

FINDING OF SUITABILITY TO TRANSFER
NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
INGLESIDE, TEXAS

Finding of Suitability to Transfer
Ingleside Electromagnetic Roll Facility
Ingleside, TX

April 2010



Prepared by:

**Base Realignment and Closure
Program Management Office Southeast
4130 Faber Place Drive, Suite 202
North Charleston, South Carolina 29405**

FINDING OF SUITABILITY TO TRANSFER
NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
INGLESIDE, TEXAS

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
Table of Contents.....	i
List of Tables.....	ii
List of Figures.....	ii
List of Attachments.....	ii
List of Appendices.....	ii
Abbreviations and Acronyms.....	iii
1.0 Purpose.....	1
2.0 Property Description.....	1
3.0 Summary of Environmental Requirements and Notifications.....	1
3.1 Hazardous Substances.....	2
3.2 Comprehensive Environmental Response, Compensation, and Liability Act/Resource Conservation and Recovery Act.....	3
3.3 Petroleum Products and Derivatives.....	3
3.4 Underground and Aboveground Storage Tanks.....	3
3.5 Munitions and Explosives of Concern.....	4
3.6 Asbestos Containing Material.....	4
3.7 Lead-Based Paint, Target Housing, and Residential Property.....	4
3.8 Polychlorinated Biphenyls.....	4
4.0 Recommended Notifications, Covenants, and Restrictions for Environmental Factors that Pose Constraints.....	4
5.0 Regulatory Agency Coordination.....	5
6.0 Suitability Determination.....	6

FINDING OF SUITABILITY TO TRANSFER
NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
INGLESIDE, TEXAS

LIST OF TABLES

TABLE 1: Environmental Notifications, Covenants, or Restrictions

LIST OF FIGURES

Figure 1 Site Location Map
Figure 2 Electromagnetic Roll Facility Property

LIST OF ATTACHMENTS

Attachment A Asbestos Disclosure

LIST OF APPENDICES

Appendix A CERFA Determination
Appendix B TCEQ Concurrence with FOST
Appendix C References

FINDING OF SUITABILITY TO TRANSFER
NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
INGLESIDE, TEXAS

ABBREVIATIONS AND ACRONYMS

AST	Aboveground Storage Tank
ACM	Asbestos Containing Material
ACBM	Asbestos Containing Building Material
BRRM	Base Redevelopment and Realignment Manual (BRRM)
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CERFA	Community Environmental Response Facilitation Act
DMDA	Dredge Material Disposal Area
ECP	Environmental Condition of Property
EMR	Electromagnetic Roll
FOST	Finding of Suitability to Transfer
HWMP	Hazardous Waste Management Plan
IRP	Installation Restoration Program
LQG	Large Quantity Generator
LRA	Local Redevelopment Authority
MWCE	Mine Warfare Center of Excellence
MEC	Munitions and Explosives of Concern
NAVSTA	Naval Station
NFESC	Naval Facilities Engineering Service Center
NPL	National Priority List
PA	Preliminary Assessment
PCBs	Polychlorinated Biphenyls
RCRA	Resource Conservation and Recovery Act
SARA	Superfund Amendments and Reauthorization Act
SPCC	Spill Prevention Control and Countermeasures Plan
TCEQ	Texas Commission on Environmental Quality
USEPA	United States Environmental Protection Agency
UST	Underground Storage Tank

FINDING OF SUITABILITY TO TRANSFER
NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
INGLESIDE, TEXAS

1.0 PURPOSE

The purpose of this Finding of Suitability to Transfer (FOST) is to summarize how the requirements and notifications for hazardous substances, petroleum products and other regulated materials on the property at the Electromagnetic Roll (EMR) Facility at the former Naval Station (NAVSTA) Ingleside, Texas have been satisfied. This FOST documents that the EMR Facility, Ingleside, Texas is environmentally suitable for transfer to the Ingleside Local Redevelopment Authority (LRA). This decision is based on review of information in the Environmental Condition of Property (ECP) Report for the Naval Station, Ingleside, Texas dated 09 May 2006. Factors leading to this decision and other pertinent information are listed below.

