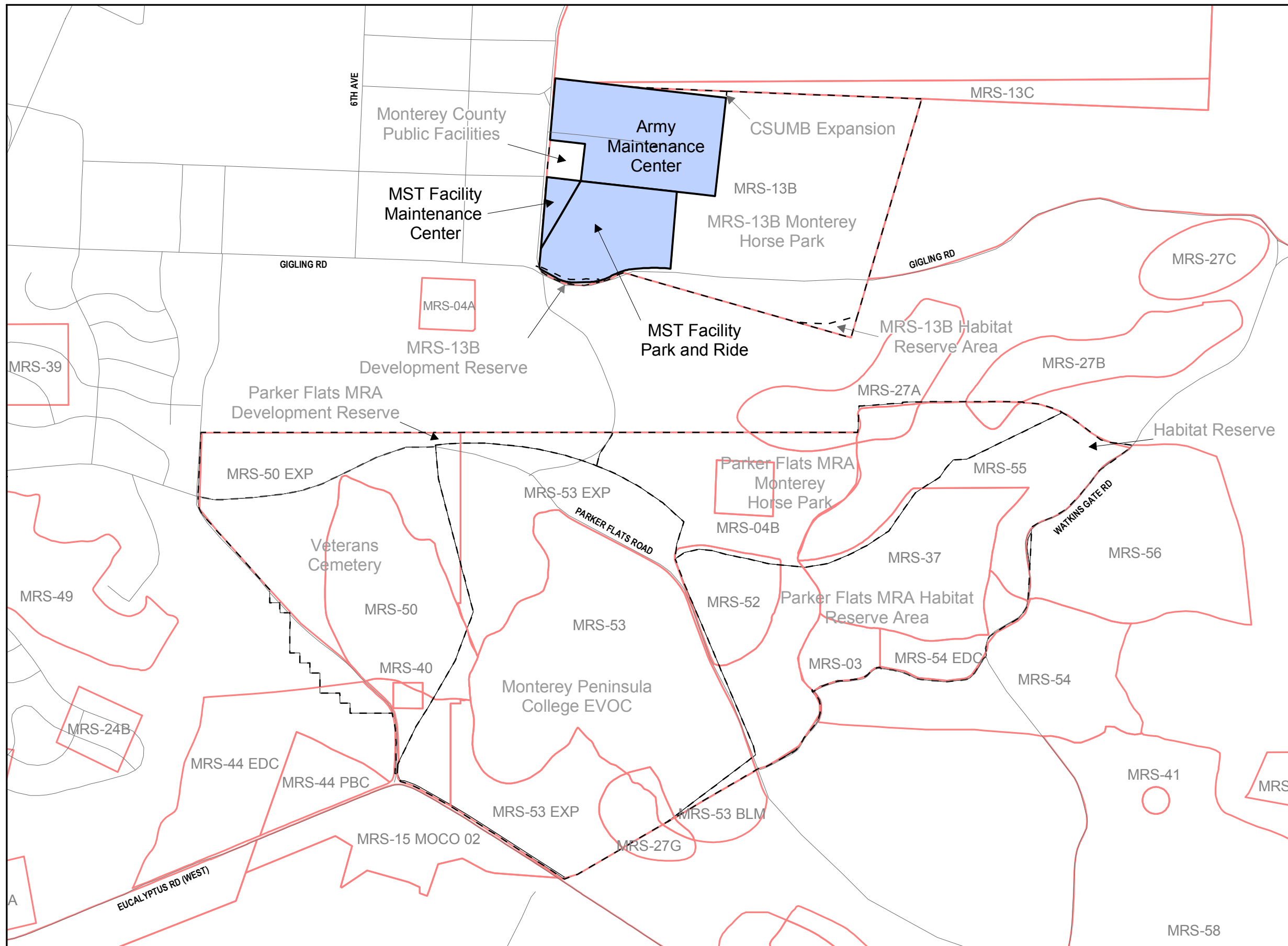
DRAWN
 TJH

JOB NUMBER
 4084086513 01a

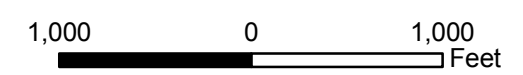
CHECKED
 CHECKED DATE
 10/2008

APPROVED
 APPROVED DATE

Plate1_location_map.mxd - 10/17/08



- EXPLANATION**
- Reuse Areas
 - MRS Site Boundary
 - Parcel Boundary
 - Road



DRAWN: TJH	PROJECT NO: 4088086513 01a
ENGINEER:	SCALE: AS SHOWN
CHECKED:	APPROVED:
DATE: 10/2008	DATE:

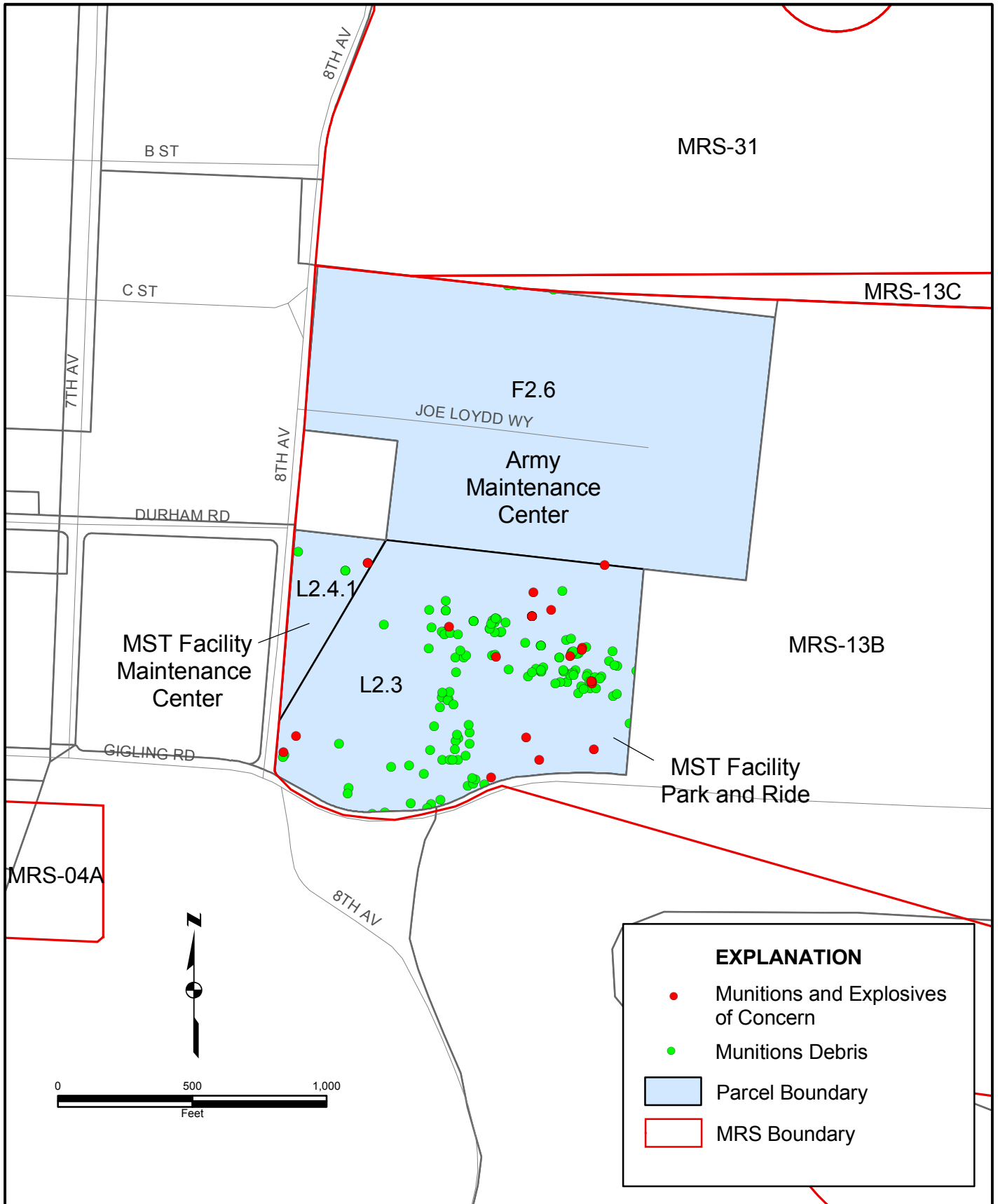


Parker Flats Remedial Design/Remedial
Action Work Plan
Former Fort Ord, California

