

Appendix R
Response to Comments

RESPONSES TO COMMENTS

Document: MRS-16 Work Plan

Commenting Organization: DTSC
Name: Roman Racca
Date of Comments: July 12, 2006

Comment

DTSC has reviewed the Response to Comments in Volume 2, Appendix R and concurs that all comments have been satisfactorily addressed with one exception. Comment Finding Item five states "the Surface MEC Removal Procedures in section 2.4.3.5 are not clearly defined. There is no mention in the work plan of a planned surface sweep method, lane size, or lane control." The response provided is adequate with the exception of indicating a search lane sweep width of five feet. Information provided in the 2001 ordnance Detection and Discrimination Study reports that lane sweep widths of three feet are more beneficial when using analog detection equipment. DTSC acknowledges that additional sweeps will be conducted with both analog and digital equipment as a component of Quality Control and Quality Assurance and therefore will review and evaluate the effectiveness of five foot sweep lanes upon completion of the MEC Removal.

Response to Comment

No response required.

RESPONSES TO COMMENTS

Document: MRS-16 Work Plan

Commenting Organization: Fort Ord Environmental Justice Network
Name: LeVonne Stone
Date of Comments: July 10, 2006

Comment 1

The Army should have released the proposed plan for the prescribed burn and the relocation plan separately from the work plan to remove MEC at MRS-16. The issues surrounding the burn and the relocation plan are significant enough to warrant a separate document that is more accessible to the community.

Response to Comment

The Prescribed Burn Plan has been included as an Appendix to all versions of the MEC Removal Work Plan. The Relocation/Notification Plan was provided to members of the public through a separate mailing. Both documents are available in the Fort Ord Administrative Record and California State University, Monterey Bay (CSUMB) Information Repository, and at www.fortordcleanup.com

Comment 2

The Army's own contractors and the Monterey County Fire Department have concluded that there is a high level of risk, potential harmful consequences, and technical difficulty associated with the burn.

Response to Comment

The Prescribed Burn Plan describes the process to address anticipated and possible contingencies associated with the prescribed burn. The complexity rating work sheet included in the Prescribe Burn Plan provides a standard method to identify potential risks and provide for proper mitigations; and is a standard approach to planning and managing a prescribed burn. Procurement of the proper support equipment, establishment of enhanced fuel breaks, and measures designed to ensure proper weather conditions are in place to conduct the burn have all been put into place to mitigate these anticipated and possible contingencies.

Comment 3

The proposed air sampling associated with the burn is insufficient to adequately evaluate the health risks associated with the burn.

Response to Comment

The Army recognizes exposure to smoke does create some health risks. Health impacts from short-term exposure to smoke are believed to be temporary. The Army and the environmental regulatory agencies believe these health risks need to be balanced with health and safety risks to cleanup workers and homes, and the need to remove the risks from the presence of munitions and explosives of concern (MEC). The Army is offering relocation outside the county for those individuals with concerns regarding their health during the upcoming prescribed burn. As stated in the Draft Final Prescribed Burn Supplemental Report dated January 27, 2006, concentrations of particulate metals and dioxins/furans would not be expected

to exceed the screening levels in future prescribed burns because they were not detected or detected below screening levels (except aluminum at one station) in 2003 during a 1,500-acre burn. The proposed prescribed burn will be conducted in an area that is of a similar vegetation type (predominantly chaparral), in a munitions response site that is much smaller and has a lower concentration and less variety of munitions as compared to Ranges 43-48.

In addition, the above-mentioned report also concluded that, except in the immediate burn area on ignition and smolder days, and an anomalous occurrence at location PS-9 (Aquarium) on the smolder day, acrolein concentrations measured during the prescribed burn program appear similar to ambient concentrations presented in various ambient air studies. Therefore, there is no compelling reason that acrolein monitoring be conducted for this upcoming prescribed burn.

