

**FINDING OF SUITABILITY TO TRANSFER (FOST)
PENINSULA OUTREACH WELCOME HOUSE PARCEL
BUILDINGS 6279 AND 6280
FORMER FORT ORD, CALIFORNIA**

On the authority delegated to me by the Acting Deputy Assistant Secretary of the Army for Environment, Safety, and Occupational Health, (20 Jul 95), and on the basis of an Environmental Baseline Survey (EBS) for the McKinney Homeless Act Group A Parcels, I have determined that the Peninsula Outreach Welcome House (POWH) Parcel, Buildings 6279 and 6280, at former Fort Ord, California (Property), is suitable for transfer to POWH for transitional and emergency housing. The area to be assigned and transferred includes two buildings on approximately 4 acres (Plate 1).

A determination of the environmental condition of the Property was made by the United States Army by conducting an EBS that included reviewing existing environmental documents and making associated visual site inspections. The documents reviewed included the final Fort Ord Community Environmental Response Facilitation Act (CERFA) Report, April 1994, U.S. EPA Region IX's concurrence to the CERFA Report (Memorandum, 19 April 1994), U.S. EPA Region IX's concurrence letter of 11 July 1995 that the Property meets the requirements for uncontaminated property pursuant to Section (§)120(h)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and various remedial investigation/feasibility studies documents. Comments received from U.S. EPA Region IX (10 July 1995) and California EPA DTSC (11 July 1995) on the 31 May 1995 Version 1 EBS/FOST/FOSL for the McKinney Group A Parcels have been reviewed and incorporated where possible. Unresolved comments are attached. The results of the EBS indicated that the Property is environmentally suitable for transfer to POWH.

The results of the EBS are as follows:

- Two buildings (6279 and 6280) are located on the Property. Both buildings were previously used for family housing at Abrams Park Housing Area.
- An asbestos survey conducted by the Army shows that Buildings 6279 and 6280 contain nonfriable asbestos in good condition.
- Buildings 6279 and 6280 are not considered to contain LBP because of their post-1978 (1982) construction date.
- No elevated radon levels were detected on the Property during a 1990 survey at Fort Ord.
- No radiological surveys have been conducted within the Property because these buildings were not used to store radiological materials.
- There have been no reported releases of PCB-contaminated dielectric fluids from any transformer present on the Property.
- Ordnance and Explosives (OE) surveys show that no potential OE locations are within or immediately adjacent to the Property. No OE was found at the Imjin Road Practice Mortar Range approximately 1000 feet southwest of the Property.
- No underground or aboveground storage tanks or solid waste management units are present on the property, and no studies associated with them have been conducted by the Army for the Property.
- No groundwater wells are present on the Property.

- The final CERFA report identifies the property as being within a CERFA disqualified parcel because of its proximity to the Fort Ord Landfills and the associated groundwater contamination plume. However, the Property is approximately 2,000 feet from the landfill and approximately 1,800 feet from the outermost edge of the 1 part per billion trichloroethylene groundwater plume. Groundwater beneath the Property is not known to be affected by landfill activities. The U.S. EPA has concurred that the Property is uncontaminated pursuant to CERCLA.

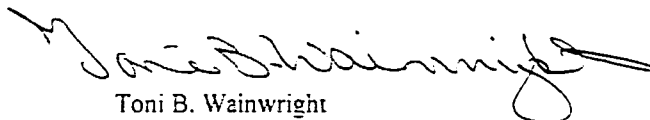
On the basis of the above results from the EBS and other investigations, certain terms, conditions, reservations, restrictions, and notifications are required. Use restrictions and disclosure of conditions are described below and will be included in the transfer documents.

NOTICE OF THE PRESENCE OF ASBESTOS. The Property existing on the date of this conveyance may contain certain amounts of nonfriable asbestos. The GRANTEE covenants and agrees, on behalf of it, its successors and assigns, that in its use and occupancy of the Property, it will comply with all applicable laws relating to asbestos, and that the GRANTOR assumes no liability for damages for personal injury, illness, disability or death, to the GRANTEE, its successors or assigns, or to any other person including members of the general public, arising from or incident to the purchase, transportation, removal, handling, alterations, renovations, use, disposition, or other activity causing or leading to contact of any kind whatsoever with asbestos on the Property described in this Deed, regardless of whether the GRANTEE, its successors or assigns have properly warned or failed properly to warn the individual(s) injured.

