



TETRA TECH EM INC.

August 11, 2008

Dear RAB Members,

On behalf of the Navy, enclosed please find the June 4, 2008 final RAB meeting minutes for your information and records.

If there are any questions regarding the enclosed minutes, please contact Carolyn Hunter at (415) 222-8297 or [Carolyn.hunter@ttemi.com](mailto:Carolyn.hunter@ttemi.com).

Sincerely,

Carolyn Hunter  
Community Relations Specialist  
Tetra Tech EMI

**FINAL**  
**MEETING MINUTES**  
**RESTORATION ADVISORY BOARD**  
**INLAND AREA ENVIRONMENTAL RESTORATION PROGRAM**  
**NAVAL WEAPONS STATION SEAL BEACH DETACHMENT CONCORD**  
**CONCORD, CALIFORNIA**  
**JUNE 4, 2008**

These minutes reflect general issues raised, agreements reached, and action items identified at the Restoration Advisory Board (RAB) meeting for the Inland Area Environmental Restoration (ER) Program at Naval Weapons Station Seal Beach Detachment Concord (NAVWPNSTA Seal Beach Det Concord), California. The meeting was held from 6:30 p.m. to 8:50 p.m. on June 4, 2008, at the Concord Police Department in Concord, California. Agreements and action items are described by topic under Sections I through VI and are summarized in Section VII. A list of participants and their affiliations is included as Attachment A, and the meeting agenda is included as Attachment B.

**I. WELCOME, INTRODUCTIONS, PUBLIC COMMENT, AND AGENDA APPROVAL**

**Welcome and Introductions**

The RAB Community Co-Chair, Mary Lou Williams (Concord resident), called the RAB meeting to order and initiated a round of introductions for attendees.

The Navy Co-Chair, Darren Newton (Department of the Navy Base Realignment and Closure [BRAC] Environmental Coordinator [BEC]), reviewed the agenda for the meeting on June 4, 2008. Mr. Newton said that the City of Concord requested a 12-month extension to finalize its reuse plan; therefore, the Navy is postponing the presentation on Navy documents for transfer of the Inland Area property from Navy ownership, which had been planned for this (June 4, 2008) RAB meeting. In its place, Mr. Newton will give a presentation on future protective actions after the transfer process.

**II. APRIL 2008 RAB MEETING MINUTES APPROVAL**

Ms. Williams asked the RAB for comments on minutes from the RAB meeting held on April 2, 2008. No comments were received. The Navy will finalize the minutes and distribute them to the RAB.

**Action Item**

1. The Navy will finalize and distribute the RAB meeting minutes for April 2, 2008.

### **III. RAB ANNOUNCEMENTS**

Ms. Williams opened the floor to RAB announcements. Ms. Williams noted the Port Chicago Explosion 64<sup>th</sup> Anniversary Memorial will be held from 10:00 a.m. to 12:00 p.m. on July 19, 2008, and is open to the public. Anyone interested in attending needs to contact the National Parks Service in Martinez, California, at (925) 228-8860 extension 23. It is a free event; however, a reservation must be made with the National Parks Service to attend the memorial.

Edi Birsan (Concord resident) said he visited the Navy's website and saw that the link to the NAVWPNSTA Seal Beach Det Concord map was not working. Mr. Newton responded he will look into it.

Igor Skaredoff (Martinez resident) said that the city's Environmental Impact Report (EIR) has been released for comment. Mr. Skaredoff encouraged the RAB members to go to the city website to review the EIR.

Mr. Newton reviewed the Navy, regulatory agency, and city contact information for the RAB. Mr. Newton clarified for attendees his role on the program, noting he is a civilian employee with the Navy. Mr. Newton announced that Bruce Knopf is the new Reuse Project Manager for the city.

#### **Public Announcements**

Ms. Williams opened the floor to public announcements. No announcements were received.

#### **RAB Applicant**

Ms. Williams announced a new applicant for the RAB, Mr. Birsan. Ms. Williams asked Mr. Birsan to provide a brief introduction and describe his interest in becoming a RAB member. Mr. Birsan said he has been a resident of Concord for 28 years and worked in containerization for 14 years. During his work, Mr. Birsan was managing projects to bring ammunition out of the NAVWPNSTA Seal Beach Det Concord Tidal Area in the 1980s. The RAB voted and approved Mr. Birsan as a new member of the RAB.

