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Prior to the meeting, ADEM identified certain deficiencies in the UXO investigation, as outlined in previous letters issued by the Department (Ref: April 24, 2003 letter from ADEM to the Army and other letters referenced therein). In preparation for the meeting, ADEM representatives reviewed geophysical data and other field data generated by Fort McClellan during its UXO investigation of the Alpha Area. As a result of this review and the discussions presented at the May 14, 2003 meeting, the areas requiring further UXO investigation have been narrowed down considerably.

ADEM now concurs with the majority of the findings of the Alpha Area EE/CA. However, there are limitations to the extent of ADEM's concurrence and one remaining area for which we are not yet in concurrence. The area in question is generally described as the northcentral/northeast sector of the Alpha Area and is specifically known as Sector M6-1M Remainder-PR.

At this time, the Department does not concur with the NFA designation for the M6-1M Remainder-PR area. The Department believes that further investigation into the potential presence of UXO is warranted. There are actually three sub-areas within the M6-1M Remainder-PR area that warrant further investigation and verification. The sub-areas of concern are in the general location of three grids (Grids 47, 49, and 72) shown on the Alpha Area EE/CA Overview Figure found in the *Draft Final EE/CA Alpha Area of the Redevelopment Area*, dated February 2003. The description of the sub-areas requiring further investigation is as follows:

- The area South of M6-1M Transect Area 1 (South)-PR to United Road (Area south of Mout Road and north of United Road)
- The area East of the M6-1M Transect Area 1 (South)-PR to the border of the Charlie Area (Bounded between Mout Road and United Road)
- The area West of the M6-1M Transect Area 2 (North)-PR to Grid No. 67 (Intersection of Syracuse Street and M6-1M Transect Area 2 (North)-PR traversing NW to Grid 130, traversing west to Grid 106, traversing south to Grid 59 and then traversing east to Grid 135)

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Also, ADEM understands that Grid No. 72 does not exist at the location shown on the Alpha Area EE/CA Overview Figure. Please resolve this discrepancy. However, the third bullet above will address this issue regardless.

During the is investigated in the above areas of the M6-1M Remainder-PR Sector, if the Army or its contractor identify an increase in the presence of fragmentation/frag/HE-frag/shrapnel (i.e., debris) in a particular location, the Army should expand its investigation in the direction of increased debris until an impact zone is defined and/or all related UXO items are found.

A workplan for the additional investigation should be developed and submitted to ADEM for approval. Based upon the findings of the investigation in the above three areas, the Army (and/or JPA) will need to re-evaluate its potential Response Action Alternatives and select an appropriate alternative to remediate these additional sub areas of the M6-1M Remainder-PR Sector. The selection of a remedial alternative is subject to ADEM approval.

ADEM understands that there may be continued disagreement between the Army and JPA regarding future land uses for various Alpha Area parcels. For the EE/CA areas accepted by ADEM, the Department notes that its acceptance pertains only to the Projected Land Use and Risk Assessment models depicted and/or described in the Draft Final Alpha Area EE/CA document.

Further, as agreed by the Army in the May 7, 2003 meeting and documented in the previously distributed (via email) meeting summary (attached), removal/clearance actions will include an additional geo-physical investigative component to locate items to be removed, and employ a VDS as requested by ADEM for all future geo-physical work at the site, specifically including the work to be done in support of removal/clearance actions in the Alpha area.

The Department also understands that the Army has taken the position that no additional work is required to complete the EE/CA process for the Alpha Area. The Department does not agree with this position. However, there is general agreement between all three parties (ADEM, the Army and JPA) that any additional work required by ADEM, as outlined above, may be completed after the Early Transfer of the Alpha Area. ADEM understands that the Army and JPA are negotiating a Coordinated Cost Study as part of the Early Transfer & Environmental Services Cooperative Agreement that will ultimately transfer the burden of completing this work to the JPA. Thus, it will be the responsibility of the JPA to complete the additional work in the M6-1M Sector and to resolve any remaining future land use issues. In the event that the pending early transfer does not materialize, the Army will be directly responsible for conducting the additional work.

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For any questions or concerns regarding this matter please contact Mr. Philip Stroud at 334-270-5646 or via email at ps@adem.state.al.us.

Sincerely,



Stephen A. Cobb, Chief
Governmental Hazardous Waste Branch
Land Division

Enclosures

SAC/PS/:L:Gov Fac Sec/Stroud/ADEM Response to May 14, 2003 Meeting at FTMC_Alpha Area NFA Determination_JWG Rev2.doc

cc: Mr. Porter Morgan/CEHNC-OE-DC
Mr. Jim Grassiano/ADEM
Mr. Joe Doyle/BRAC, Fort McClellan
Ms. Francine Cole/BRAC, Fort Monroe, VA
Mr. Spencer Nelson/URS Corporation
Mr. Ron Levy/BRAC, Ft McClellan
Ms. Miki Schneider/JPA
Ms. Linda Balcom/Matrix Environmental Services

File: Land Division/Governmental Hazardous Waste/Fort McClellan/Correspondence/2003

