

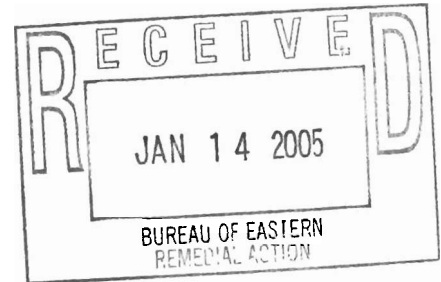


DEPARTMENT OF THE AIR FORCE
AIR FORCE REAL PROPERTY AGENCY



January 12, 2005

MEMORANDUM FOR NYS DEPT OF ENVMTL CONSERVATION
ATTN: MR. JAMES LISTER
Bureau of Eastern Remedial Action
625 Broadway, 11th Floor
Albany NY 12233-7015



FROM: AFRPA/DA Plattsburgh
304 New York Road
Plattsburgh NY 12903

SUBJECT: Environmental Documents for Proposed Transfer of Parcel A2.12, Old Small
Arms Range and LF-022 Area

Submitted for your review and comments are the Draft Final Supplemental
Environmental Baseline Survey (SEBS) and the Finding of Suitability to Transfer (FOST) for the
subject proposal.

Request any comments to the attached documents by January 20, 2005.

Our point of contact is Steve Gagnier at (518) 563-2871, extension 14.

MICHAEL D. SOREL, PE
Site Manager/BRAC Environmental Coordinator

Attachments:

1. SEBS - Parcel A2.12
2. FOST - Parcel A2.12

cc:

USEPA (Mr. Robert Morse) (Atch under sep cover)
NYSDEC, Reg 5 (Mr. Richard Wagner)
NYSDOH (Ms. Rebecca Mitchell)



DEPARTMENT OF THE AIR FORCE
AIR FORCE REAL PROPERTY AGENCY



January 12, 2005

MEMORANDUM FOR USEPA, REGION 2
ATTN: MR. ROBERT MORSE
Federal Facilities Section
290 Broadway, 18th Floor
New York NY 10007-1866

FROM: AFRPA/DA Plattsburgh
304 New York Road
Plattsburgh NY 12903

SUBJECT: Environmental Documents for Proposed Transfer of Parcel A2.12, Old Small
Arms Range and LF-022 Area

Submitted for your review and comments are the Draft Final Supplemental
Environmental Baseline Survey (SEBS) and the Finding of Suitability to Transfer (FOST) for the
subject proposal.

Request any comments to the attached documents by January 20, 2005.

Our point of contact is Steve Gagnier at (518) 563-2871, extension 14.

MICHAEL D. SOREL, PE

Site Manager/BRAC Environmental Coordinator

Attachments:

1. SEBS - Parcel A2.12 (3 cys)
2. FOST - Parcel A2.12 (3 cys)

cc:

NYSDEC (Mr. James Lister) (Atch under sep cover)
AFRPA/DA-EV (Mr. James Waldron (1 cy)

**DRAFT FINAL SUPPLEMENTAL ENVIRONMENTAL BASELINE SURVEY (SEBS)
FOR
PARCEL A2.12
OLD SMALL ARMS RANGE AND LF-022 AREA
Former Plattsburgh Air Force Base, New York
January 2005**

CHAPTER 1: PURPOSE OF THE SUPPLEMENTAL ENVIRONMENTAL BASELINE SURVEY

1.1 Introduction. This Supplemental Environmental Baseline Survey (SEBS) has been prepared to document environmental conditions of the wooded, open, and vacant land contained in Parcel A2.12 of Plattsburgh Air Force Base (AFB) since publication of the Plattsburgh AFB Basewide Environmental Baseline Survey (EBS).

1.2 Description. The area included in this document is located in the northwestern portion of the New Base. The parcel consists entirely of wooded, open, and vacant land and is approximately 9.1 acres in size. This area was used by the Air Force for small arms training (SS-033, Old Small Arms Range) and for solid waste disposal (LF-022). Detailed historic land use information for this area can be found on pages 10 and 11 of Table B-1 of the Basewide EBS. The area is shown on Attachments 1A and 1B.