### **IV. REMEDIAL PROJECT MANAGER (RPM) UPDATE**

#### **Navy Update**

Ms. Landers presented the Navy RPM update for ER Program activities at the Inland Area since the last Inland Area RAB meeting in April 2008. Ms. Landers discussed a few of the key items on the Navy RPM's Update handout (see Attachment C).

Ms. Landers reported on April 14, 2008, the Navy provided the regulatory agencies with the validated results from Tier 2 surface and subsurface soil samples collected at Site 22A. The Navy will have a scoping meeting with the regulatory agencies before the draft remedial investigation report is issued.

Ms. Landers also said a conference call was held on April 23, 2008, with the regulatory agencies to discuss the path forward for Site 27. She continued that the Site 24A Former Pistol Firing/Grenade Launching Range Draft Site Inspection (SI) Work Plan was distributed to the regulatory agencies for review on April 30, 2008.

Ms. Landers said the Navy completed the third round of groundwater monitoring at Site 29 on May 15, 2008. She also said a meeting and site walk were held May 22, 2008, with the regulatory agencies to observe the field work at the Former Inland Burn/Railroad Siding Excavation Areas and discuss the Military Munitions Response Program (MMRP) SI.

### **Environmental Protection Agency (EPA) Update**

Philip Ramsey (U.S. Environmental Protection Agency [EPA]) said the Tidal Area Navy team plans to host a public meeting, tentatively scheduled for June 18, 2008, to discuss the haul route for the Site 1 Landfill cap construction. Mike Staggs (Navy Lead RPM for the Tidal Area) is coordinating with Susan Bonilla (Contra Costa County Board of Supervisors) to assess her availability to attend the public meeting. Mr. Ramsey said the Navy is tentatively scheduling to begin the landfill capping the third week of June 2008.

Kent Fickett (Mount Diablo Audubon Society) said he received the Explanation of Significant Difference to the Record of Decision on the Site 1 Tidal Area Landfill, which he said did not address any of the community concerns on the haul route that were discussed at the May 2008 Tidal Area RAB meeting. Mr. Fickett said the community concerns on the haul route for capping the Site 1 Tidal Area Landfill are time critical and need to be addressed before the work begins the third week of June 2008. Mr. Fickett said he will prepare a letter outlining his concerns on the landfill capping project and request the Navy to stop work. Mr. Fickett will prepare the letter and provide it to the Navy, local media, and Supervisor Bonilla's office. Mr. Newton responded that this meeting (June 4, 2008) is for the NWS Seal Beach Detachment Concord Inland Area RAB. He reviewed the BRAC mission for the Inland Area, and outlined the roles and responsibilities of the BRAC Program Management Office (PMO) with respect to the Inland Area. He noted that the Tidal Area of Concord is not under the BRAC program, and that the Navy Tidal Area RPM is not present to receive and answer questions. Mr. Newton said he would relay the communities concerns to the Tidal Area RPM Mr. Staggs. Mr. Skaredoff said the RAB is involved in both the Inland Area and Tidal Area projects and wants to see the Navy make a good-faith effort to address community concerns.

Mr. Birsan asked how the RAB's comments are documented. Mr. Newton said RAB members can provide written comments on documents, or provide verbal comments at RAB meetings. Verbal comments are documented in the meeting minutes, which are reviewed and approved by the RAB.

Mr. Newton will provide the RAB via e-mail a point of contact list for the Inland Area and Tidal Area that includes the regulatory agencies and city representatives. Mr. Newton said he will relay the RAB's concerns on the Site 1 Tidal Area Landfill capping project to Mr. Staggs and suggest follow-up information be provided to the RAB.

Mr. Ramsey said that in May 2008, EPA did a lot of behind-the-scenes work on the Tidal Area projects, including working with the Navy to identify an appropriate haul route for the Site 1 Tidal Area Landfill cap. Mr. Ramsey reminded the RAB EPA is available via telephone and e-mail to address its questions and concerns.

