

ATTACHMENT 8

ARMY RESPONSE

ARMY RESPONSE TO COMMENTS FROM THE U.S. ENVIRONMENTAL PROTECTION AGENCY (US EPA), REGION IX, RECEIVED BY THE ARMY IN A LETTER DATED JUNE 30, 2005.

Response to Specific Comment 1: Operable Unit 2 (OU2) Landfills is discussed as an environmental remediation site under Section 4.1; however, the groundwater contamination component of OU2 is described in Section 4.2.2 where the Notice of the Presence of Contaminated Groundwater (Section 6) in the Environmental Protection Provisions (EPP, Attachment 5) is also referenced. Per discussion with US EPA on July 7, 2005, the requested information has been added to Section 6 of the EPP.

Response to Specific Comment 2: The description of the MRS-6 Expansion Area in Section 4.9 has been revised to include Parcels E4.1.2.1, E4.1.2.2, and S4.1.1. Plate 4 (Attachment 1) has been revised to include an inset map, which provides more detail of the MRS-6 Expansion Area. Table 2 (Attachment 3) has been revised to list the MRS-6 Expansion Area as a Track 1 Site overlapping Parcels E2a, E4.1.2.1, E4.1.2.2 and S4.1.1.

Response to Specific Comment 3: The first sentence in Section 4.9.1 has been revised to “Incidental military munitions items were found in seven Track 0 parcels that are in this FOST.” The list of parcels in Section 4.9.1 has been expanded to include Parcels E4.6.1, E4.6.2, L5.6.1, and L5.6.2, which are described in the Track 0 Plug-in Approval Memorandum – Group C Parcels as parcels where incidental military munitions were found. While incidental military munitions are not discussed in Table 5 (Attachment 3) of the FOST, the boundaries of Parcel L20.6 and MRS-62 are congruent; therefore, any munitions items found within the parcel were not considered incidental. Munitions debris (expended pyrotechnic items) and expended blank small arms ammunition were found in Parcel L20.6 (MRS-62), as described in Sections 4.2.3 and 4.9 of the FOST

Response to Specific Comment 4: The *Final Landfill Gas Perimeter Probe Monitoring Report, 2003, Operable Unit 2 Landfills, Revision 0* had been added to list of references. Additionally, because they are referenced in discussion of the Operable Unit 2 Landfills in the FOST, the perimeter probe monitoring reports from 2000, 2001 and 2002, the *Draft Final Report, 2003 Ambient Air Monitoring and Human Health Risk Assessment, Operable Unit 2 Landfills, Former Fort Ord, California, Revision 0* and the *Draft Final Work Plan, Landfill Gas System Expansion, Operable Unit 2 Landfills, Former Fort Ord, California, Revision 0* have been added to the list of references.

Response to Errata 1: The cited paragraph in Section 4.0 was corrected to have the same font size throughout.

ARMY RESPONSE TO COMMENTS FROM THE US EPA, REGION IX, RECEIVED BY THE ARMY IN A LETTER DATED JULY 8, 2005.

Response to Additional Comment: Section 7 of the Environmental Protection Provisions (EPP) has been revised to state that the OU2 Landfills perimeter probes are sampled quarterly for methane and annually for volatile organic compounds and this monitoring program will occur for

thirty years from the time of implementation (June 2000) or until written authorization to discontinue monitoring is provided by the appropriate enforcement agency with concurrence by the California Integrated Waste Management Board (CIWMB). It has also been added to the text of Section 7 that the results of perimeter probe monitoring may be found in the annual perimeter probe monitoring report; however, the reference to the Former Fort Ord Environmental Cleanup web site was not added because the EPP language is included in the deed, which is a permanent legal instrument. While it may currently be true that this information may be accessed at the website, this may not be so in the future; however, if future property recipients wish to access this information, they may determine how to do so through the documentation provided as part of the transfer.

Response to Comments 1 through 4: The Army believes the standard language in Attachments 4 and 5 of the FOST is legally sufficient. These comments are considered to be unresolved.

ARMY RESPONSE TO COMMENTS FROM THE US EPA, REGION IX, RECEIVED BY THE ARMY IN A LETTER DATED JULY 19, 2005.

Response to Specific Comment 1: Though not required by applicable regulations, the Army agrees with the US EPA that it is prudent to maintain a buffer zone around the perimeter of the OU2 Landfills. Plate 6 (Attachment 1) of the FOST has been revised to clearly depict the buffer zone around the OU2 Landfills that has already been established by the Army. As indicated on the plate, the buffer zone is 100 feet or greater in width around the majority of the OU2 Landfills Areas. The exceptions are on the north side of Area B and the east side of Area F.