On the basis of the above, I conclude that because no release, storage, or disposal of hazardous substances has occurred on the Property, the POWH Parcel, Buildings 6279 and 6280, should be assigned Department of Defense (DoD) Environmental Condition Category 1 and is transferable under CERCLA Section 120(h)(4). The deed for this transaction will contain:

- The covenant under CERCLA §120(h)(4)(D)(i) any response action or corrective action found to be necessary after the date of transfer shall be conducted by the United States
- The clause under CERCLA §120(h)(4)(D)(ii) granting the United States access to the Property in any case in which response action or corrective action is found to be necessary after the date of transfer.

08



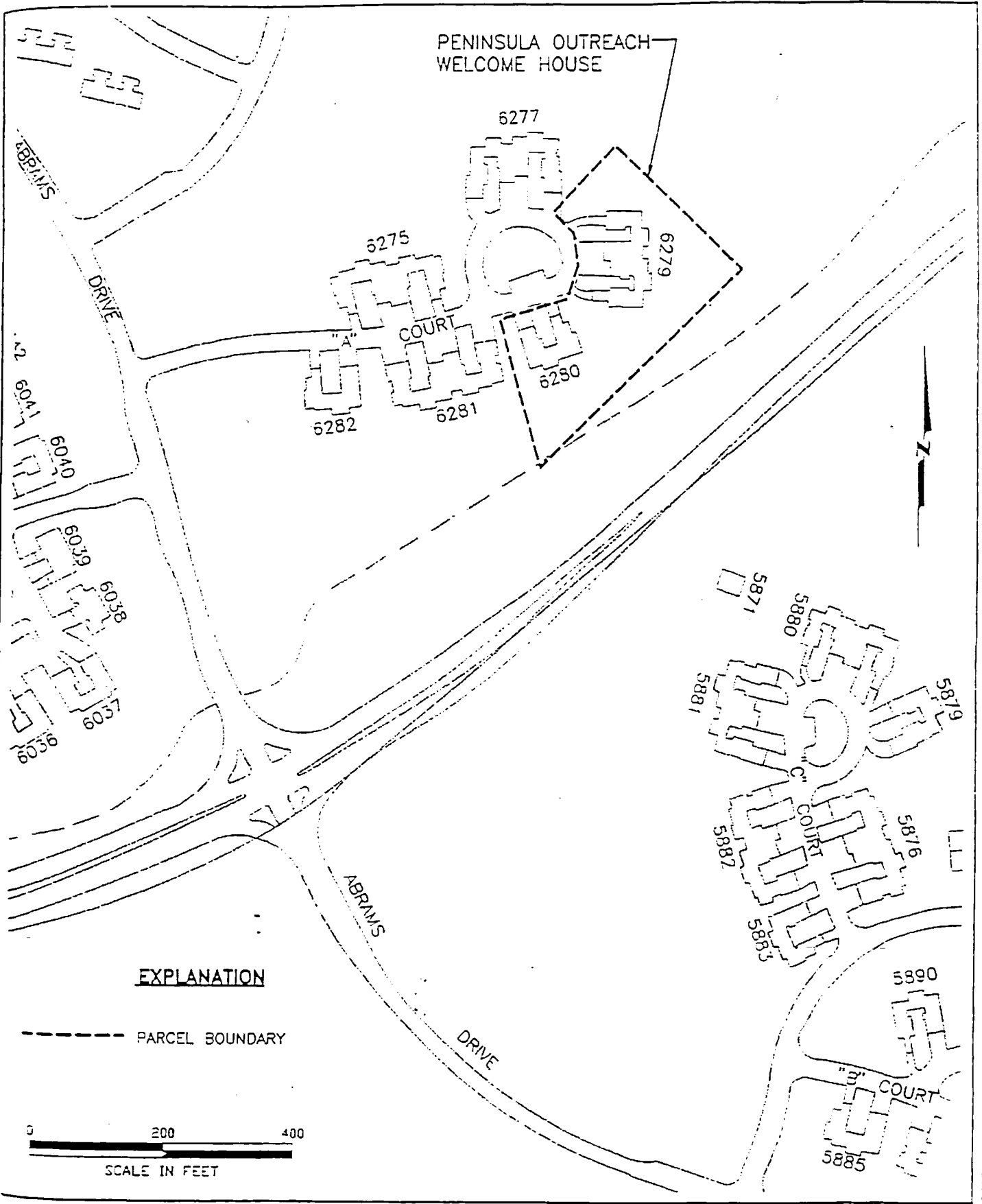
Toni B. Wainwright
Assistant Deputy Chief of Staff
Base Operations Support