### **Action Items**

2. Mr. Newton will provide the RAB via e-mail with a point of contact list for the Inland Area and Tidal Area that includes the regulatory agencies and city representatives.
3. Mr. Newton will relay the RAB's concerns on the Site 1 Tidal Area Landfill capping project to Mr. Staggs and suggest follow-up information be provided to the RAB.

## **V. FUTURE PROTECTIVE ACTION AFTER TRANSFER PROCESS (INSTITUTIONAL CONTROL [ICs] AND LAND USE CONTROLS [LUCs])**

Mr. Newton presented the future protective actions after the transfer process (ICs and LUCs), which are included as Attachment D.

Mr. Skaredoff asked if there is a sunset on the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) process. Mr. Newton responded that as long as there are CERCLA restrictions are in place on a property transferred outside of federal ownership, the Navy will conduct the 5-year review process.

Mr. Skaredoff asked if it is more common to clean up or place ICs on Navy properties. Mr. Newton said both cleanup and ICs are commonly used on Navy property. Ms. Landers added the site needs to be protective of human health and the environment. Mr. Newton also noted the Navy retains liability as long as ICs are in place and, when appropriate, provides the state a property interest allowing the state or local agency to maintain and enforce the Land Use Control once it is transferred.

Mr. Birsan asked if the Navy would be able to meet a 30-month cleanup and transfer deadline for the Inland Area. Mr. Newton responded that a 30-month transfer is an unrealistic goal for the Inland Area. He noted that the city has not presented its reuse plan to the Navy, which delays transfer of the Inland Area. Until the reuse plan is developed, the Navy can not develop a strategy for transferring the Inland Area property. Once the city has a reuse plan in place, however, the Navy will meet with the city to identify the path forward for transfer of the Inland Area. Mr. Newton added there are various types of transfers, which include (but not limited to) federal agency to federal agency, federal agency to city, economic conveyance, and public/fair market sale.

Mr. Birsan noted that the RAB and community want to make sure the cleanup secures the health of the community. Mr. Birsan asked about the standard the Navy is using to clean up the Inland Area and if the work will be subcontracted. Mr. Newton said the cleanup decisions should be made according to the historic or current use of the property. He said there are

residential/unrestricted reuse, industrial/commercial reuse, and open space/recreational cleanup categories.

Mr. Birsan said there is a communication breakdown between the RAB and the city's Citizens Advisory Committee (CAC). Mr. Birsan attended the CAC meeting, where members discussed that the Navy will clean up the Inland Area only to industrial standards. Mr. Newton responded the Navy is currently evaluating all options for restoration. Ms. Williams said the breakdown of communication between the RAB and the CAC occurred because none of the CAC representatives attend the RAB meetings. Mr. Birsan said he plans to attend a CAC meeting on June 5, 2008, the day after the current RAB meeting. Mr. Knopf said city staff and CAC are in constant communication with the Navy. The city understands the Navy's cleanup parameters.

Mr. Birsan requested the Navy provide the RAB a detailed statement on standards it is willing to apply to clean up the Inland Area before transfer. Mr. Skaredoff said the city's reuse plan has not been finalized, so the Navy's cleanup plans are not finalized for the Inland Area.

Mr. Skaredoff asked about responsibility to ensure continued compliance if the property is cleaned up to residential standards. Mr. Newton said it would be the new property owner's responsibility to ensure the residential standards are met if there are ICs or LUCs on the property.

Mr. Newton reviewed the Navy's "comeback policy", which was presented at the RAB meeting in June 2007.

## **VI. HISTORICAL RADIOLOGICAL ASSESSMENT (HRA) PROCESS**

Julie Crosby-Brooks (Navy RPM) and Jim Reese (Tetra Tech) presented the HRA process. The presentation is included as Attachment E.

Mr. Birsan suggested the Navy submit a public notice for the HRA in various Navy publications, including *Stars and Stripes*. Mr. Birsan suggested the Navy contact the city mayor's office to request an interview for the HRA. Mr. Birsan said the Concord mayor was active in the military and may have worked at NAVWPNSTA Seal Beach Det Concord in the past. Mr. Birsan also recommended the Navy research Naval Ship Registries to identify any that stopped at NAVWPNSTA Seal Beach Det Concord.