Parker Flats MRA Map

PLATE
2

Plate2_MRA_Map.mxd - 10/17/08



Parcel Reuse Area Map
 Parker Flats Remedial Design/Remedial
 Action Work Plan
 Former Fort Ord, California

PLATE

3

DRAWN
TJH

JOB NUMBER
4084086513 01a

CHECKED
CHECKED DATE
10/2008

APPROVED
APPROVED DATE

Plate3-ParcelReuseArea.mxd - 10/28/08

APPENDIX A

ARMY RESPONSES TO COMMENTS ON THE DRAFT
REMEDIAL DESIGN/REMEDIAL ACTION WORK PLAN

APPENDIX A

Army Responses to Comments on the
Draft Remedial Design/Remedial Action Work Plan,
Parker Flats Munitions Response Area, Former Fort Ord, California
Revision C, dated November 26, 2008

I. Comments by US Environmental Protection Agency, Region IX,
dated January 21, 2009

Comment 1. Section 3.0 Land Use Control Performance Objective, Restriction Against Residential Use, Page 3-1: Please clarify the intent of this sentence by modifying the sentence to state: “to preclude residential development or modification to residential restrictions without approval by EPA and DTSC.”

Response 1. The proposed modification has been incorporated into the text.

Comment 2. Section 4.0 Remedy Implementation Actions, Construction Monitoring, Page 4-1: Please replace the last two sentences of the paragraph with the following:

“After the response, EPA, DTSC, and the Army will assess the probability of encountering additional MEC. If the probability of encountering MEC remains low, construction may resume with construction monitoring. If EPA, in consultation with DTSC, determines that additional investigation is required, the Army will conduct such investigation in accordance with an approved Workplan. EPA, in consultation with DTSC, will evaluate and approve the results of the investigation. If the investigation indicates that additional MEC is likely to be present, the Army will propose a response. Upon EPA and DTSC approval, the Army will implement the appropriate response action.”

Response 2. This section was modified based on subsequent discussions between EPA, DTSC, and the Army. The approved modification has been incorporated into the text.

Comment 3. Section 4.0 Remedy Implementation Actions, Restrictions Against Residential Use, Page 4-1: Since the Federal Deed will need to address all three implementation actions discussed in this section, please move the discussions regarding Federal Deeds from the Restriction Against Residential Use section to the top of the page as part of the “general remedy implementation actions” discussion.

Response 3. The proposed modification has been incorporated into the text.

Comment 4. Section 4.0 Remedy Implementation actions, Site Inspections, Page 4-2: Since this discussion is related to annual monitoring and reporting, please merge this section with the Annual Monitoring and Reporting Section.

Response 4. The proposed modification has been incorporated into the text.

Comment 5. Section 4.0 Remedy Implementation Actions, Annual Monitoring and Reporting, Page 4-2: Please clarify the intent of the section by inserting the underlined sentence and replace the word “data” with “items” as indicated below.

“Monitoring of the environmental use restrictions and controls will be conducted annually. The monitoring results will be included in a separate report or as a section to another environmental report if appropriate, and provided to the EPA and DTSC. The Army will perform annual monitoring for Parcel F2.6, and Monterey County will perform the monitoring and reporting for Parcels L2.4.1 and L2.3 in accordance with Memorandum of Agreement (MOA)(DTSC, 2008) between DTSC, FOR A and the local jurisdictions. However, the Army will be responsible for performing and reporting should Monterey County fail to meet its obligations under the requirements of the MOA. The Army and Monterey County will notify the regulatory agencies, as soon as practicable, of any MEC-related ~~data~~ items identified during use of the property and report the results of monitoring activities annually....”

Response 5. The proposed sentence has been incorporated into the text. The word “data” in the last sentence was not deleted, because the general term “MEC-related data” includes any data that may be gathered at the site related to MEC, including MEC items.

Comment 6. Section 4.0 Remedy Implementation Actions, Notice of Planned Property conveyances, Second Sentence, Page 4-2: Please clarify the intent of this sentence by modifying the sentence to state: “The notice shall describe the mechanism by which LUCs, as described above, will continue to be implemented, maintained, inspected, reported, and enforced.”