Currently there is no California ambient air quality standard for short-term (24-hour) exposure to PM_{2.5}. The ambient standard for long-term exposure is not appropriate for comparison because prescribed burning is a short-term event and not a continuous source. If PM_{2.5} measurements were performed during the next prescribed burn, a qualitative comparison to the federal 24-hour ambient air quality standard for PM_{2.5} (65µg/m³) could be made; however, it is higher than the California standard for PM₁₀ (50µg/m³) and is not anticipated to provide a meaningful comparison. To provide comparability with the previous sampling event, and for consistency with the goals and objectives identified for the Interim Action program, PM₁₀ monitoring will be performed during this year's prescribed burn at MRS-16. Monitoring for PM₁₀ rather than PM_{2.5} is also consistent with the Monterey Bay Unified Air Pollution Control District's (MBUAPCD's) plans for this year's planned burn, as it will provide the data necessary to assess downwind smoke impacts.

The design of the air monitoring program considers the locations of potential receptors, meteorological conditions, and includes the use of two monitoring units that will be deployed the day before the burn to locations that are likely to be affected by smoke based on the latest results of smoke dispersion modeling efforts. Regulatory agencies including U.S. Environmental Protection Agency (EPA), California Department of Toxic Substances Control (DTSC), California Air Resources Board (CARB), and MBUAPCD have been provided copies of the plan for their review and input into the program design.

Comment 4

ESC and FOEJN continue to oppose the use of prescribed burns to clear vegetation at the former Fort Ord based on the risks associated with smoke from the burn, the Army's previous inability to control such a burn, and the conclusions of the Army's own contractors.

Response to Comment

Comment noted.

Comment 5

The Army should extend the amount of time that residents can register in person for the relocation plan and low income residents can apply for financial hardship assistance at the relocation office. If possible, this office should be open until burn operations are complete.

Response to Comment

The relocation office was open for three weeks. In addition, an off site relocation sign up meeting was held at Oldemeyer Center in Seaside. Residents of Monterey County

can still sign up for relocation assistance. Relocation applications have been accepted after July 14, by appointment. The Army has asked that residents sign up for relocation before July 14, 2006 because appropriate conditions for a fire could occur any time after that date. The Army will continue to accept relocation applications until the time of the fire.

Comment 6

ESC believes that the community would have been better served by releasing the work plan for the prescribed burn separately from the work plan detailing the actual removal of MEC from the site. The burn is a distinct event from the geophysical surveying and removal of ordinance. The prescribed burns have garnered the most attention from the public of any of the activities the Army has undertaken at the site. Burying the burn plan in this document as an appendix makes it less accessible to the public, who have been following the prescribed burns closely. The level of community interest and the complexity of the issues surrounding the burn are enough to warrant the release of the burn plan in a separate document.

Response to Comment

Please see response to comment 1.

Comment 7

It is unclear why the Army still intends to use a prescribed burn to clear vegetation at the site after its contractors and the Monterey County Fire Department have determined the burn to have a high degree of risk and technical difficulty while simultaneously finding the potential consequences of an escaped burn to be severe. In the complexity evaluation (on page 61) the Prescribed Burn plan (Appendix K) states that there is a 60-80% chance of ignition of fuels outside the unit, while constraints associated with the project "are likely to cause the project to be implemented under less than optimal conditions" (pg.66). After the disastrous results of the previous burn in along with the fact that the Army has yet to perform a failure analysis regarding that burn, the community has little faith that the Army can use the same methods at MRS-16 without incident. This decision is even more confounding in light of the fact that the 2002 ROD states that mechanical clearance of vegetation can be done at the same cost as burning (Section 2.11.3, pg. 29-30). Mechanical clearance can be conducted without the possible health impacts from smoke or the risk of escape, and FOEJN and ESC maintain that this should be the preferred method of vegetation at the former Fort Ord.

Response to Comment

The Prescribed Burn Plan describes the process to address anticipated and possible contingencies associated with the prescribed burn. Please also see response to comment 2. Regarding the 2003 prescribed burn conducted at Ranges 43-48, an investigation of the contributing factors to the escape of that burn has been completed and documented in Final MRS-Ranges 43-48 Prescribed Burn After-Action Report. An analysis of alternative methods of vegetation clearance to facilitate the removal of MEC at MRS-16 has been completed. Mechanical cutting was one of the methods evaluated. Although cost is a factor in the evaluation, it is not the primary deciding factor in CERCLA alternative evaluation process. Based on the evaluation of alternatives, prescribed burning was selected as the vegetation clearance method for MRS-16, as described in the 2002 Record of Decision referred to in the comment.