UNRESOLVED AGENCY COMMENT
MCKINNEY GROUP A EBS/FOST/FOSL

U.S. EPA 10 July 1995 Comment

Comment 3: Page 3, 3rd paragraph - Public law 102-484, as amended by Public Law 103-160, provides for indemnification by the military services when property is transferred or leased. This law provides that the military indemnify persons and entities acquiring ownership or control of property at a closing military base from liability for personal injury and property damages resulting from the release or threatened release of a hazardous substance (such as asbestos), unless the person or entity acquiring the property contributed to the release. The Army's statement in the FOST may conflict with the required indemnification. We recommend that the Army delete this paragraph and rely on the statutory language to determine any future liability as a result of exposure to asbestos.

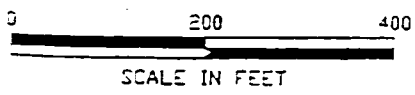
Response: Comment noted. However, the text will remain unchanged. This comment is to be included as an unresolved comment to the FOST.



25894199 2000
19950602.0558

EXPLANATION

--- PARCEL BOUNDARY



Harding Lawson Associates
Engineering and
Environmental Services

Peninsula Outreach Welcome House
Buildings 6279 and 6280
Finding of Suitability to Transfer
McKinney Group A Parcels
Former Fort Ord, California

PLATE

1

DRAWN CSN JOB NUMBER 25894 0017614

APPROVED *SPZ* DATE 5/95

REVISED DATE

ATZP-EP

7 November 1995

MEMORANDUM FOR THE RECORD

SUBJECT: Record of Non-Applicability (RONA) to the Clean Air Act Amendment General Conformity Rule Regarding the Transfer of Real Property Designated for McKinney Homeless Group A Parcel. This Action Covers Activities Associated with Land Conveyances Between the U.S. Army and Peninsula Outreach Welcome House (POWH).

1. Scope Definition: The Department of the Army is considering granting parcels of land located at the former Fort Ord, California in agreement with the McKinney Homeless Act for use by POWH. Buildings situated within subject parcel were formerly utilized by the U.S. Army as military family housing units.
2. Preridio of Monterey, Defense Language Institute is required to make a review of direct and indirect air emission sources for each criteria pollutant as outlined in 40 CFR 51.853 and 93.153 for federal initiatives located within a region designated as nonattainment to national ambient air quality standards (NAAQS). The analysis is to ensure that federal actions will not delay or prevent an area from achieving attainment status.
3. Grantee intends to reuse subject buildings transitional and emergency housing.
4. Proposed action is exempt from preparing a conformity determination in accordance with the exception provisions in Section 51.853 of the Clean Air Act Amendment of 1990 and pursuant to section 204 c.2.xiv of Monterey Bay Unified Air Pollution Control District rule, as incorporated in the State Implementation Plan (SIP) in accordance with 40 CFR Part 51, subpart W, section 51.851, subject Federal action results in the transfer of ownership, interest and title in the subject parcel.
5. Any utilization of subject parcel by the grantee influencing facility emissions not identified in the SIP, has neither been disclosed to Army Environmental personnel, nor considered in subject General Conformity Rule review.