CHAPTER 2: SURVEY METHODOLOGY

2.1 Approach and Rationale.

The data used in preparing this SEBS were obtained from the Plattsburgh AFB Basewide EBS revised May 1997 (data updated to September 1996). The EBS was based on record searches, interviews, and visual site inspections (VSIs). The data and information contained in the EBS were prepared in accordance with Department of Defense policies and guidance, as they pertain to the procedures for conducting an EBS. VSIs were conducted and additional data collected in September 2004 to verify the condition of the property.

2.2 Description of Documents Reviewed.

A list of documentation reviewed is provided in the Plattsburgh AFB Basewide EBS. Additional documentation used included the January 1996 Background Surface Soil & Groundwater Survey Report performed by URS Consultants, Inc.; the November 1995 Environmental Impact Statement (EIS) for Disposal and Reuse of Plattsburgh AFB prepared by Tetra Tech Inc.; the February 1994 Habitat Assessment and Wetlands Delineation Report performed by URS Consultants, Inc.; the July 1999 Final Closure Report for removal of lead-impacted soil at the Old Small Arms Range prepared by OHM Remediation Services Corporation; the June 2001

Final Report on the Supplemental Evaluation to the Environmental Baseline Survey prepared by URS Consultants, Inc.; the March 2001 Final Record of Decision (ROD) for Site SS-033, Old Small Arms Range prepared by URS Consultants, Inc.; the August 2003 Final Remedial Action/Closure Report for the Old Small Arms Range prepared by VERSAR, Inc.; the Post-Closure Monitoring and Inspection Reports for Landfill 22 prepared by URS Consultants; and the September 1992 Final Record of Decision for Landfill LF-022 prepared by ABB Environmental Services, Inc. All documentation used for the preparation of this SEBS and the Finding of Suitability to Transfer (FOST) is available for review at the Air Force Real Property Agency office at Plattsburgh, New York.

2.3 Inspection of Properties Conducted.

Additional VSIs were conducted in September 2004 to determine if any change in property condition had occurred subsequent to publication of the Basewide EBS. The purpose of these VSIs was to identify any stained soils, stressed vegetation, leachate seepage, unusual odors, etc., which might indicate environmental concern.

CHAPTER 3: FINDINGS FOR OLD SMALL ARMS RANGE AND LF-022 AREA, PARCEL A2.12

3.1 Environmental Setting. A description of the area's climate, topography, hydrology, and geology is contained in Section 3.1 of the Plattsburgh AFB Basewide EBS.

3.2 Property Categorization Factors. Environmental factors which are not applicable to this property include spills and releases, medical/biohazardous wastes, oil/water separators, radioactive and mixed wastes, and storage tanks. Applicable environmental factors are discussed below.

3.2.1 Hazardous Substance, Petroleum, and Miscellaneous Materials.

No hazardous substances are known to have been stored on this property. However, hazardous substances are known to have been used and disposed of on this property in association with IRP Sites SS-033 and LF-022. These sites are discussed below.

3.2.2 Installation Restoration Program (IRP) Sites. There are two IRP sites, SS-033 and LF-022, located within the boundaries of this property. These sites are discussed below, and additional information can be found in Appendix D of the Basewide EBS.

LF-022 is a former domestic waste landfill located along the eastern edge of the Property and which operated from 1959 to 1966. A Remedial Investigation (RI) was conducted in 1991, and the Feasibility Study (FS) recommended the installation of a one-foot soil cap. A Proposed Plan was prepared and approved in 1992, and the Record of Decision (ROD) was signed in September 1992. Remedial construction was completed in 1994, and long-monitoring began in October

1995 and will continue for 30 years. Monitoring results thus far have indicated that the cap is proving to be effective, the remedial action objectives are being met, and no areas of noncompliance have been noted. In addition to the requirement for landfill inspection, monitoring and cap maintenance, the ROD specifies that all future owners will be made aware of the landfill location, and that the integrity of the final cover or any other component of the containment or monitoring system must not be compromised.