Mr. Skaredoff asked if the Navy will consider spent uranium as a radiological material assessed in the HRA. Ms. Crosby-Brooks said the Navy will consider any radiological material that is not naturally occurring at the Inland Area for the HRA.

Shon Wolf (Clyde resident) asked if there is known radiological material at NAVWPNSTA Seal Beach Det Concord and if that is the reason an HRA is being conducted. Mr. Reese said there is a radiological license for NAVWPNSTA Seal Beach Det Concord at the Radiological Affairs Support Office that supports the need to prepare an HRA. Ms. Landers added that conducting a HRA is part of the documentation for closure and transfer of the Inland Area.

Ms. Crosby said once the draft HRA is developed, a presentation on the findings will be given to the RAB.

## **VII. OTHER TOPICS, NEXT MEETING, AND ACTION ITEMS**

Mr. Wolf said that not enough time is allotted at the RAB meetings on the agendas for comments and discussion. Mr. Skaredoff agreed the RAB members need time to discuss any concerns they have on either the Inland Area or Tidal Area projects. Mr. Wolf suggested a 15-minute block be added to future RAB meeting agendas for open RAB comment and discussion. The RAB voted and approved the addition of a 15-minute open comment period to future RAB agendas.

The agenda for August 6, 2008, includes the following presentations:

- MMRP SI WP Update
- Site 22 Draft Feasibility Study Update
- Site 27 Update

The Navy will add a 15-minute open comment period to the August 6, 2008, RAB meeting agenda. Ms. Williams asked the RAB to approve the August 2008 agenda. The RAB voted to approve the meeting agenda.

### **Action Item**

4. The Navy will add a 15-minute open comment period to future RAB meeting agendas.

The following action items were generated during the RAB meeting on June 4, 2008.

<b>No.</b>	<b>Action Item</b>	<b>Target Date for Completion</b>	<b>Responsible Person</b>	<b>Completion Date (or Status)</b>
1	The Navy will finalize and distribute the April 2, 2008, RAB meeting minutes.	6/23/08	C. Hunter	This action item was completed.
2	Mr. Newton will provide the RAB with a point of contact list for the Inland Area and Tidal Area that includes the regulatory agencies and city representatives via e-mail.	6/5/08	D. Newton	This action item was completed.
3	Mr. Newton will relay the RAB's concerns on the Site 1 Tidal Area Landfill capping project to Mr. Staggs and suggest follow-up information be provided to the RAB.	6/5/08	D. Newton	This action item was completed.
4.	The Navy will add a 15-minute open comment period to future RAB meeting agendas.	7/2/08	D. Newton	This action item was completed.

**ATTACHMENT A**  
**ATTENDEES AND AFFILIATIONS**  
**RESTORATION ADVISORY BOARD MEETING**  
**NAVAL WEAPONS STATION SEAL BEACH DETACHMENT CONCORD,**  
**CALIFORNIA**

**JUNE 4, 2008**

(One Page)

**ATTENDEES AND AFFILIATIONS  
 RESTORATION ADVISORY BOARD MEETING  
 NAVAL WEAPONS STATION SEAL BEACH DETACHMENT CONCORD,  
 CALIFORNIA  
 JUNE 4, 2008**

<u>Name</u>	<u>Affiliation</u>	<u>Telephone</u>
Wayne Akiyama	Shaw Group Inc.	(925) 288-2003
Edi Birsan*	Concord Resident	(510) 812-8180
Joanna Canepa	Tetra Tech	(425) 877-2806
Julie Crosby-Brooks	Navy, BRAC PMO West	(619) 532-0929
Kent Fickett*	Mt. Diablo Audubon Society	(925) 254-5156
Gregory Glaser*	Danville Resident	(925) 363-5570
Carolyn Hunter	Tetra Tech	(425) 222-8297
Bruce Knopf	City of Concord	(925) 671-3024
La Rae Landers	Navy, BRAC PMO West	(619) 532-0970
Darren Newton	Navy, BRAC PMO West	(619) 532-0963
Jim Pinasco	DTSC	(916) 255-3719
Philip Ramsey	EPA	(415) 972-3006
Igor Skaredoff*	Martinez Resident	(925) 229-1371
Jim Reese	Tetra Tech	(650) 238-7864
Cindy Wells*	Clyde Resident	(925) 685-2698
Mary Lou Williams*	Concord Resident	(925) 685-1415
Shon Wolf*	Clyde Resident	(925) 686-5942

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Notes:

\* Community Restoration Advisory Board (RAB) Member

BRAC PMO Base Realignment and Closure Program Management Office

DTSC Department of Toxic Substances Control

EPA U.S. Environmental Protection Agency

Tetra Tech Tetra Tech EM Inc.