4. The Army maintains that it has systems in place that it used to 'prove' its data are valid. ADEM believes that the Army still has not demonstrated that the Army's geophysical data are properly validated.
5. The Army resolved a discrepancy in the number of grids investigated. Specifically, 129 grids were initially identified. However, 12 were located in environmentally sensitive areas, so 12 additional grids were identified to replace those located in environmentally sensitive areas. Therefore, a total of 129 grids were investigated. In addition to the grids, the Army investigated limited transects to "bound" certain areas deemed as warranting a removal action or as No Further Action (NOFA).
6. There remain major disconnects in ADEM's understanding of the work completed. These disconnects result from lack of clarity in the EE/CA workplan and Report. The Army/COE agreed to clarify the report to clearly document the purpose of the EE/CA, the rationale for the selection of the 129 grids, how the grids will be used to identify areas to be proposed for removal/clearance or NOFA action, and to clarify that subsequent removal/clearance actions will include additional geo-physical survey (with VDS) of the whole area(s) slated for removal/clearance.
7. Based on information presented in the Alpha EE/CA report, ADEM was unclear on how the Army planned for work to proceed from the EE/CA to the next level of investigation. The Army clarified its position that the EE/CA actually represents the entire investigation. What remains is the removal/clearance action. The Army did clarify that the removal/clearance action will include an additional geo-physical investigative component to locate items to be removed, and that it agrees to employ a VDS as requested by ADEM for all future geo-physical work at the site, specifically including the work to be done in support of removal/clearance actions in the Alpha area.
8. The Army/COE explained its position that, for the purposes of the EE/CA, the discovery of a single UXO related item in a grid would automatically result in the subject grid/area being carried over for a removal/clearance action.

The Army explained that the 129 grids were employed to aid in identifying which overall portions of the Alpha Area should be carried over for removal/clearance action, and which areas could appropriately be recommended for no further action. It was further explained that the entire area(s) of the overall Alpha Area which is identified for further action will be subjected to geophysical survey and removal/clearance, not just the areas within the previously defined grids. Based on this understanding, it was noted by ADEM that if any of the approximately 63 grids identified as unacceptable in ADEM's April 24, 2003 letter were the basis of the Army recommending areas for NOFA in the Alpha EE/CA Report, then those areas would have to be added to the areas slated for removal/clearance. Also, the parties will review the data for all of the grids which led to NOFA.

recommendations to determine if there is disagreement as to the NOFA designation. Army, ADEM, and JPA representatives will meet within the next few days to identify what (if any) areas currently proposed for NOFA should be re-classified as requiring removal/clearance.

Under the assumption that all pending geophysical data will indeed be validated using a VDS, the outstanding issue boils down to the following:

The Army needs to present clarifying information for the grids identified as being present in the "NOFA" areas. The grids need to be overlapped over the Army—delineated NOFA areas. Then ADEM must review all available data in these areas to determine if ADEM concurs with the NOFA designations.

ADEM inquired about the path forward if ADEM determines that the nature and extent of contamination is not adequately delineated in the currently identified NOFA areas. The Army responded that, depending upon the extent of the disagreement in NOFA delineation, it may choose to:

- a) Rapidly conduct additional investigation; or
 - b) Proceed with the likelihood that a higher insurance cost will be associated with the pending ESCA. [However, if the need for additional investigation is identified, it is unclear if insurers will underwrite the coverage]
9. Regarding clearance depth, ADEM reiterated its position that clearance depth must be based on future land use, and that it is imperative that the Army and JPA reach agreement on future land use as soon as possible. ADEM also reiterated its position that clearance depth in areas slated for future construction (such as industrial or highway construction) must be at least as deep as the area will be disturbed to facilitate the construction (such as for foundations for structures or for clearing/grubbing operations, cut areas, and utility corridors for highway construction). It is ADEM's expectation that a complete removal action to the appropriate depth using an EM-61 (or equivalent) will be conducted in all areas identified as warranting a removal/clearance action.

In the morning meeting, the Army briefly mentioned ALDOT's Tract 2/3 area and indicated that it heard that ALDOT intends to hire a contractor to conduct additional investigation/removal work. The Army has issued a clearance letter stating that the parcel is cleared for unrestricted use and believes that further work is not warranted. ADEM remains in disagreement on this matter and stated that the Army should welcome any validating information from ALDOT. The Department maintains that clearance to depth is the appropriate remedial action alternative for Tract No. 2 and Tract No. 3.

Action items from the meeting were as follows:

1. ADEM and the Army will meet the week of May 12, 2003 to resolve the outstanding NOFA issue. It is not known at this time specifically who will attend this meeting or when it will take place. It will likely take place at Fort McClellan

and include representatives from the Army, COE, ADEM (URS contractor), and the JPA (Matrix/Parsons contractors).

2. ADEM will then review available data and make a determination on the adequacy of data and appropriateness of the NOFA designations.

Specifically, the following issues need to be clarified during ADEM's review of the NOFA Areas:

1. Clearly define which grids are not acceptable based on lack of VDS information. Particular attention will be given to the number or percentage of grids that ended with an NFA conclusion. Should these grids contain OE-related scrap, and if they are slated for NFA, the Department will re-evaluate their concurrence/non-concurrence of the selected outcome.
2. Clearly define which grids are acceptable for clearance based on information related to follow-up QA/QC and the grids that will be cleared of OE/UXO during the clearance action. Grids that were not validated and/or have not gone through a QA/QC process may potentially go forward through the clearance action if they fall in areas that will be cleared 100 percent.
3. Clearly define in the EE/CA Report whether clearance is based on "DDESB Standards" or "end land use." This will include the Alpha, Bravo, and Charlie areas. Also clearly define clearance depths (i.e., Depth of Clearance, Clearance to 1-foot, Surface Clearance, etc).