MARK G. REESE
Air Pollution Environmental Coordinator
Directorate Environmental and Natural
Resources Management

**FINDING OF SUITABILITY TO TRANSFER (FOST)
SHELTER PLUS PARCEL
FORMER FORT ORD, CALIFORNIA**

On the authority delegated to me by the Acting Deputy Assistant Secretary of the Army for Environment, Safety, and Occupational Health, (20 Jul 95), and on the basis of an Environmental Baseline Survey (EBS) for the McKinney Homeless Act Group A Parcels, I have determined that the Shelter Plus Parcel, at Fort Ord, California (Property), is suitable for transfer to Shelter Plus for transitional and emergency housing. The area to be assigned and transferred includes 16 buildings on approximately 9 acres (Plate 1).

A determination of the environmental condition of the Property was made by the United States Army by conducting an EBS that included reviewing existing environmental documents and making associated visual site inspections. The documents reviewed included the final Fort Ord Community Environmental Response Facilitation Act (CERFA) Report, April 1994, U.S. EPA Region IX's concurrence to the CERFA Report (Memorandum, 19 April 1994), and various remedial investigation/feasibility studies documents. Comments received from U.S. EPA Region IX (10 July 1995) and California EPA DTSC (11 July 1995) on the 31 May 1995 Version 1 EBS/FOST/FOSL for the McKinney Group A Parcels have been reviewed and incorporated where possible. Unresolved comments are attached.

The results of the EBS indicated that the Property is environmentally suitable for transfer to *Shelter Plus*.

The results of the EBS are as follows:

- Sixteen buildings (5390 through 5397, 5400 through 5407) are located on the Property. All the buildings were previously used for family housing at Preston Park Housing Area.
- An asbestos survey was not conducted by the Army for these 16 buildings. However, other nearby similar and representative buildings in the Preston Park Housing Area were surveyed and were found to contain nonfriable asbestos in roofing mastic. These survey results indicate that it is likely that the 16 Shelter Plus structures contain nonfriable ACM in roofing mastic.
- Because the 16 buildings on the Property were constructed after 1978, they are not expected to contain lead-based paint.
- No elevated radon levels were detected on the Property during a 1990 survey at Fort Ord.
- No radiological surveys have been conducted within the Property because these buildings were not used to store radiological materials.
- There have been no reported releases of PCB-contaminated dielectric fluids from the transformer present on the Property.
- Ordnance and Explosives (OE) surveys show that no potential OE locations are within or immediately adjacent to the Property.
- No underground or aboveground storage tanks or solid waste management units are present on the Property, and no studies associated with them have been conducted by the Army for the Property.
- No groundwater wells are present on the Property.

- The final CERFA report identifies the property as being within CERFA Parcel 220. No evidence was observed during the CERFA assessment to indicate storage, release, or disposal of hazardous substances or petroleum products or their derivatives on the Property. On the basis of the review of available information, this Property is not expected to be threatened by activities on adjacent or surrounding properties.

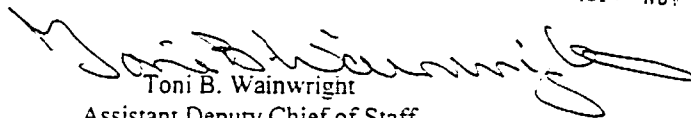
On the basis of the above results from the EBS and subsequent investigations, certain terms, conditions, reservations, restrictions, and notifications are required. Use restrictions and disclosure of conditions are described below and will be included in the transfer documents.

NOTICE OF THE PRESENCE OF ASBESTOS. The Property existing on the date of this conveyance may contain certain amounts of nonfriable asbestos in the roofing mastic. The GRANTEE covenants and agrees, on behalf of it, its successors and assigns, that in its use and occupancy of the Property, it will comply with all applicable laws relating to asbestos, and that the GRANTOR assumes no liability for damages for personal injury, illness, disability or death, to the GRANTEE, its successors or assigns, or to any other person including members of the general public, arising from or incident to the purchase, transportation, removal, handling, alterations, renovations, use, disposition, or other activity causing or leading to contact of any kind whatsoever with asbestos on the Property described in this Deed, regardless of whether the GRANTEE, its successors or assigns have properly warned or failed properly to warn the individual(s) injured.