The parcel to the north of Area B (E4.6.2) is a transportation corridor with right-of-ways for proposed Imjin Road widening and a heavy rail line. Based on the available analytical data from perimeter probes at Area B and the intended reuse of Parcel E4.6.2, the Army believes it is not necessary to infringe upon the transportation corridor by widening the buffer zone past the property boundary.

The parcel to the east of Area F (S1.2.2) was transferred in 1997, prior to completion of the engineered landfill cover system and installation of the landfill gas (LFG) monitoring system; therefore, the landfill fence is constructed on the property boundary, which is less than 100 feet from the landfill perimeter. On all other parts of the landfill, the Army property extends beyond the landfill fence line. In response to elevated methane levels detected in perimeter probes on the east side of Area F, the Army started operating a LFG extraction and treatment system in June 2001. This system has since maintained methane concentrations along the fence line adjacent to the eastern side of Area F to less than the 5 percent standard. The Army is in the process of expanding the LFG extraction and treatment system to increase its effectiveness. Based on this, the Army believes LFG will continue to be controlled on the east side of Area F in compliance with Title 27 of the California Code of Regulations (CCR); therefore, it is not necessary to have a 100-foot wide buffer zone in this area.

Additionally, as described in the Response to Additional Comment above, quarterly monitoring of compliance probes will continue for thirty years from the time of implementation (June 2000)

or until written authorization to discontinue monitoring is provided by the appropriate enforcement agency with concurrence by the CIWMB.

Response to Specific Comment 2: The Army does have an emergency response plan for the OU2 Landfills as required by Section 21130, Article 2, Subchapter 5, Chapter 3, Title 27 of the CCR. The emergency response plan may be found in Appendix D of the Post-Closure Operation and Maintenance Plan, Areas B through F Remedial Action, Operable Unit 2 Landfills. The Army is currently revising the emergency response plan to clarify response to LFG release.

Response to Specific Comment 3: The Army believes the standard language in Attachments 4 and 5 of the FOST is legally sufficient. Mr. Carr's comments are included in Attachment 7 of this FOST and remain unresolved.

ARMY RESPONSE TO COMMENTS FROM THE CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY, DEPARTMENT OF TOXIC SUBSTANCES CONTROL (DTSC), RECEIVED BY THE ARMY IN A LETTER DATED JUNE 30, 2005.

Response to Comment 1: The text given in the comment is considered to be an unresolved regulatory comment as shown in Attachment 7 of the FOST; however, it is also noted here that the Army did sample buildings and soil in the Patton Park housing area, which includes Parcels E4.1.2.1, E4.1.2.2, L9.1.1.2 and L9.1.2.2, for lead associated with suspected lead-based paint, as described in Section 4.6 of this FOST.

Response to Comment 2: The Army will proceed with modifying the boundaries of the Fort Ord Hazardous Waste Facility and will request a RCRA Corrective Action Complete Determination as it pertains to parcels in this FOST and the FOST for Track 0 and Track 0 Plug-in B Parcels; therefore, it is not necessary to add this language to the FOST.

Response to Comment 3: Decision documents listed in Table 4 (Attachment 3) and referenced the text of the FOST that require regulatory approvals have been identified and the regulatory approvals appropriately cited.

Response to Comment 4: The Army recognizes DTSC's No Further Action letter also regards the removal of soil impacted by lead-based paint on Parcel L23.3.1; however, the Army believes it is not appropriate to include discussion of this work in the FOST because Parcel L23.3.1 is not part of this FOST. Army environmental remedial actions at Site 39A are described in the FOST because Site 39A is adjacent to a parcel included in this FOST.

Response to Comment 5: Plates 4 and 6 (Attachment 1) of the FOST have been revised to show the aerial extent of the Sites 2 and 12 and Operable Unit 2 groundwater plumes, respectively. Text has also been added to relevant sections of the FOST to indicate that the plume delineations shown on the Plates are based on the Army's understanding of the plumes from analytical data associated with a specific groundwater sampling event in September 2004. The Army agrees with the DTSC's position that the FOST should describe all Installation Restoration Program (IRP) Sites that may impact the Property.

Response to Comment 6: Plate 6 (Attachment 1) of the FOST has been revised to clearly depict the buffer zone around the OU2 Landfills and describe the buffer zone in the Plate Explanation.

Response to Comment 7: The munitions and explosives of concern (MEC) information on Parcel E8a.1.1.2 was incorporated into a revised version of the *Track 0 Plug-in Approval Memorandum, Selected Parcels – Group C, Former Fort Ord, California*, which was issued to the regulatory agencies on July 1, 2005. This information was also incorporated into Section 4.9.1 of the FOST.