

Finding of Suitability for Early Transfer (FOSET)

Former Fort Ord, California

Environmental Services Cooperative Agreement (ESCA) Parcels

and

Non-ESCA Parcels (Operable Unit Carbon Tetrachloride Plume)

(FOSET 5)

Public review and comment June 28 through July 28, 2007



Monterey Bay

BOUNDARY OF
FORMER FORT ORD

EXPLANATION

JURISDICTION

- CITY OF DEL REY OAKS
- CITY OF MARINA
- CITY OF MONTEREY
- CITY OF SEASIDE
- MONTEREY COUNTY

- INSTALLATION RESTORATION
PROGRAM SITE
- MUNITIONS RESPONSE SITE



Sand
City

Seaside

Del Rey
Oaks

Laguna
Seca

Toro
Regional
Park

Acronyms and Abbreviations*

- AOC – Administrative Order on Consent for Cleanup of Portions of the Former Fort Ord
- CDR – Covenant Deferral Request
- CERCLA – Comprehensive Environmental Response, Compensation, and Liability Act
- CRUP – Covenant to Restrict Use of Property
- DTSC – California EPA Department of Toxic Substances Control
- ESCA – Environmental Services Cooperative Agreement
- FFA – Federal Facility Agreement
- FORA – Fort Ord Reuse Authority
- FOSET 5 – Finding of Suitability for Early Transfer, ESCA Parcels and Non-ESCA Parcels (OUCTP)
- OUCTP – Operable Unit Carbon Tetrachloride Plume
- Water Board – California EPA Regional Water Quality Control Board
- USEPA – U.S. Environmental Protection Agency

*See p. iv of the FOSET.

Purpose of FOSET 5

Document the suitability of the property for early transfer to the Fort Ord Reuse Authority (FORA):

- Environmental condition of property*
- Adjacent property conditions †
- Land use controls‡

*See pp. 5-13 of the FOSET.

†See p. 13 of the FOSET.

‡ See pp. 14-16 and Attachment 5 of the FOSET.

Summarized in
Table 1 of
Attachment 3
of the FOSET.

Basis of FOSET 5*

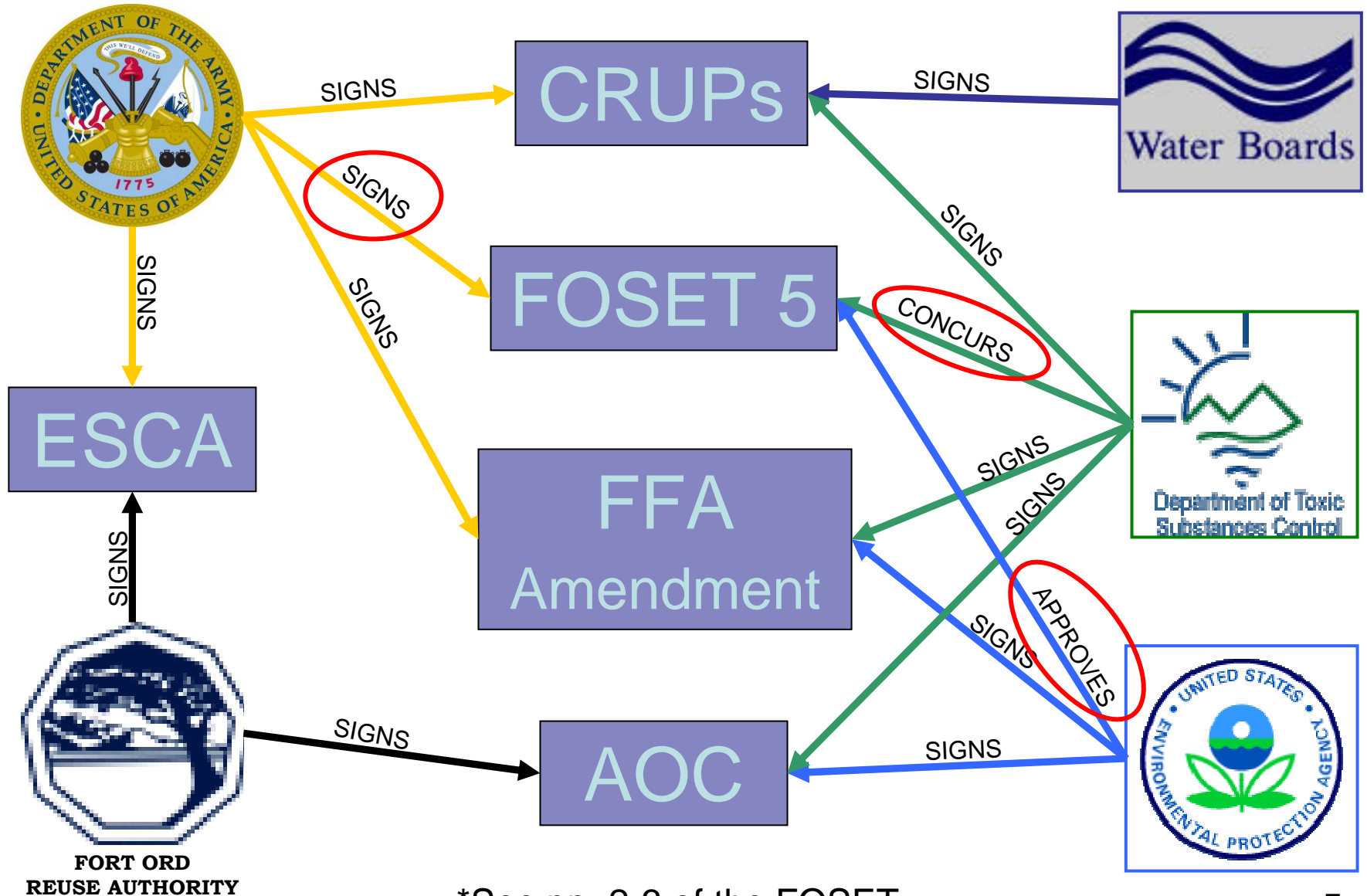
- CERCLA Section 120(h)(3)
 - Covenant warranting all remedial action is complete before transfer; however...
- CERCLA Section 120(h)(3)(C)
 - Allows for early transfer before all remedial action is complete (i.e. a covenant deferral).
 - Suitability of the property for transfer is determined by the USEPA with the concurrence of the Governor.
 - Army provides opportunity for the public to comment on the suitability of the property for transfer.

*See pp. 1-2 of the FOSET.

Covenant Deferral Request (CDR)

- USEPA requires information of sufficient quality and quantity to:
 - Support the request for deferral of the CERCLA Covenant
 - Provide a basis for USEPA to make its determination.
- This information is submitted to USEPA in the form of a CDR.

FOSET 5 and CDR Documents*



*See pp. 2-3 of the FOSET.

Summary

- Some parcels described in the FOSET are associated with the ESCA and some are not.
- The FOSET documents the suitability of the property for early transfer by describing the environmental condition of the property and appropriate land use controls.
- Early transfer is allowed through CERCLA.
- The FOSET is part of the CDR.
- *Public review and comment period is June 28 through July 28, 2007*

What's Next

- Comments and Army responses will be included in the final version of the FOSET.
- The final FOSET will be incorporated into the CDR.
- The CDR will be submitted to USEPA and the Governor for a determination on the suitability of the property for early transfer.