Comment 8

Throughout the report and its appendixes, the Army frequently downplays the potential health effects from exposure to smoke. The ATSDR health consultation is frequently cited in these passages, noting that “short term exposure to the smoke could cause minor respiratory and eye irritation in sensitive individuals, but these effects would have been temporary, and would have dissipated shortly after exposures ended.” This conclusion is in direct contradiction to the large body of evidence in the literature that has associated the particulate matter in smoke with increased incidences of asthma attacks and cardiovascular difficulties, with no lower threshold for adverse effects. For more information regarding the health effects of particulate matter see Kunzli et al. (2005) and Samoli et al. (2005). It should be noted that asthma attacks are not minor respiratory irritations and many of the side effects associated with heart attacks, for instance death, are not temporary. ESC previously outlined the many flaws associated with the ATSDR health consultation and the air sampling that that report was based on in previous comments to the Army. When examining the potential health effects from smoke, the Army should review the pertinent literature rather than accept the findings of an inherently flawed and incomplete report.

Response to Comment

ATSDR is a federal public health agency of the U.S. Department of Health and Human Services. ATSDR’s mission is to serve the public by providing trusted health information that will prevent harmful exposures and disease related to toxic substances. ATSDR evaluated the 2003 prescribed burn air monitoring data, which burned nearly 1,500 acres, and concluded that the effect of the Ranges 43-48 burn was “no apparent public health hazard,” and no adverse health effects are expected from exposure to smoke. The ATSDR stated that short-term exposure to the smoke could cause minor respiratory and eye irritation in sensitive individuals, but these effects would have been temporary and would have dissipated shortly after exposures ended. The Army recognizes exposure to smoke does create some health risks. Health impacts from short-term exposure to smoke are believed to be temporary. The Army and the environmental regulatory agencies believe these health risks need to be balanced with health and safety risks to cleanup workers and homes, and the need to remove the risks from the presence of munitions and explosives of concern (MEC). This year’s prescribed burn will burn approximately 60 acres of vegetation, therefore smoke impact is expected to be much less than the 2003 burn. The Army has provided in its outreach materials reasonable precautions people might want to take to avoid or minimize smoke exposure from prescribed burns.

Comment 9

ESC previously stated its opposition to the Army’s proposal to monitor fewer compounds in its comments on the Draft Prescribed Burn Supplemental Report, Ranges 43-48. The Army should continue monitoring for heavy metals such as aluminum as well as other compounds detected in the smoke of the previous burn like acrolein and dioxins. The Army should also monitor for PM 2.5 in addition to PM 10, because smaller particulate matter is more dangerous than PM 10, as currently proposed. The proposed plan also lacks sampling stations directly adjacent to the burn site, which would be useful in predicting health impacts to communities away from monitoring stations if the fire should escape. The sampling plan in its current form cannot adequately evaluate risks from the burn to the community.

Response to Comment

Please see response to comment 3.

Comment 10

The Army needs to improve the accessibility of the voluntary relocation program. The report states that the relocation office will only process requests in person until July 14. July 14 is also the deadline for community members to apply for financial hardship assistance. This appendix was not available to the public on June 27, and the Army is taking comments on the appendix until July 10. This gives only four from the end of the comment period until the deadline and closure of the relocation office. Many residents may not be aware of the burn or the relocation plan at this point, and asking residents under financial distress to drop everything to find the time to apply for assistance on such short notice. The plan in its current form fails to meet the standards set forth in Executive Order SB1298 regarding environmental justice. The poor and minority communities surrounding Fort Ord deserve every opportunity to protect the health and safety of their families. The short time period between the end of the comment period and the deadline for financial assistance also brings into question how seriously the Army intends on taking the comments that it receives from the community regarding the relocation plan. In the interest of maintaining a working relationship with the community, the Army should keep the relocation office open through the burn and insure that financial assistance is available up until that point for families that require it.

Response to Comment

The Army will continue to accept relocation applications until the time of the fire. Please also see response to comment 5. The Army is addressing environmental justice issues through its outreach efforts, public participation, and by providing access to information and being attentive to the needs of non-English speakers and those who might need assistance in various ways. The principles of Environmental Justice are incorporated into preparation and planning of Fort Ord prescribed burn outreach. Community members are encouraged to become actively involved in the cleanup process. They are also encouraged to provide feedback and information on a continuing basis. As an example, the 2006 Fort Ord voluntary temporary relocation program includes many provisions to support the economically disadvantaged. It also included Spanish translation of key material describing the temporary voluntary relocation program and the prescribed burn. The Army also has means to translate these materials into several other languages if needed. Overall, completing the cleanup of the Former Fort Ord is of most benefit to the community because then the land can be transferred for redevelopment, providing jobs and providing additional housing, including low-cost housing, that, in turn, provide the greatest benefit to the economically disadvantaged.