SS-033 is the Old Small Arms Range (OSAR) and is located north of LF-022. It was used for small arms practice between 1960 and 1989. The Preliminary Assessment was conducted in 1991 and recommended removal of target berm soil to address lead contamination. A Removal Action was conducted in 1993/1994 to address this area. The Site Investigation (SI) was conducted in 1995 and recommended additional areas of soil removal. These areas were excavated in the fall of 1997. Additional sampling was conducted and the SI updated in 2000. A potential residential health risk was identified due to arsenic in the soil used as backfill in the 1993/1994 removal action. A ROD was issued in March 2001 which specified removal of this soil. A Remedial Action was performed in the fall of 2001, and a second Remedial Action was done in the spring of 2002 to remove additional small quantities of soil. A closure report for this Remedial Action was issued in August 2003 and recommended the site be clean-closed. United States Environmental Protection Agency (USEPA) concurrence with the site closeout recommendation was received on September 30, 2003. New York State Department of Environmental Conservation (NYSDEC) concurrence was received on December 2, 2004.

3.2.3 Unexploded Ordnance. The Basewide EBS (Appendix G, Table G-1) lists two ordnance-related issues associated with the property. The locations and status of the ordnance-related factors are discussed below.

ORD 3425-1 and 3425-2

ORD 3425-1 was associated with IRP Site SS-033, and all remediation has been completed as described above. ORD 3425-2 was associated with an area containing spent ammunition cartridges and storage containers adjacent to the main Old Small Arms Range firing line. This area was cleaned up, environmentally investigated, and recommended for No Further Action as outlined in the Final ROD for SS-033.

3.3 Disclosure Factors. Disclosure factors defined and described in the Basewide EBS. There are no disclosure factors which are applicable to this property.

3.4 Other Factors/Resources. Other factors or resources which could impact or be impacted, but are not present or have no environmental impacts, include air conformity/permits; energy (utilities); flood plains; hazardous waste management; historic property; Occupational, Safety, and Health Administration issues; outdoor air quality; prime/unique farmlands; sanitary sewer systems; sensitive habitat; septic tanks; threatened and endangered species; transportation; and wetlands. Other factors present in the property to be deeded are discussed below.

3.4.1 Solid Waste. One area of solid waste disposal exists within the boundaries of the property. The site of landfill area LF-022 is shown on Attachment 1B and is discussed in Section 3.2.2 above.