Response 6. The proposed modification has been incorporated into the text.

II. Comments by Department of Toxic Substances Control, dated March 5, 2009

Comment 1. DTSC has no comments or edit changes to this version of the document. In addition, DTSC concurs with the text changes provided by U.S. EPA, on February 18, 2009, regarding Munitions and Explosives of Concern.

Response 1. The proposed modifications made by the EPA have been incorporated into the text as noted in the responses to EPA comments above.

III. Comments by Fort Ord Environmental Justice Network, Inc. (FOEJN), dated January 29, 2009

General Comment:

The precautionary principal is a moral and political principle which states that if an action of policy might cause severe or irreversible harm to the public or to the environment, in the absence of a scientific consensus that harm would not ensue, the burden of proof falls on those who would advocate taking the action. The principle implies that there is a responsibility to intervene and protect the public from exposure to harm where scientific investigation discovers a plausible risk in the course of having screened for other suspected causes. The protections that mitigate suspected risks can be relaxed only if further scientific findings emerge that more

robustly support an alternative explanation. In some legal systems, as in the law of the European Union, the precautionary principle is also a general and compulsory principle of law.

FOEJN suggests the use of the Precautionary Principle concerning the Remedial Action Work Plan at Ford Ord and all clean-up activities where the public will be impacted or involved. Munitions & Explosives of Concern (MEC) is not 100% removed. What method is being used to allow amendments to land use controls for future developments, which could mean residential, schools and playgrounds or parks?

Response to General Comment:

LUCs will be maintained until EPA and DTSC concur that the land use may be conducted in a manner protective of human health and the environment without the LUCs. This concurrence may be based on:

- New information (e.g., limited geophysical mapping, site development); or
- Where the depth of soil disturbance related to ground disturbing or intrusive activities is sufficient to address the uncertainty of MEC remaining in the subsurface and any MEC encountered during such activities is removed.

Any proposed changes in LUCs will be evaluated through periodic reviews such as the five-year review process.

IV. Specific Comments (Prepared by Environmental Stewardship Concepts [ESC] on behalf of FOEJN):

Comment 1. MEC Recognition and Safety Training, page 4-1. Revision C of the draft work plan does an admirable job of explaining the details of the MEC Recognition and Safety Training for those who will be performing ground disturbing activities. However, the Revision should further explain how those people will receive the training – is it required before their application to develop is approve? Which people precisely will be required to attend the training? ESC advocates the precautionary approach to the Remedy Implementation, which indicates that *any* person involved in the development at Parker Flats should be made aware of the lingering possibility of MECs by attending the mandatory MEC Recognition and Safety Training.

Response 1. People conducting ground disturbing or intrusive activities at these reuse areas will be required to attend the MEC recognition and safety training to increase their awareness of and ability to identify MEC items as specified in the deed restriction. Prior to planned intrusive activities, the landowner will be required to notify the Army or Army's representatives and provide MEC recognition and safety training for all workers performing intrusive activities. The training will be conducted by UXO-qualified personnel.

These requirements will be documented in the deed and CRUPs to notify the landowners. The Army has an ongoing outreach program that promotes MEC safety; these efforts help raise awareness about the need to take reasonable precautions.

Comment 2. Site Inspections, page 4-2. The one-sentence description under the Site Inspections section is scant and does little to address the issues directly relevant to site inspections following property transfer from the Army to public entities. The section does not list an anticipated inspection schedule, does not indicate who will be conducting the inspections, and does not discuss how compliance with LUCs will be documented during the site inspections. If landowners are not in compliance, what is the appropriate course of action to remedy the situation? Finally, what are the distinctions between site inspections and annual monitoring and reporting? ESC believes that the inspection process should be expounded upon to provide assurance that the LUCs will be monitored appropriately following property conveyance.

Response 2. Physical on-site inspections, a review of records from the local building and planning departments, and a review of local 911 records of MEC observations and responses will be conducted to confirm continued compliance with the LUC objectives. The results of the annual inspections will be compiled and summarized in a letter report prepared by the Army and submitted to EPA and DTSC.