The outreach for poor and the minority communities is incorporated into the overall outreach program. For example, prescribed burn information is provided to facilities that provide care for infants, the elderly and the chronically ill. The Army is also working with the Monterey County Health Officer for distribution of prescribed burn-related information materials to local health care providers.

Comment 11

Section 2.2.2, pg. 2-2 to 2-3: FOEJN appreciates this acknowledgement that chemical warfare material (CWM) may be present at the site, and is pleased to see a detailed description of the response. However, we request that as soon as any munitions have been positively identified as containing CWM that FOEJN be notified.

Response to Comment

FOEJN will be notified as soon as any munitions have been positively identified as containing CWM. It is not expected that CWM will be encountered on this project. In the event that suspected CWM is encountered, the standard procedures outlined in Section 2.2.2 will be followed.

Comment 12

Section 2.4.4.10, pg. 2-23, 7th Bullet point: In addition to the instruction not to approach smoking white phosphorous (WP) MEC, contractors are also advised to avoid the smoke from these munitions as exposure to WP smoke alone can cause injury and illness (NRC 1999).

Response to Comment

Comment noted.

Comment 13

Section 2.4.6, pg. 2-30: In the event of a forced demobilization, what measures will be taken to ensure that uncovered MEC will be safely secured in the absence of Shaw and Army personnel? This scenario should be examined in this section.

Response to Comment

Demobilization prior to project completion is not expected to occur. Any demobilization event will include ensuring discovered MEC at the site is secured or disposed of in accordance with this work plan.

Comment 14

Section 2.7, pg.2-31: More information should be provided in this section detailing the Army's community relations efforts during this project. A brief mention of the notification process and the voluntary relocation plan may be warranted here. In addition, the Army should not be conducting community relations on the based on "the assessed level of community interest." The prescribed burns and removal of MEC have long been among the top concerns of the community, so there is no need to "assess" this level of interest. No matter the level of interest, the Army should be continually working to provide the maximum amount of information possible to the community.

Response to Comment

The following text has been added to Section 2.7: These community relations activities include a direct notification program for individuals regarding the prescribed burn and a voluntary temporary relocation program during the prescribed burn for Monterey County residents. For further details, please see Appendix M, Notification and Voluntary Relocation Plan.

Comment 15

Section 5.3.7, pg. 5-8, second bullet point: "Burning" should be removed as an option for removal of poisonous plants. The burning of plants such as poison oak releases the toxins responsible for their allergic reactions into the air where they can make contact with skin, eyes, and even the lungs of someone exposed to the smoke. Burning these plants would be a safety hazard to the contractors on-site.

Response to Comment

Very few poison oak stands exist within MRS-16. Firefighters conducting the prescribed burn will take all precautions they would take during the conduct of any prescribed burn.

Comment 16

Section 6.1.4, pg. 6-4: This section ignores the possibility of burial pits at the site. While the area in question has been determined to be an impact area, munitions burial pits have been discovered at other locations in Fort Ord and their presence should not be discounted. The text should acknowledge this fact.

Response to Comment

Burial pits are generally more easily detected because of the significant amounts of metallic items included in pits. This section is intended to discuss the depth anticipated of single items not associated with burial pits. No change made.

Comment 17

Section 13.0 through 14.0, pg. 13-1 through 14-1: The report previously acknowledged the possibility of discovering chemical munitions at the site, and should therefore provide the relevant information for these sections. Chemical awareness and identification sets (CAIS) are known to be buried at Fort Ord, making their discovery a distinct possibility. To insure the safety of both the community and contractors, Shaw and the Army should have the relevant plans in place if necessary.

Response to Comment

It is not expected that CWM will be encountered on this project. In the event that suspected CWM is encountered, the standard procedures outlined in Section 2.2.2 will be followed.