CHAPTER 4 - PROPERTY TRANSFER CATEGORY

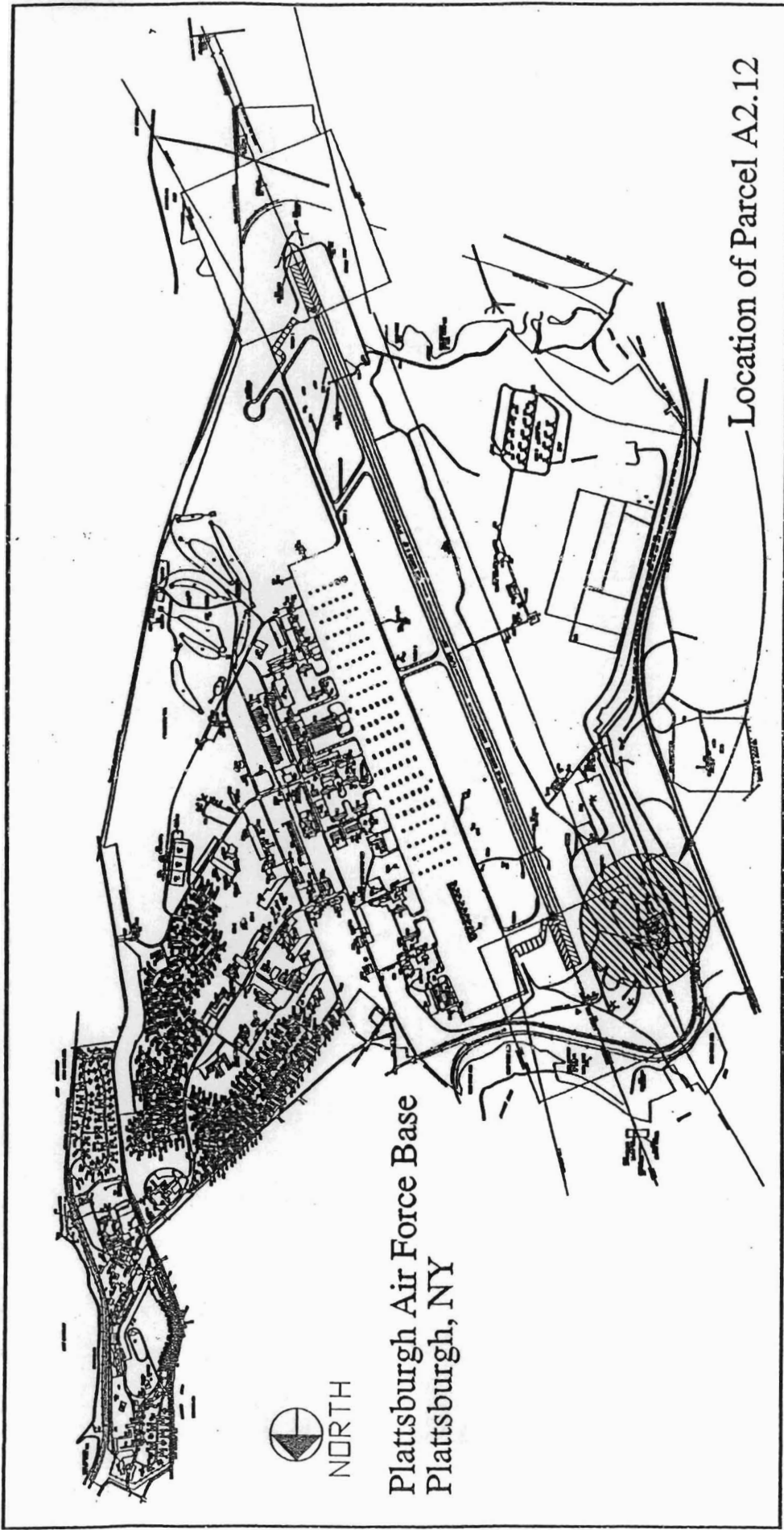
Based on a review of the Basewide EBS and a VSI, the property is considered Department of Defense Environmental Condition Category (ECC) 4. Category 4 areas are those areas where release, disposal, and/or migration of hazardous substances have occurred, and the required remedial actions have been taken. The Category 4 rating is a result of the prior usage (and subsequent cleanup) of portions of the property as a small arms firing range and as a landfill area.

CHAPTER 5: CERTIFICATION

I certify that the property conditions stated in the report are based on a thorough review of available records, visual inspections, and sampling and analysis as noted, and are true and correct to the best of my knowledge and belief.

MICHAEL D. SOREL, PE
Site Manager/BRAC Environmental Coordinator
AFRPA/DA Plattsburgh