On the basis of the above, I conclude that because no release, storage, or disposal of hazardous substances has occurred on the Property, the Shelter Plus Parcel should be assigned Department of Defense (DoD) Environmental Condition Category 1 and is transferrable under Section (§) 120(h)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The deed for this transaction will contain:

- The covenant under CERCLA §120(h)(4)(D)(i) any response action or corrective action found to be necessary after the date of transfer shall be conducted by the United States
- The clause under CERCLA §120(h)(4)(D)(ii) granting the United States access to the Property in any case in which response action or corrective action is found to be necessary after the date of transfer.

0.8 NOV 1995



Toni B. Wainwright
Assistant Deputy Chief of Staff
Base Operations Support

ATZP-EP

7 November 1995

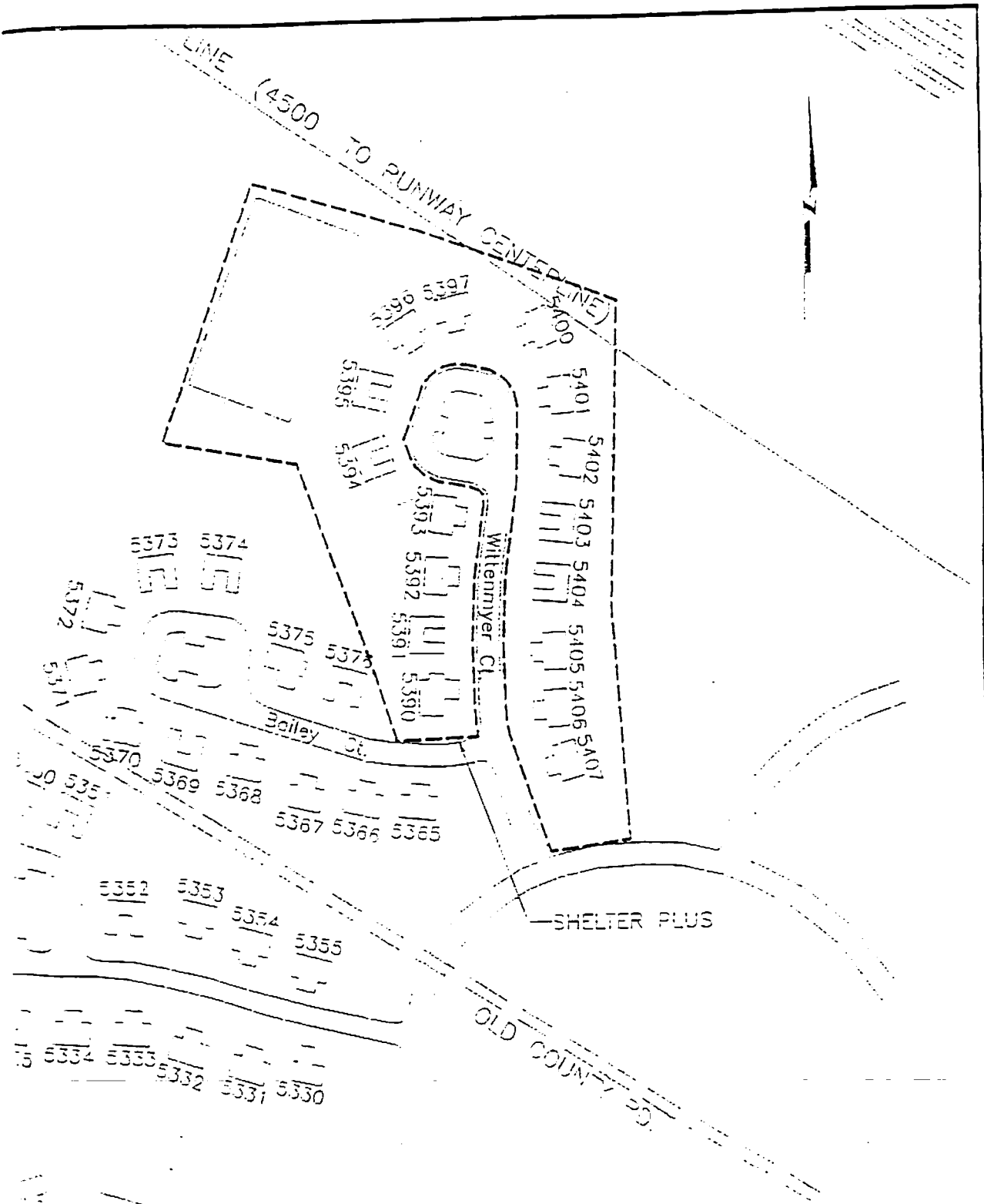
MEMORANDUM FOR THE RECORD

SUBJECT: Record of Non-Applicability (RONA) to the Clean Air Act Amendment General Conformity Rule Regarding the Transfer of Real Property Designated for McKinney Homeless Group A Parcel. This Action Covers Activities Associated with Land Conveyances Between the U.S. Army and Shelter Plus (SP).

1. Scope Definition: The Department of the Army is considering granting parcels of land located at the former Fort Ord, California in agreement with the McKinney Homeless Act for use by SP. Buildings situated within subject parcel were formerly utilized by the U.S. Army as military family housing units.
2. Presidio of Monterey, Defense Language Institute is required to make a review of direct and indirect air emission sources for each criteria pollutant as outlined in 40 CFR 51.853 and 93.153 for federal initiatives located within a region designated as nonattainment to national ambient air quality standards (NAAQS). The analysis is to ensure that federal actions will not delay or prevent an area from achieving attainment status.
3. Grantee intends to reuse subject buildings for transitional and emergency housing.