Comment 18

Appendix C: LeVonne Stone, Executive Director for the Fort Ord Environmental Justice Network should be included in the list of local points of contact as she is the primary representative for communities in the area for the cleanup process. Her contact number is 831-582-0803.

Response to Comment

Local points of contact included in Appendix C are directly associated with the prescribed burn or subsequent cleanup. Ms. Stone's contact information has been included in the MRS-16 Direct Notification Program. Specific coordination with Fort Ord Environmental Justice Network is described in Appendix M, Notification and Voluntary Relocation Plan.

Comment 19

Appendix K, Section 7, Preferred Wind Direction, pg. 18: Wind directions that have the potential to bring smoke over the most densely populated areas should be avoided, as they are only a mile and a half away to the northwest. Considering the risks associated with smoke to human health, the burn operation should not begin if winds would take the smoke in this direction.

Response to Comment

The burn prescription does not include wind conditions that would significantly impact populated areas. Smoke management techniques will be used to reduce the impact of smoke on the local populations.

Comment 20

Appendix K, Section 19, Table 7: Public and Political Interest, pg. 65: "Public information stations and door to door contacts are warranted. Extensive pre-burn public meetings are planned." The body of the work plan contains no provisions for these actions. The notification plan as outlined only provides for automated telephone contacts, email notification, and flyer distribution through local organizations. Public meetings are not mentioned, much less extensive ones. ESC believes that these additional measures should be implemented, and that the Army should alter the work plan to reflect the opinions of its contractors.

Response to Comment

Public information stations, door-to-door contacts and pre-burn public meetings are usually planned for prescribed burns that rate high complexity in terms of public and political interest. However, it is not anticipated that these activities are necessary for the MRS-16 prescribed burn. The Army is conducting an extensive community outreach program with regard to the MRS-16 prescribed burn, as described in Appendix M, Notification and Voluntary Relocation Plan. These outreach activities are based on the Army's ongoing assessment of information distribution methods preferred by the community. The Prescribe Burn Plan will be updated.

Comment 21

Appendix M, Section 1.4.2, pg. 3: This text is misleading, as while ignition could only take 3 hours, the smolder phase of the burn which still produces smoke would last much longer, possibly as much as a day and not just "several more hours." The text should be changed to include the duration of the smoldering phase of the burn.

Response to Comment

Analysis of the area to be burned and the technique to be used to conduct the burn indicates the smolder phase is expected to last several more hours after ignition is completed.

Comment 22

Appendix M, Section 1.4.3, third bullet point, pg. 3-4: The problems with the ATSDR Health Consultation were noted previously in these comments. The literature does not support ATSDR's assertions that smoke would cause only minor respiratory and eye irritation. The text regarding risks from smoke should be modified appropriately and reflect the data presented in the latest literature.

Response to Comment

Please see response to comment 8.

Comment 23

Appendix M, Section 2.2.5, pg.6: The Army should also use direct mailings to distribute the flyer announcing the burn. The use of other organizations to distribute the flyer is not sufficient.

Response to Comment

Flyers in English and Spanish were delivered to approximately 2,000 community groups and organizations. Community Bulletins discussing the prescribed burns and relocation were also sent to over 50,000 Monterey-Salinas Valley households and businesses. In addition, prescribed burn information was directly mailed to 1,000 community members and emailed to over 400 individuals.

Comment 24

Section 3.1, pg. 12-13: This section again minimizes the risks associated with exposure to smoke and particulate matter. Please refer to the general comments above.

Response to Comment

Please see response to comments 3 and 22 above.

Comment 25

Section 3.6.4, pg.15: The deadline to claim financial hardship is much too soon. Currently, it is only four days after the deadline for comments on the relocation plan, which was only released on June 27. These deadlines place the greatest burden on the most disadvantaged portions of the population around Fort Ord and is in contradiction with executive Order SB1298. There should be no deadline for low income community members to apply for this assistance.

Response to Comment

Residents of Monterey County can still sign up for relocation assistance. Relocation applications have been accepted after July 14, by appointment. The Army has asked that residents sign up for relocation before July 14, 2006 because appropriate conditions for a fire could occur any time after that date. The Army will continue to accept relocation applications until the time of the fire.

Comment 26

Appendix 3, pg.33, first paragraph: The line "no adverse health effects are expected from exposure to smoke" should be removed, as the scientific literature is in direct contradiction with this statement.