Date

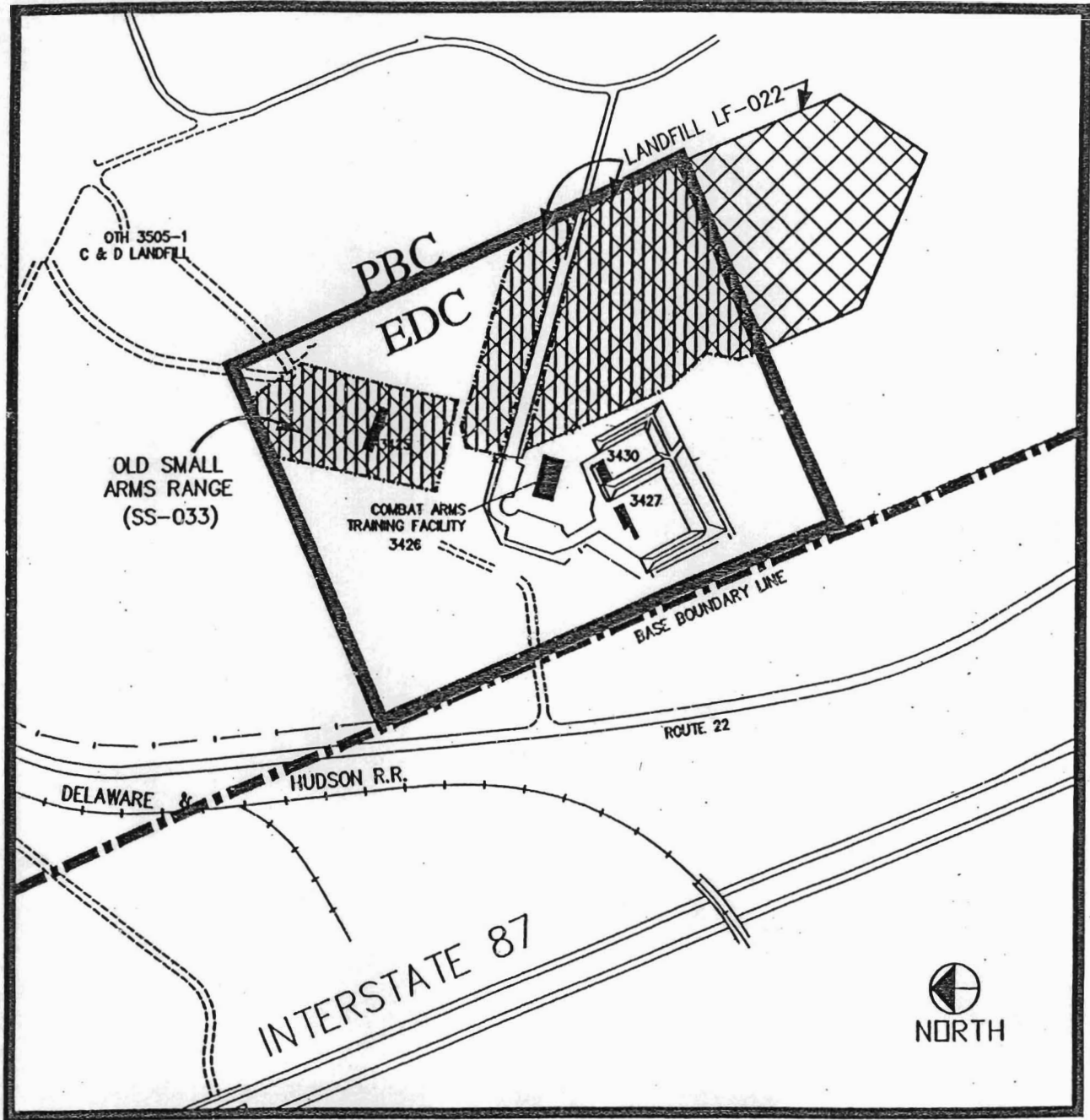


Location of Parcel A2.12

Old Small Arms Area/LF-022

Scale: 1"=2800'

Plattsburgh AFB, NY



AutoCAD File: parcel_a2_12.dwg



Area of Parcel A2.12 FOST
 (Former Use: Small Arms Range/Landfill)
 (Area of FOST= 9.1 Acres)



IRP Sites

FOST Parcel A2.12

Scale: 1"=500'