**TRANSMITTAL OF SHOP DRAWINGS, EQUIPMENT DATA, MATERIAL SAMPLES, OR
MANUFACTURER'S CERTIFICATES OF COMPLIANCE**
(Read Instructions on the reverse side prior to initiating this form)

DATE
March 26, 2009

TRANSMITTAL NO.: 011

Section I - REQUEST FOR APPROVAL OF THE FOLLOWING ITEMS *(This Section will be initiated by the contractor)*

TO: Bill Nevius
U.S. Army Corps of Engineers
1325 "J" Street
Sacramento, CA 95814-2922

FROM: Peter Kelsall
Shaw Environmental, Inc.
P.O. Box 1698
Marina, CA 93933-1698

CONTRACT NO.
DACW05-96-D-0011

T.O. # 016

WAD # 09

CHECK ONE:
 THIS IS A NEW TRANSMITTAL

 THIS IS A RESUBMITTAL OF TRANSMITTAL

IDENTIFICATION NO. (Cover only one section with each submittal)

PROJECT TITLE AND LOCATION: FORMER FORT ORD, CALIFORNIA

DESCRIPTION OF ITEM SUBMITTED <i>(Type, size, model number, etc.)</i>	MFG. OR CONTR. CAT., CURVE DRAWING OR BROCHURE NO. <i>(See Instruction No. 8)</i>	NO. OF COPIES	CONTRACT REFERENCE DOCUMENT		FOR CONTRACTOR USE CODE	VARIATION <i>(See Instruction No. 6)</i>	FOR C E USE CODE
			SPEC. PARA. NO. e.	DRAWING SHEET NO. f.			
b.	c.	d.	e.	f.	g.	h.	i.
Draft Final, Remedial Design/Remedial Action Work Plan, Parker Flats Munitions Response Area, Former Fort Ord, California, Revision 0	N/A	35	SOP17		A		
DRF for the Draft Final, Remedial Design/Remedial Action Work Plan, Parker Flats Munitions Response Area, Former Fort Ord, California, Revision 0	N/A	35	SOP17		F		

MARKS

CONTRACTOR QUALITY CONTROL SYSTEMS MANAGER

Shaw Environmental, Inc.

Distribution List Approved Tom Ghigliotto is as noted on submittal data and/or attached sheet(s).
 Approved with comments to

SIGNATURE: Digitally signed by: Tom Ghigliotto
DN: cn=Tom Ghigliotto, c=AD, ou=Shaw Environmental, Inc
TITLE: CONTRACTOR QUALITY CONTROL SYSTEMS MANAGER

I certify that the above submitted items have been reviewed in detail and are correct and in strict conformance with the contract drawings and specifications except as otherwise stated.

Shaw Environmental, Inc.

Peter Kelsall
Digitally signed by Peter Kelsall
DN: cn=Peter Kelsall, o=US, o=Shaw
E&I
Date: 2009.03.26 12:59:48 -06'00' /PETER KELSALL

NAME AND SIGNATURE OF PROJECT MANAGER

Section II - APPROVAL ACTION

CLOSURES RETURNED (List by Item No.)

NAME, TITLE AND SIGNATURE OF APPROVING AUTHORITY

DATE



Shaw Environmental, Inc.

DOCUMENT REVIEW AND RELEASE FORM

Client: USACE	Authors: Shaw/Mactec	Submittal Register Item No.: 006	Date: March 26, 2009
---------------	----------------------	----------------------------------	----------------------

Document Title:	Draft Final, Remedial Design/Remedial Action Work Plan, Parker Flats Munitions Response Area, Former Fort Ord, California	Revision: 0	T.O. # 016	WAD# 09
-----------------	---	-------------	------------	---------

Reviewer (print)	Reviewer Initial & Date	Technical	Project Manager	CQC	Health and Safety Manager	Task Manager	Chemistry	UXO	Construction	Reviewer Comments Resolved (Signature & Date)
Peter Kelsall			X							
Tom Ghigliotto				X						Digitally signed by: Tom Ghigliotto DN: CN = Tom Ghigliotto C = AD OU = Shaw Environmental, Inc. Date: 2009.03.26 11:43:01 -08'00'

Same as Technical Reviewer above	X	Topic outline with objectives for each section submitted prior to Rev. A
----------------------------------	---	--