2.0 PROPERTY DESCRIPTION

Construction at NAVSTA Ingleside commenced in 1988, and the facility went into service in 1992. The original mission of NAVSTA Ingleside was to support ships and personnel, including tenant, afloat units, and other Atlantic fleet units. The Naval vessels included one battleship, associated escort ships, and a training aircraft carrier. The mission of NAVSTA Ingleside changed in the mid-1990s as a result of a shift in military priorities and consolidation of naval facilities. After the mid-1990s, the mission of NAVSTA Ingleside included provision of logistics and base support services to approximately 50 Commands, primarily mine warfare forces.

The former NAVSTA Ingleside encompassed approximately 1,086 acres on three separate properties located near the northern shore of Corpus Christi Bay in San Patricio County, Texas (Figure 1). The three properties include the 576 acre Main Base property, the 359 acre Dredge Material Disposal Area (DMDA), and the EMR Facility. The EMR Facility property is the subject of this report and consists of approximately 151 acres consisting of 46 acres of uplands and 105 acres of submerged lands (Figure 2). The EMR property is approximately 1.5 miles northwest of main property. The uplands are located at Welder Point on the north shore of Ingleside Cove, and the submerged lands are located just north of the intersection of the Jewel Fulton Canal and La Quinta Channel (Navy 1996). This facility was constructed in 1997 following the establishment of the Mine Warfare Center of Excellence (MWCE) at NAVSTA Ingleside and is utilized to measure, alter, and reduce the electromagnetic profile of Navy mine warfare vessels.

3.0 SUMMARY OF ENVIRONMENTAL REQUIREMENTS AND NOTIFICATIONS

The Base Redevelopment and Realignment Manual (BRRM) (March, 2006) outlines environmental conditions that must be addressed in a FOST; the specific topics identified in the BRRM are listed in Table 1. This Section summarizes the environmental conditions and actions taken and identifies notification requirements

FINDING OF SUITABILITY TO TRANSFER
 NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
 INGLESIDE, TEXAS

related to hazardous substances, petroleum products, and other regulated materials.

TABLE 1: ENVIRONMENTAL NOTIFICATIONS, COVENANTS, OR RESTRICTIONS

Environmental Conditions	Notifications, Covenants, or Restrictions Required	
	No	Yes
Presence of Hazardous Substances	X	
CERCLA/RCRA (Response/Corrective Action)		X
Petroleum Products and Derivatives	X	
Aboveground and Underground Storage Tanks	X	
Munitions and Explosives of Concern	X	
Asbestos Containing Material	X	
Lead-Based Paint, Target Housing, and Residential Property	X	
Polychlorinated Biphenyls	X	

Notes:

CERCLA: Comprehensive Environmental Response, Compensation, and Liability Act

RCRA: Resource Conservation and Recovery Act

3.1 Presence of Hazardous Substances

Under Texas Commission on Environmental Quality (TCEQ) rules, NAVSTA Ingleside is classified as a municipal or non-industrial generator and is classified as a Large Quantity Generator (LQG) of hazardous waste (USEPA ID TX0170099915) (TCEQ 2006a, USEPA 2006). The NAVSTA Ingleside Hazardous Waste Management Plan (HWMP) and Spill Prevention Control and Countermeasures Plan (SPCC) were both updated in 2002. Although the Plans identified seven areas in which hazardous materials and wastes are stored on NAVSTA Ingleside and three areas designated as 90-day accumulation points, none were located on the EMR Facility. Further, no areas identified by site personnel for Hazardous Material and Hazardous Waste Storage were located on the EMR Facility.

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 120 (h)(3) requires that each deed entered into the transfer of federal property on which hazardous substances were stored, released, or disposed of shall include a notice of the type and quantity of hazardous substances and the time at which such storage, release, or disposal took place. This requirement was codified in 40 Code of Federal regulations Part 373, which provides that the notice applies only when hazardous substances are or have been stored in quantities greater than or equal to 1,000 kilograms (or 1 kilogram for “acutely” hazardous waste) or the hazardous substance’s CERCLA reportable

FINDING OF SUITABILITY TO TRANSFER
NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
INGLESIDE, TEXAS

quantity. No hazardous materials were stored on the EMR Facility; as such, the CERCLA 120(h)(3) notice is not required.