**ATTACHMENT B**

**AGENDA**

**RESTORATION ADVISORY BOARD MEETING**

**NAVAL WEAPONS STATION SEAL BEACH DETACHMENT CONCORD,  
CALIFORNIA**

**JUNE 4, 2008**  
**(2 Pages)**

## INLAND AREA AGENDA

### NAVAL WEAPONS STATION SEAL BEACH (NWSSB) DETACHMENT CONCORD RESTORATION ADVISORY BOARD (RAB) MEETING

Wednesday, June 4, 2008

6:30 p.m. – 8:30 p.m.

Location: Concord Police Department

1350 Galindo Street

Concord, CA 94520

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- 6:30 – 6:45 Call to Order
- Welcome
  - Introductions/Agenda Review
  - Approval of April 2008 Meeting Minutes (Last Inland Area Meeting)
  - Public Comment Period
- Lead: Community Co-chair
- 6:45 – 6:50 Announcements
- Review of Action Items
- Lead: Navy Co-chair
- 6:50 – 7:30 Committee Reports/Announcements
- RAB Announcements, Reports or other business (Community Co-chair)
  - Review RAB Application for Edi Birisan
  - Remedial Project Managers' (RPM) Update (Navy/EPA/DTSC/RWQCB)
  - City of Concord Update
- 7:30 – 7:40 Break
- 7:40 – 8:10 Presentation: Future Protective Actions After Transfer (Institutional Controls and Land Use Controls)  
Navy BEC: Darren Newton
- 8:10 – 8:25 Presentation: Historical Radiological Assessment Process  
Navy RPM: Julie Crosby
- 8:25 – 8:30 Meeting Evaluation and Topic Suggestions of Future Meetings  
Next RAB Meeting: July 2, 2008 (Tidal Area)  
August 2008 Agenda Approval
- 8:30 Adjourn

*\*Next RAB Meetings\**

- Tidal Area: July 2, 2008
- Inland Area: August 6, 2008

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*NWSSB DETACHMENT CONCORD RAB Meetings are held the first Wednesday of every month, unless changed.*

*Information regarding the Environmental Restoration program at NWSSB Detachment Concord can be found at:*

<http://www.bracpmo.navy.mil/brac2005/bracbases/ca/concord/default.aspx>

*BRAC Environmental Coordinator: Mr. Darren Newton (619) 532-0963,*

*[Darren.newton@navy.mil](mailto:Darren.newton@navy.mil)*

*Community RAB Co-Chair: Ms. Mary Lou Williams, [Mlou1015@aol.com](mailto:Mlou1015@aol.com)*

**ATTACHMENT C**

**NAVY REMEDIAL PROJECT MANAGER'S UPDATE  
RESTORATION ADVISORY BOARD MEETING  
NAVAL WEAPONS STATION SEAL BEACH DETACHMENT CONCORD,  
CALIFORNIA**

**JUNE 4, 2008**

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***Navy Remedial Project Manager (RPM) Update for 4 June 2008 Meeting of Naval Weapons Station Detachment Concord Restoration Advisory Board (RAB)***

Summary of Navy Base Realignment and Closure (BRAC)  
Inland Area RPM activities since the last RAB meeting held on  
Wednesday, 2 April 2008