Response to Comment

Please see response to Comment 22.

Comment 27

Appendix 4: This appendix should include relevant text from the scientific literature regarding the impacts from smoke and particulate matter. Doctors and other health professionals should be given easy access to this data to determine how to best serve their patients. The Army should also consider including the ATSDR and CARB fact sheets on smoke impacts in materials provided to health professionals.

Response to Comment

The Monterey County Health Department has issued a health alert relating to the upcoming prescribed burn. This health alert included the ATSDR fact sheet because it included information specific to Fort Ord and was issued to doctors and health care providers. Go to <http://www.co.monterey.ca.us/health/healthalerts/Default.htm> to view a copy of the alert. In addition, Community Hospital of the Monterey Peninsula (CHOMP), Salinas Valley Memorial Healthcare System, and Natividad Medical Center are included in our prescribed burn notification program.

RESPONSES TO COMMENTS

Document: MRS-16 Work Plan

Commenting Organization: EPA
Name: Claire Trombadore
Date of Comments: July 5, 2006

Comment 1

page 1-4, second paragraph) are in the Draft Final work plan. Since the Army has agreed to offer relocation and since the relocation/notification plan has added to the document, EPA requests that the document be revised to reflect that a voluntary relocation program will be offered. The Army can simply revise the appropriate pages of the work plan and send out replacement pages.

Response to Comment 1

The following sentences have been added to Section 1.7: The Army will offer relocation to Monterey County residents during the conduct of the prescribed burn. The MRS-16 Relocation/Notification Plan is included as Appendix M to this Work Plan.

Comment 2

The only additional concerns that EPA has are with Appendix L, the air monitoring sampling and analysis plan. EPA has noted in emails to the Army and verbally at BCT meetings two concerns: 1) Can the Army monitor for PM2.5 in addition to PM10 as EPA's air experts note that this becoming the more common level of concern for particulates

Response to Comment 2

Currently there is no California ambient air quality standard for short-term (24-hour) exposure to PM2.5. The ambient standard for long-term exposure is not appropriate for comparison because prescribed burning is a short-term event and not a continuous source. If PM2.5 measurements were performed during the next prescribed burn, a qualitative comparison to the federal 24-hour ambient air quality standard for PM2.5 (65µg/m3) could be made; however, it is higher than the California standard for PM10 (50µg/m3) and is not anticipated to provide a meaningful comparison. To provide comparability with the previous sampling event, and for consistency with the goals and objectives identified for the Interim Action program, PM10 monitoring will be performed during this year's prescribed burn at MRS-16. Monitoring for PM10 rather than PM2.5 is also consistent with the MBUAPCD's plans for this year's planned burn, as it will provide the data necessary to assess downwind smoke impacts.

Comment 3

Can the Army perform air sampling using real-time, mobile/hand-held instruments such as EBAMs (beta attenuation monitors)? While EPA does not want to interfere with fire management, we do think it is important to collect the best data possible to monitor the smoke during the burn not just evaluate it after it is accomplished and that as appropriate this real time data could be provided to the burn boss for their information and use. In addition, EPA was told on a recent burn conference call that

the local air district has been working closely with the Presidio of Monterey (POM) fire department on burn planning and that their concerns regarding smoke and monitoring thereof would be considered by POM in burn planning and execution. A brief explanation of this was added to the burn plan in several sections. We appreciate the addition of this information.

Response to Comment 3

Because a health-based regulatory standard does not exist for instantaneous (very short-term) exposure to particulate matter, the Army does not plan to collect real-time information. During the implementation of the prescribed burn, the Monterey Bay Unified Air Pollution Control District (Air District) will be present at the command center with the Presidio of Monterey (POM) fire department. The Air District will be deploying real-time monitors (Dust Traks) and meteorological monitoring equipment at several locations which will be determined based on knowledge of areas that were impacted in the past. In addition, visual monitoring will be performed by Air District inspectors to identify areas, if any, that become impacted by smoke during the burn. Based on the level of observed impact, the Air District may deploy additional real-time monitors to those specific areas as needed. The real-time monitoring and observations will be shared with the burn team for their use in evaluating the burn process. In addition, the Army has made available to the public information regarding ways people can reduce or avoid exposure to smoke, including the option to relocate during the burn.