3.2 Comprehensive Environmental Response, Compensation, and Liability Act/ Resource Conservation and Recovery Act

The Navy developed the Installation Restoration Program (IRP) to address hazardous and toxic releases addressed by CERCLA and the Resource Conservation and Recovery Act (RCRA). The IRP adheres to all applicable requirements, including those issued by the United States Environmental Protection Agency (USEPA), CERCLA, and the Superfund Amendments and Reauthorization Act (SARA) of 1986. The National Priority List (NPL) is the list of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the U.S. and its territories. The NPL is intended primarily to guide the USEPA in determining which sites warrant further investigation.

A Preliminary Assessment (PA) report was prepared for the entire NAVSTA Ingleside property by the Naval Facilities Engineering Service Center (NFESC) in 1994. No events have occurred that triggered listing the EMR Facility on the NPL, and no IRP sites have been identified at the EMR Facility. Further, no hazardous substances were known to be released or disposed on the EMR Facility.

The Navy identified the EMR Facility as uncontaminated in accordance with CERCLA as amended by the Community Environmental Response Facilitation Act (CERFA), CERCLA Section 120(h)(4), 42 United States Code (U.S.C.) Section 9620(h)(4). The TCEQ concurred with the uncontaminated determination in accordance with CERCLA Section 120(h)(4)(B), and the signed document is included as Appendix A. As such, the CERCLA 120 (h)(3) notice and covenants are not required.

3.3 Petroleum Products and Derivatives

No Aboveground Storage Tanks (ASTs) or Underground Storage Tanks (USTs) exist at the EMR Facility, and no releases have been reported. As such, the property has been designated uncontaminated as stated in Section 3.2.

3.4 Aboveground Storage Tanks and Underground Storage Tanks

No ASTs or USTs exist at the EMR facility, and no releases have been reported. As such, the property has been designated uncontaminated as stated in Section 3.2.

FINDING OF SUITABILITY TO TRANSFER
NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
INGLESIDE, TEXAS

3.5 Munitions and Explosives of Concern

Munitions and explosives of concern (MEC) are not issues of concern at the EMR Facility due to the lack of practice firing at the facility. Further, MEC are not stored on NAVSTA Ingleside.

3.6 Asbestos

According to facility personnel, surveys for asbestos containing building materials (ACBM) have not been conducted at NAVSTA Ingleside due to the relatively recent 1997 construction of all facilities at the main property and the EMR property.

Due to the recent construction, any existing asbestos containing material (ACM) is considered in compliance with applicable laws, regulations, and standards. Further, any existing ACM is not a threat to human health and the environment at this time. The transfer deed will contain an ACM disclosure, as a definitive asbestos survey was not conducted. Attachment A contains the asbestos containing material hazard disclosure and acknowledgement form (non-residential structures).

3.7 Lead-Based Paint, Target Housing and Residential Property

According to site personnel, the buildings on the station have all been constructed in the 1997 timeframe and therefore are not likely to have issues related to lead-based paint. Lead based paint surveys have not been conducted at the EMR Facility. The EMR Facility does not contain residential real property (i.e. housing constructed prior to 1978 or child-occupied facilities) that will be transferred to a new non-federal owner, and no planned residential reuse of the present buildings exists.

Due to the recent 1997 construction, presence of lead based paint is not suspected. As such, a lead containing materials hazard disclosure and acknowledgement form is not provided.

3.8 Polychlorinated Biphenyls

No transformers on the EMR Facility contain polychlorinated biphenyls (PCBs) due to the 1997 construction date.