4. Proposed action is exempt from preparing a conformity determination in accordance with the exception provisions in Section 51.853 of the Clean Air Act Amendment of 1990 and pursuant to section 204 c.2.xiv of Monterey Bay Unified Air Pollution Control District rule, as incorporated in the State Implementation Plan (SIP) in accordance with 40 CFR Part 51, subpart W, section 51.851, subject Federal action results in the transfer of ownership, interest and title in the subject parcel.
5. Any utilization of subject parcel by the grantee influencing facility emissions not identified in the SIP, has neither been disclosed to Army Environmental personnel, nor considered in subject General Conformity Rule review.

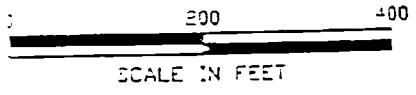


MARK G. REESE
Air Pollution Environmental Coordinator
Directorate Environmental and Natural
Resources Management



EXPLANATION

-- PARCEL BOUNDARY



E00120905661
 0002 20146822

APPENDIX C

Working Lawson Associates

Engineering and
Environmental Services

Shelter Plus
 16 Buildings on Wittenmyer Court
 Finding of Suitability to Transfer
 McKinney Group A Parcels
 Former Fort Ord, California

PLATE

1

DRAWN CSN JOB NUMBER 15594 0017614

APPROVED *SP*

DATE 5/95

REVISED DATE

**UNRESOLVED AGENCY COMMENT
MCKINNEY GROUP A EBS/FOST/FOSL**

U.S. EPA 10 July 1995 Comment

Comment 3: Page 3, 3rd paragraph - Public law 102-484, as amended by Public Law 103-160, provides for indemnification by the military services when property is transferred or leased. This law provides that the military indemnify persons and entities acquiring ownership or control of property at a closing military base from liability for personal injury and property damages resulting from the release or threatened release of a hazardous substance (such as asbestos), unless the person or entity acquiring the property contributed to the release. The Army's statement in the FOST may conflict with the required indemnification. We recommend that the Army delete this paragraph and rely on the statutory language to determine any future liability as a result of exposure to asbestos.

Response: Comment noted. However, the text will remain unchanged. This comment is to be included as an unresolved comment to the FOST.