Plattsburgh AFB, NY

DRAFT FINAL FINDING OF SUITABILITY TO TRANSFER (FOST)
PARCEL A2.12
OLD SMALL ARMS RANGE AND LF-022 AREA
Former Plattsburgh Air Force Base, New York
January 2005

1. PURPOSE

1.1 This Finding of Suitability to Transfer (FOST) is to document the environmentally related findings and the suitability to transfer for the proposed deed of real property and any improvements at Plattsburgh Air Force Base (AFB), New York, to the Plattsburgh Airbase Redevelopment Corporation (PARC). The property is described in Section 2 below. The property will be conveyed by deed pursuant to an Economic Development Conveyance in accordance with Title XXIX of the National Defense Authorization Act for Fiscal Year 1994, Public Law No. 103-160. The anticipated reuse is open space.

1.2 This FOST is a result of a thorough analysis of information contained in the following documents: the Basewide Environmental Baseline Survey (EBS) for Plattsburgh AFB, revised May 1997; the January 1996 Background Surface Soil & Groundwater Survey Report performed by URS Consultants, Inc.; the November 1995 Environmental Impact Statement (EIS) for Disposal and Reuse of Plattsburgh AFB prepared by Tetra Tech Inc; the February 1994 Habitat Assessment and Wetlands Delineation Report performed by URS Consultants, Inc; the July 1999 Final Closure Report for removal of lead-impacted soil at the Old Small Arms Range prepared by OHM Remediation Services Corporation; the June 2001 Final Report on the Supplemental Evaluation to the Environmental prepared by URS Consultants, Inc; the March 2001 Final Record of Decision for Site SS-033, Old Small Arms Range prepared by URS Consultants, Inc.; the August 2003 Final Remedial Action/Closure Report for the Old Small Arms Range prepared by VERSAR, Inc.; the Post-Closure Monitoring and Inspection Reports for Landfill 22 prepared by URS Consultants, Inc.; and the Final Record of Decision for Landfill LF-022 prepared by ABB Environmental Services, Inc. All documentation used for preparation of the Supplemental EBS and this FOST is available for review at the Air Force Real Property Agency office in Plattsburgh, New York.

2. PROPERTY DESCRIPTION

The area analyzed by this document is located in the northwestern portion of the New Base. The parcel consists entirely of wooded, open, and vacant land, and is approximately 9.1 acres in size (collectively, the "Property"). This area was used by the Air Force for small arms training (SS-033, Old Small Arms Range) and for solid waste disposal (LF-022). Detailed historic land use information for this area can be found on pages 10 and 11 of Table B-1 of the Basewide EBS. The area is shown on Attachments 1A and 1B.

Atch 2

3. NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) COMPLIANCE

The environmental impacts of this proposal have been adequately analyzed and disclosed in compliance with the NEPA. This proposed action complies with the projected land uses for this area as outlined in the Proposed Action of the Final EIS.

4. PROPERTY TRANSFER CATEGORY

Based on a review of the Basewide EBS and a visual site inspection (VSI), the Property is considered Department of Defense Environmental Condition Category (ECC) 4. Category 4 areas are those areas where release, disposal, and/or migration of hazardous substances have occurred, and the required remedial actions have been taken. The Category 4 rating is a result of the prior usage (and subsequent cleanup) of portions of this property as a small arms firing range and as a landfill area.

5. DEED RESTRICTIONS AND NOTIFICATIONS

The environmental documents listed in Section 1.2 were evaluated to identify environmental factors (Attachment 2) which may warrant constraints on certain activities in order to minimize substantially or eliminate any threat to human health or the environment. Such constraints typically are embodied as permanent restrictions in the deed or as specific notification to the Transferee. The factors that require either deed restrictions or specific notifications are identified in Attachment 2 and are discussed below. Please reference the EBS, SEBS, and other applicable documents for specific information on each resource category.

5.1 Hazardous Substances Notification

No hazardous substances are known to have been stored on this property. However, hazardous substances are known to have been used and disposed of on this property in association with IRP Sites SS-033 and LF-022. These sites are discussed below.