**Installation Restoration/Munitions Response Programs Sites**

- April 15, 2008 - Submitted Tier 2 surface and subsurface soil sample validated results at Site 22A (Group 1-5 Magazine Areas) to the Regulatory Agencies. The results will be evaluated and incorporated in the RI Report. The Draft RI Report is scheduled to be issued September 20, 2008.
- April 23, 2008 – Held a conference call with the Regulatory Agencies to review the Site 27, Buildings IA-20 and IA-36, chlordane and metals surface soil data and discuss the path forward for the site.
- April 30, 2008 – Distributed the Site 24A, Former Pistol Firing/Grenade Launching Range, Draft Site Inspection Work Plan to the Regulatory Agencies and RAB for review. Comments are due July 3, 2008.
- May 5, 2008 – Started geophysical portion of Military Munitions Response Program (MMRP) Site Inspection (SI) field work.
- May 15, 2008 – Completed third round of groundwater monitoring at Site 29 (Building IA-25). Waiting for laboratory results.
- May 22, 2008 – Held a meeting and site walk with the Regulatory Agencies to observe the field work at the Former Inland Burn/Railroad Siding Excavation Areas and discussed the MMRP SI field effort. Discussed the results of the geophysical investigation at Eagles Nest. Used the information obtained from the geophysical investigation to revise the soil sampling locations at Eagles Nest.
- May 23, 2008 – Submitted Draft Site 22 FS to the Regulatory Agencies and RAB for review. Comments are due July 24, 2008.

**ATTACHMENT D**

**FUTURE PROTECTIVE ACTIONS AFTER TRANSFER  
(INSTITUTIONAL CONTROLS AND LAND USE CONTROLS)  
RESTORATION ADVISORY BOARD MEETING  
NAVAL WEAPONS STATION SEAL BEACH DETACHMENT CONCORD,  
CALIFORNIA**

**JUNE 4, 2008**  
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## **Future Protective Actions After Transfer (Land Use Controls)**

**Naval Weapons Station Seal Beach  
Detachment Concord  
Inland Area**

**Darren Newton**

**Restoration Advisory Board Meeting  
June 4, 2008**

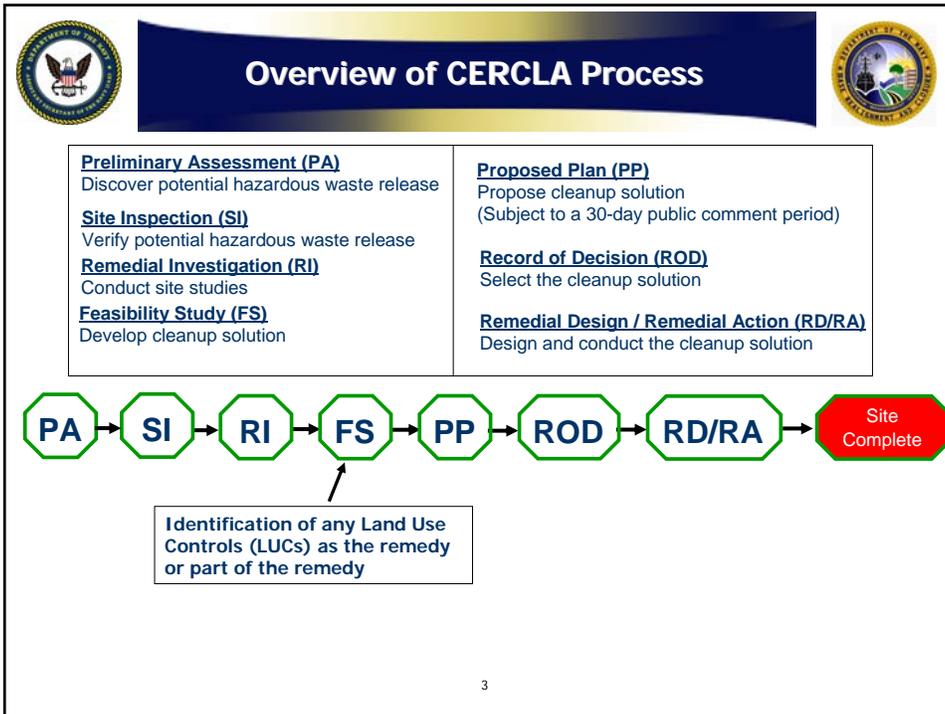
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## **Agenda**

- Overview of CERCLA process
- Land Use Controls
- Identification of General Response Actions
- Environmental Documentation Process
- CERLCA Covenant
- Restrictive Covenant with State
- State Enforcement

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**Land Use Controls**

**What are Land Use Controls?**

LUCs include any type of physical, legal, or administrative mechanism that restricts the use of, or limits access to, real property to prevent or reduce risks to human health and the environment.