4.0 RECOMMENDED NOTIFICATIONS, COVENANTS, AND RESTRICTIONS FOR ENVIRONMENTAL FACTORS THAT POSE CONSTRAINTS

FINDING OF SUITABILITY TO TRANSFER
NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
INGLESIDE, TEXAS

This section presents the notifications, covenants, and restrictions for environmental factors that pose constraints. For the reasons stated in Section 3, no notices are required. Further, no restrictions for environmental factors that pose constraints exist.

As required by CERCLA Section 120(h)(4) for conveyance of land by the federal Government, the deed conveying title will contain the following warranty covenants:

a. A covenant warranting that:

- Any such additional remedial actions found to be necessary after the date of such transfer shall be conducted by the United States.

b. A clause granting:

- The United States access to the property in any case in which remedial action or corrective action is found necessary at the property after the date of such transfer.

5.0 REGULATORY AGENCY COORDINATION

As stated in Section 3.2, the Navy identified the EMR Facility as uncontaminated in accordance with CERCLA as amended by CERFA. The TCEQ concurred with the uncontaminated determination in accordance with CERCLA Section 120(h)(4)(B), and the signed document is included as Attachment A.

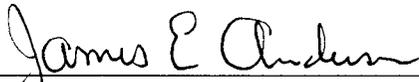
A Draft FOST was provided to the TCEQ for review and comment on 10 March 2010. No comments were received, and the TCEQ concurred with the Navy's determination that the property is environmentally suitable to transfer to the Ingleside Local Redevelopment Authority, Ingleside, Texas. The TCEQ letter is included as Attachment B.

No unresolved agency comments exist at this time.

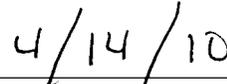
FINDING OF SUITABILITY TO TRANSFER
NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
INGLESIDE, TEXAS

6.0 SUITABILITY DETERMINATION

Based on information contained in this FOST, and the notices, restrictions, and covenants that will be contained in the deed, the property is suitable for transfer.



JAMES E. ANDERSON
Director
Base Realignment and Closure
Program Management Office
Southeast