A hazardous substance release notice (Attachment 3) will be given in the transfer documents of the type and quantity of hazardous substances associated with this property and the dates the usage and disposal took place.

5.2 Installation Restoration Program (IRP) and Areas of Concern (AOCs)

There are two IRP sites (LF-022 and SS-033) which are located within the boundaries of the Property. These sites are discussed below, and additional information can be found in Appendix D of the Basewide EBS.

LF-022 is a former domestic waste landfill located along the eastern edge of the Property and which operated from 1959 to 1966. A Remedial Investigation (RI) was conducted in 1991, and

the Feasibility Study (FS) recommended the installation of a one-foot soil cap. A Proposed Plan was prepared and approved in 1992, and the Record of Decision (ROD) was signed in September 1992. Remedial construction was completed in 1994, and long-monitoring began in October 1995 and will continue for 30 years. Monitoring results thus far have indicated that the cap is proving to be effective, the remedial action objectives are being met, and no areas of noncompliance have been noted. In addition to the requirement for landfill inspection, monitoring and cap maintenance, the ROD specifies that all future owners will be made aware of the landfill location, and that the integrity of the final cover or any other component of the containment or monitoring system must not be compromised.

SS-033 is the Old Small Arms Range (OSAR) and is located north of LF-022. It was used for small arms practice between 1960 and 1989. The Preliminary Assessment was conducted in 1991 and recommended removal of target berm soil to address lead contamination. A Removal Action was conducted in 1993/1994 to address this area. The Site Investigation (SI) was conducted in 1995 and recommended additional areas of soil removal. These areas were excavated in the fall of 1997. Additional sampling was conducted and the SI updated in 2000. A potential residential health risk was identified due to arsenic in the soil used as backfill in the 1993/1994 removal action. A ROD was issued in March 2001 which specified removal of this soil. A Remedial Action was performed in the fall of 2001, and a second Remedial Action was done in the spring of 2002 to remove additional small quantities of soil. A closure report for this Remedial Action was issued in August 2003 and recommended the site be clean-closed. United States Environmental Protection Agency (USEPA) concurrence with the site closeout recommendation was received on September 30, 2003. New York State Department of Environmental Conservation (NYSDEC) concurrence was received on December 2, 2004.

The Air Force has evaluated the risks associated with these IRP sites and has determined that the Property can be transferred, with the specified deed restrictions identified in this FOST, with acceptable risk to human health or the environment and without interference with the environmental restoration process.

Covenants will be included in the Deed to ensure that any response or corrective actions that are the responsibility of the Air Force for hazardous substances released or disposed of on the property prior to the date of the Deed which are found to be necessary after the date of delivery of the Deed will be conducted by the United States. The obligation of the United States under this warranty does not include response actions required by an act or omission of the Grantee that either a) introduces new or additional contamination, or b) increases the cost of the required response action by improperly managing any Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) contamination present on the Property on the date of this Deed from the United States. For the purposes of this warranty, the phrase "remedial action found to be necessary" does not include any performance by the United States, or payment to the Grantee from the United States, for (a) additional remedial action that is required to facilitate use of the Property by the Grantee in a manner that is inconsistent with restrictions contained in this Deed, or (b) disposal of soils that do not require response actions if left in place, but must be disposed of when disturbed. Provisions will also be included in the Deed to allow

the United States access to the property in any case where any such response or corrective action is found to be necessary, or where such access is necessary to carry out a response or corrective action on adjoining property.

5.3 Unexploded Ordnances

The Basewide EBS (Appendix G, Table G-1) lists two ordnance-related issues associated with the property. The locations and status of the ordnance-related factors are discussed below.

ORD 33425-1 and 3425-2

ORD 3425-1 was associated with IRP Site SS-033, and all remediation has been completed as described above. ORD 3425-2 was associated with an area containing spent ammunition cartridges and storage containers adjacent to the main Old Small Arms Range firing line. This area was cleaned up, environmentally investigated, and recommended for No Further Action as outlined in the Final ROD for SS-033.