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## Land Use Controls



Land Use Controls (LUCs) include Institutional Controls and Engineering Controls

- **Institutional Controls (ICs)** implement land use and access restrictions
  - Legal mechanisms - covenants, non-possessory interest in land\*, lease restrictions, and deed notices
  - Administrative mechanisms - notices, adopted local land use plans and ordinances, construction permitting, or other existing land use management systems
- **Engineering Controls (ECs)** include physical barriers to prevent exposure
  - Soil, concrete, asphalt caps or covers
  - Fences, other barriers, and/or signs

\* non-possessory interest in land are rights held on land that is in the possession of another.

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## Land Use Controls



Why are LUCs used?

LUCs are used to ensure that contaminants left in place at concentrations that do not allow for unrestricted use do not pose an unacceptable risk to human health or the environment.

LUCs:

- Are included as part of the deed (if necessary)
- Run with the land
- Are enforceable against all future owners

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## Identification of General Response Actions



**General Response Actions (GRA)** are broad classes of responses or remedial actions intended to meet the Remedial Action Objective (RAO). GRAs are identified during the feasibility study

GRAs may include (but not limited to):

- no action
- Containment (e.g. soil cover, landfill cap)
- Treatment (e.g. groundwater biosparging, monitored natural attenuation)
- Land use controls
- Removal actions (e.g. soil excavation)
- Or a combination there of

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## Environmental Documentation Process



Through an iterative process LUCs are developed in the Feasibility Study, Proposed Plan, Record of Decision, and Remedial Design or Remedial Action Work Plan

- LUCs Are evaluated in the Feasibility Study
- Presented in the Proposed Plan as the Preferred Alternative or a component of the Preferred Alternative
- Documented in the Record of Decision
- Implementation actions and responsibilities are described in the Remedial Action Work Plan
- Annually (at a minimum): monitored, maintained, and reported
- Evaluated through CERCLA 5-year Reviews to ensure LUC effectiveness to protect human health and the environment

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# CERCLA Covenant



## CLEANUP PROCESS

CERCLA and the NCP establish the requirements and procedures for the cleanup of sites that have been contaminated by releases of hazardous substances as a result of Navy activities.

The Navy and the regulatory agencies select a remedy that provides for protection of human health and the environment in accordance with CERCLA, NCP and the FFA.

CERCLA requires that a deed for government property transferred outside the government contain a covenant that all necessary remedial actions have been taken.

Notes:

CERCLA – Comprehensive Environmental Response, Compensation, and Liability Act

NCP – National Oil and Hazardous Substances Pollution Contingency Plan

FFA – Federal Facilities Agreement



# CERCLA Covenant



## Covenant? What’s that?

The CERCLA covenant is a promise by deed that all necessary action has been taken, and that the Navy shall conduct any additional remedial action “found to be necessary” after transfer.

DoD policy Responsibility for Additional Environmental Cleanup after Transfer of Real Property dated 25 July 1997 describes the circumstances under which the Navy would perform additional cleanup. This is commonly referred to as the “comeback policy”.



## Restrictive Covenant with State



**“If possible and appropriate, the property disposal agent should grant a property interest, consistent with applicable law, to the relevant state or local agency allowing the state or local agency to maintain and enforce the Land Use Control.”**

- OUSD Policy 2001

**In California the Navy does this through a “Covenant to Restrict Use of Property” which conveys DON’s retained power to enforce the deed restrictions (LUCs) to DTSC.**

<http://stinet.dtic.mil/cgibin/GetTRDoc?AD=ADA389146&Location=U2&doc=Get>

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## Questions



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**ATTACHMENT E**

**HISTORICAL RADIOLOGICAL ASSESSMENT PROCESS  
RESTORATION ADVISORY BOARD MEETING  
NAVAL WEAPONS STATION SEAL BEACH DETACHMENT CONCORD,  
CALIFORNIA**

**JUNE 4, 2008**

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## HISTORICAL RADIOLOGICAL ASSESSMENT