Date

FINDING OF SUITABILITY TO TRANSFER
 NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
 INGLESIDE, TEXAS

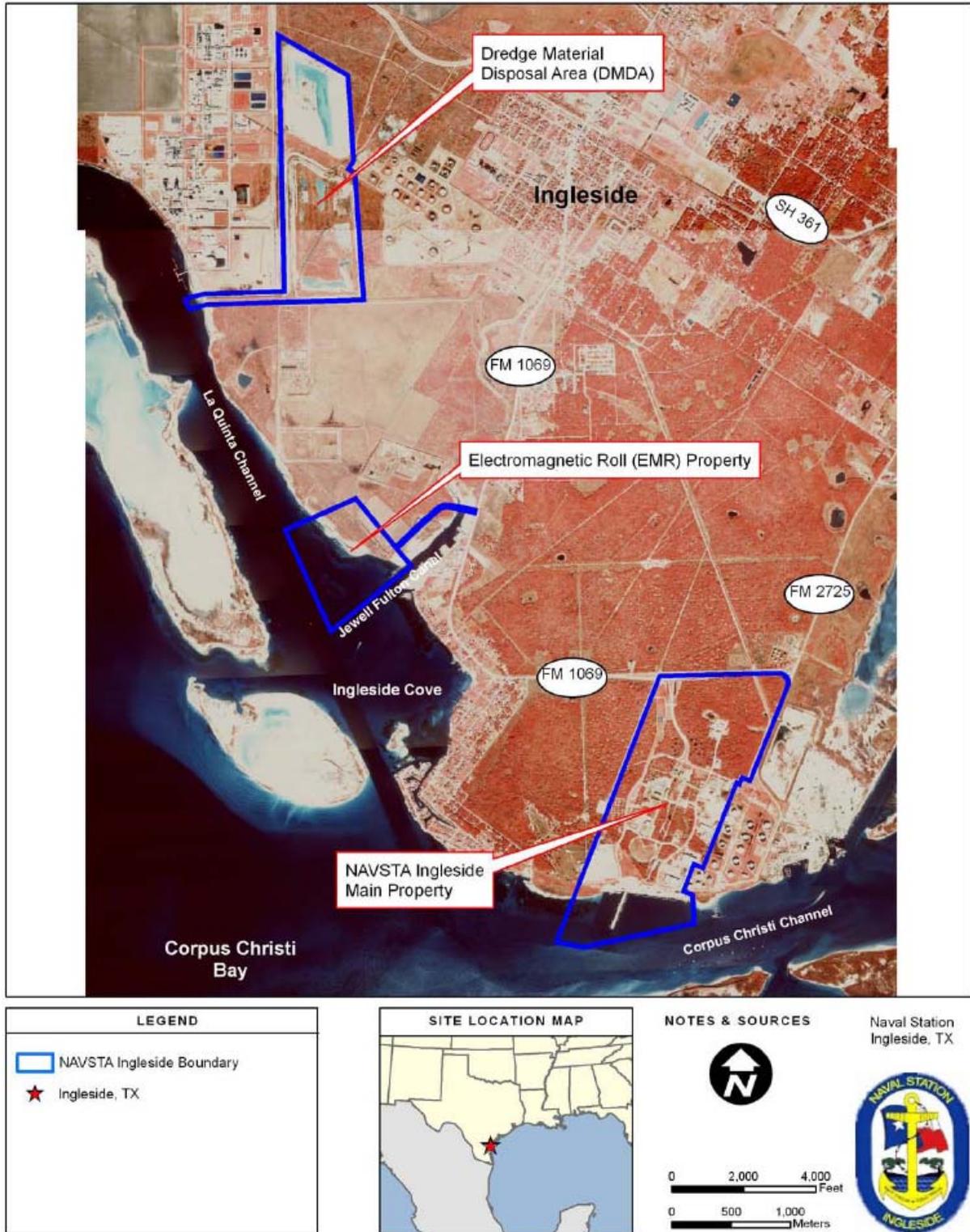


Figure 1

FINDING OF SUITABILITY TO TRANSFER
NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
INGLESIDE, TEXAS



Figure 2

FINDING OF SUITABILITY TO TRANSFER
NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
INGLESIDE, TEXAS

ATTACHMENT A
ASBESTOS CONTAINING MATERIAL DISCLOSURE AND
ACKNOWLEDGEMENT

FINDING OF SUITABILITY TO TRANSFER
NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
INGLESIDE, TEXAS

**ASBESTOS-CONTAINING MATERIALS
HAZARD DISCLOSURE AND ACKNOWLEDGMENT FORM
(NON-RESIDENTIAL STRUCTURES)**

ASBESTOS WARNING STATEMENT

YOU ARE ADVISED THAT CERTAIN BUILDINGS WITHIN THE NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY HAVE ASBESTOS-CONTAINING MATERIALS. INDIVIDUALS (WORKERS) MAY SUFFER ADVERSE HEALTH EFFECTS AS A RESULT OF INHALATION EXPOSURE TO ASBESTOS. THESE ADVERSE HEALTH EFFECTS INCLUDE ASBESTOSIS (PULMONARY FIBROSIS) AND MESOTHELIOMAS (BENIGN OR MALIGNANT TUMORS).

ACKNOWLEDGEMENT

I acknowledge the following:

- (1) I have read and understand the above-stated Asbestos Warning Statement.
- (2) I have received from the Government the following document(s): The Environmental Condition of Property for the Naval Station Ingleside Electromagnetic Roll Facility dated 09 May 2006 and the Finding of Suitability to Transfer the Naval Station Ingleside Electromagnetic Roll Facility representing the best information available to the Government as to the presence of and condition of asbestos-containing-materials hazards in the building covered by this transfer (deed).
- (3) I understand that my failure to inspect or to become fully informed of the condition of all or any portion of the property offered will not constitute grounds for any claim or demand for adjustment or withdrawal of any bid or offer made after its opening or tender.
- (4) I understand that, upon execution of this transfer (deed), I shall assume full responsibility for preventing future asbestos exposure by properly managing and maintaining or, as required by applicable federal, State, or local laws or regulations, for abating any asbestos hazard that may pose a risk to human health.