Program Reviewer's Acceptance for Document Submittal	Signature	Yes	No
1) A 4025 (as applicable) prepared and submitted with document?		X	
2) Technical Conclusions adequately supported by text and data?		X	
3) Tables and Figures are in the proper format and checked and approved?		X	
4) The Table of Contents consistent with text information?		X	
5) Technical Reviewers are qualified and accepted by Project Manager?		X	
6) A document Distribution List been prepared and submitted with document?		X	

Peter Kelsall

Digitally signed by Peter Kelsall
 DN: cn=Peter Kelsall, c=US,
 o=Shaw E&I
 Date: 2009.03.26 12:59:59 -06'00'

Tom Ghigliotto

Digitally signed by: Tom Ghigliotto
 DN: CN = Tom Ghigliotto C = AD OU = Shaw Environmental, Inc.
 Date: 2009.03.26 11:43:13 -08'00'

Recommended 4025 Code A

Project Manager

Contractor Quality Control Systems Manager

FORT ORD

Draft Final, Remedial Design/Remedial Action Work Plan, Parker Flats Munitions Response Area, Former Fort Ord,

DISTRIBUTION LIST: **California, Revision 0**

No of Copies		Name	Company	Address	City and State	Zip Code	Controlled Yes or No
e-mail	Paper						
1	1	Bill Nevius	Department of the Army, USACE	1325 "J" Street	Sacramento, CA	95814-2922	Yes
1		George Siller	Department of the Army, USACE	1325 "J" Street	Sacramento, CA	95814-2922	Yes
1		David Eisen	Department of the Army, USACE	BRAC, Bldg. #4463 Gigling Road	Monterey, CA	93944-5004	Yes
1		Bill Collins	Department of the Army, Fort Ord BRAC Office	BRAC, Bldg. #4463 Gigling Road	Monterey, CA	93944-5004	Yes
1		Jen Moser	Shaw Environmental, Inc.	PO Box 1698	Marina, CA	93933	Yes
1		Ed Ticken	Mactec	5341 Old Redwood Hwy; Suite 300	Petaluma, CA	94954	Yes
1	2	Roman Racca	California Department of Toxic Substances Control	8800 California Center Drive	Sacramento, CA	95826	Yes
1		Bob Carr	U.S. Environmental Protection Agency	75 Hawthorne Street, Mail SFD-8-3	San Francisco, CA	94105	Yes
1		John Elloit	Directorate of Public Works	Bldg. #4455 Gigling Road	Monterey, CA	93944-5004	Yes
1		James Willison	US Army Installation Management Command	BRAC, Bldg. #4463 Gigling Road (IMWE-POM-PW)	Monterey, CA	93944-5004	Yes
	1	Hunter Harvath	Monterey-Salinas Transit	1 Ryan Ranch	Monterey, CA	93940	Yes
	1	Michael Houlemard, Executive Officer	Fort Ord Reuse Authority	100 12th street, Building 2880	Marina, CA	93933	Yes
	1	Len Foster, Director	Monterey County Department of Health	2170 Natividad Road	Salinas, CA	93901	Yes
	1	Nick Nichols, Director	Environmental Resource Policy, Monterey County	168 West Alisal Street, Third Floor	Salinas, CA	93901	Yes
1	1	Sandy Reese	Administrative Records	BRAC, Bldg #4463 Gigling Road	Monterey, CA	93944-5004	Yes
	1	Richard Bailey	N/A	440 Ramona Avenue, Apt 16	Monterey, CA	93940	Yes
	1	LeVonne Stone	Environmental Justice Network	P.O. Box 361	Marina, CA	93933	Yes
	1	Peter deFur	TAG Consultant	1108 Westbriar Drive; Suite F	Richmond, VA	23238	Yes
	1	Mike Weaver		52 Corral De Tierra Road	Salinas, CA	93908	Yes
1	1	Project File	Shaw Environmental, Inc.	PO Box 1698	Marina, CA	93933	Yes

FORT ORD

Draft Final, Remedial Design/Remedial Action Work Plan, Parker Flats Munitions Response Area, Former Fort Ord,

DISTRIBUTION LIST: California, Revision 0

No of Copies		Name	Company	Address	City and State	Zip Code	Controlled Yes or No
e-mail	Paper						
1		Program File (Kathy Grider)	Shaw Environmental, Inc.	4005 Port Chicago Highway	Concord, CA	94520-1120	Yes

13

13

Approved: _____
David Eisen,
USACE Project Manager