Naval Weapons Station Seal Beach  
Detachment Concord  
Inland Area

Julie Crosby-Brooks

Restoration Advisory Board Meeting  
June 4, 2008



## HRA Project Management Team

### Base Realignment and Closure Office West

Darren Newton – Navy Base Environmental Coordinator  
La Rae Landers – Navy Lead Remedial Project Manager  
Julie Crosby-Brooks – Navy Remedial Project Manager

### Naval Sea Systems Command Detachment Radiological Affairs Support Office (RASO)

Matt Slack – RASO Radiological Site Manager  
Laurie Lowman – RASO Lead Environmental Program Manager

### Tetra Tech EC, Inc

Ulrika T. Messer – Project Manager  
Jim Reese – Lead Technical/Radiological Specialist  
John Polyak – Radiological Specialist



## Presentation Objectives



1. **Project management team**
2. **What is a Historical Radiological Assessment (HRA)?**
3. **Why an HRA at the Concord Inland Area?**
4. **HRA approach**
5. **HRA guidance**
6. **Schedule**

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## What is an HRA?



- Identifies potential, likely, or known sources of radioactive material and areas where these materials were used, stored, or disposed
- Classifies areas as impacted or non-impacted
  - An impacted area is one that has a potential for radioactive contamination based on historical information or is known to contain radioactive contamination. Locations immediately adjacent to the primary impacted area may be included in this designation. Impacted includes:
    - Areas where radioactive materials were used or stored
    - Areas where known spills, discharges, or other unusual occurrences involving radioactive materials have occurred, or may have occurred, that could have resulted in the release or spread of contamination
    - Areas where radioactive materials might have been disposed of or buried
- Identifies areas that need further action
- Recommends actions needed to achieve closure

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# Why an HRA?



Historical documentation indicates potential past use and/or storage of radioactive material at Concord Inland Area

The HRA will identify areas within the Concord Inland Area where former activities involving radiation and radioactive materials were used, stored, and/or disposed

Identifies if these areas require additional actions to achieve closure to facilitate future transfer of the property for non-military use



# HRA Approach



1. Visit and inspect buildings at Concord Inland Area
2. Review Base radiological records
3. Contact military authorities and search historical archives including:

Concord Inland Area in Concord, CA

National Archives in San Bruno, CA

Naval Weapons Station Seal Beach in Seal Beach, CA

Navy's Administrative Records Office in San Diego, CA

RASO in Yorktown, VA

National Archives in MD



Concord Archives



## HRA Approach, continued



4. Review Base licenses, permits, authorizations, & operating records
5. Review historical regulatory agency inspections
6. Interview current & former Base personnel
7. Compile and evaluate information and prepare HRA



## Information Gathering / Interviews

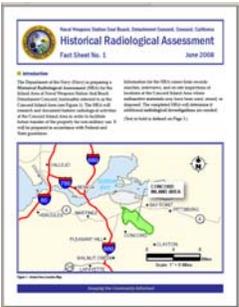


Solicit information about Concord Inland Area radiological activities

- Toll free phone number: 1-866-218-0457
- E-mail address: john.hiraas@gmail.com
- Fact Sheet to community mailing list
- Public Notice published in local newspapers

**NAVAL WEAPONS STATION SEAL BEACH DETACHMENT  
CONCORD, INLAND AREA SEEKING INFORMATION FOR  
HISTORICAL RADIOLOGICAL ASSESSMENT**

The Department of the Navy (Navy) desires to interview current and former Navy personnel, civilian employees, and contractors who can provide information regarding radiological activities at the Inland Area at Naval Weapons Station Seal Beach Detachment Concord (Concord Inland Area). . . . **In order to expedite the HRA process and to schedule an interview, please contact the Navy before October 11, 2008.**





## HRA Guidance



Federal - USEPA, Nuclear Regulatory Commission (NRC), DOD and Department of Energy (DOE) collaborated to prepare site radiological assessment guidelines

- Contained in the Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM)
- MARSSIM issued in December 1997, revised in March 2000 and June 2001
- <http://www.epa.gov/radiation/marssim/obtain.html>

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## HRA Schedule



- Historical information gathering and research – in progress
- Public Notice and Fact Sheet – June 2008
- Draft HRA – March 2009
- Final HRA – August 2009

*An update will be provided to the RAB following submittal of the Draft HRA*

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**Questions?**