Transferee (or duly authorized agent)

Date

FINDING OF SUITABILITY TO TRANSFER
NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
INGLESIDE, TEXAS

APPENDIX A
CERFA DETERMINATION

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 8, 2010

Mr. Jim Ferro
Department of the Navy
4130 Faber Place Drive, Suite 202
North Charleston, SC 29405

Re: Community Environmental Response Facilitation Act Identification of Uncontaminated Property, Electromagnetic Roll Facility, dated February 3, 2010
Naval Station Ingleside, Texas
Solid Waste Registration (SWR) No. 76435
CN602589442/ RN101225746

Dear Mr. Ferro:

The Texas Commission on Environmental Quality (TCEQ) has completed review of the Community Environmental Response Facilitation Act (CERFA) Identification of Uncontaminated Property, Electromagnetic Roll Facility, dated February 3, 2010. The purpose of this request is to document that the 151 acre Electromagnetic Roll Facility is "CERFA Clean" (uncontaminated) in accordance with CERFA [§9620(h)(4)(A)]. Based on this document and previous documents submitted, the TCEQ concurs that the 151 acre Electromagnetic Roll Facility meets the designation of "CERFA Clean".

Questions concerning this letter should be directed to me at (512) 239-2992. When responding by mail, please submit an original and one copy of all correspondence and reports to the TCEQ, VCP-CA Section at Mail Code MC-127 with an additional copy submitted to the local TCEQ Region Office. The information in the reference block should be included in all submittals.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Siegel".

Chris Siegel, Project Manager
VCP-CA Section
Remediation Division

CS/jdm

cc: Mr. Rich Mayer, EPA Region 6, Dallas
Mr. Brad Genzer, Waste Manager, TCEQ Region 14, Corpus Christi

FINDING OF SUITABILITY TO TRANSFER
NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
INGLESIDE, TEXAS

APPENDIX B
TCEQ CONCURRENCE LETTER

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 5, 2010

Mr. Jim Ferro
jim.ferro@navy.mil
Department of the Navy
4130 Faber Place Drive, Suite 202
North Charleston, SC 29405

Re: Draft Finding of Suitability to Transfer, dated March 2010
Electromagnetic Roll Facility
Naval Station Ingleside, Texas
Solid Waste Registration (SWR) No. 76435
CN602589442/ RN101225746

Dear Mr. Ferro:

The Texas Commission on Environmental Quality (TCEQ) has completed review of the Draft Finding of Suitability to Transfer, dated January 2010, for the Electromagnetic Roll Facility of Naval Station Ingleside. The purpose of this request is to allow the Electromagnetic Roll Facility parcel of Naval Station Ingleside to be transferred to the Ingleside Redevelopment Authority. Based on this document, the TCEQ concurs that the site is suitable for transfer. Please submit a copy of this document to the TCEQ once it is finalized.

Questions concerning this letter should be directed to me at (512) 239-2992. When responding by mail, please submit an original and one copy of all correspondence and reports to the TCEQ, VCP-CA Section at Mail Code MC-127 with an additional copy submitted to the local TCEQ Region Office. The information in the reference block should be included in all submittals.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Siegel".

Chris Siegel, Project Manager
VCP-CA Section
Remediation Division

CS/jdm

cc: Mr. Rich Mayer, Mayer.Richard@epa.gov, EPA Region 6, Dallas
Ms. Thuane Fielding, thuane.fielding@navy.mil, Department of the Navy
Mr. Brad Genzer, Waste Manager, TCEQ Region 14, Corpus Christi

FINDING OF SUITABILITY TO TRANSFER
NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
INGLESIDE, TEXAS

**APPENDIX C
REFERENCES**

FINDING OF SUITABILITY TO TRANSFER
NAVAL STATION INGLESIDE ELECTROMAGNETIC ROLL FACILITY
INGLESIDE, TEXAS

Navy 2006. Final Environmental Condition of Property Report for the Naval Station,
Ingleside, Texas. May 2006.