5.4 Asbestos-Containing Materials (ACM).

ACM in Structures or Buildings: Based on an inspection of the property and a review of the environmental baseline survey reports, there is no ACM located on the property.

ACM in Utility Pipelines: No CERCLA remedial action for ACM in below ground utility pipelines is required. CM, such as transite pipes or pipes wrapped with asbestos insulation may be found in (or on) utility pipelines located on this property. ACM associated with utility pipelines below ground does not pose a threat to human health or environment as long as it is not disturbed, or if it is disturbed, proper care is taken to manage and dispose of it. Utility pipelines below the ground have not been inspected. The property recipients and subsequent transferees will be given notice of the possibility of ACM in utility pipelines through a notice in the deed. The deed will provide notice to the property recipients that the Air Force will not be responsible for the ACM in utility pipelines.

ACM in Demolition Debris: ACM, which was commonly used in building materials, may be located at building demolition locations. Based upon an inspection of the property and a review of the environmental baseline survey reports, no such locations are specifically known at this base. No CERCLA remedial action is required at this time. However, it is possible that there are undiscovered locations where demolition debris may be found by the property recipient or subsequent transferees during ground disturbance activities. The property recipient and subsequent transferees will be cautioned by notice in the deed to exercise care during ground disturbing activities. The property recipient or subsequent transferees will be required to notify the Air Force promptly of any demolition debris containing friable asbestos and believed to be associated with Air Force activities. The property recipients or subsequent transferees will be required to allow the Air Force a reasonable opportunity to investigate and, if a CERCLA remedial action is necessary, to accomplish it.

General: The deed will contain a provision stating that the property recipient and subsequent transferees, in their use and occupancy of the property, will be responsible for complying with all applicable Federal, state, and local laws relating to asbestos.

5.5 Residuals of Lead-Based Paint and Lead-Based Material and Debris (collectively, "LBP")

Lead-based paint was commonly used prior to 1978, and, therefore, LBP may be on the Property. Furthermore, LBP may appear in soils as a result of deterioration, maintenance activities, and demolition. Based upon its evaluation of available records, the Air force has concluded that remedial action under CERCLA is not necessary.

Therefore, the deed shall include a notice to the transferee and subsequent transferees, notifying them that LBP may be on the Property, and advising them that caution should be exercised during any use of the Property that may result in exposure to LBP. By a covenant in the deed, the transferee and its successors will acknowledge and accept responsibility for managing LBP in accordance with all applicable laws and regulations and for promptly notifying the Air Force of any discovery of LBP in soils that appear to be the result of Air Force activities and is found at concentrations requiring remediation. The transferee and subsequent transferees will be required to provide the Air Force an opportunity to investigate such discoveries, and, if a CERCLA remedial action is necessary, to accomplish it. The deed will reserve a non-exclusive easement to the Air Force to enable it to investigate any such discoveries and take any remedial action found to be necessary.

5.6 Solid Waste

One area of solid waste disposal exists within the boundaries of the Property. Approximately one-half of the area of LF-022 lies within the Property and is discussed in Section 5.2 above.

The location of this landfill will be provided to the Transferee and notice will be given in the transfer documents of the requirements specified in the ROD for that site.

6. REGULATORY COORDINATION

The NYSDEC and the USEPA were notified during the BRAC Cleanup Team (BCT) meeting on August 20, 2004, of the initiation of the FOST and SEBS and were invited to participate in preparing the working draft documents. Consolidated draft documents were provided on October 26, 2004, for their formal review and comment. USEPA comments (Atch 4A) were provided on November 29, 2004, and NYSDEC comments (Atch 4B) were provided on December 2, 2004. Regulatory comments were incorporated or addressed (Atch 5) in the Consolidated Draft Final documents which were provided for regulatory review and comment on January 12, 2005.

7. FINDING OF SUITABILITY TO TRANSFER

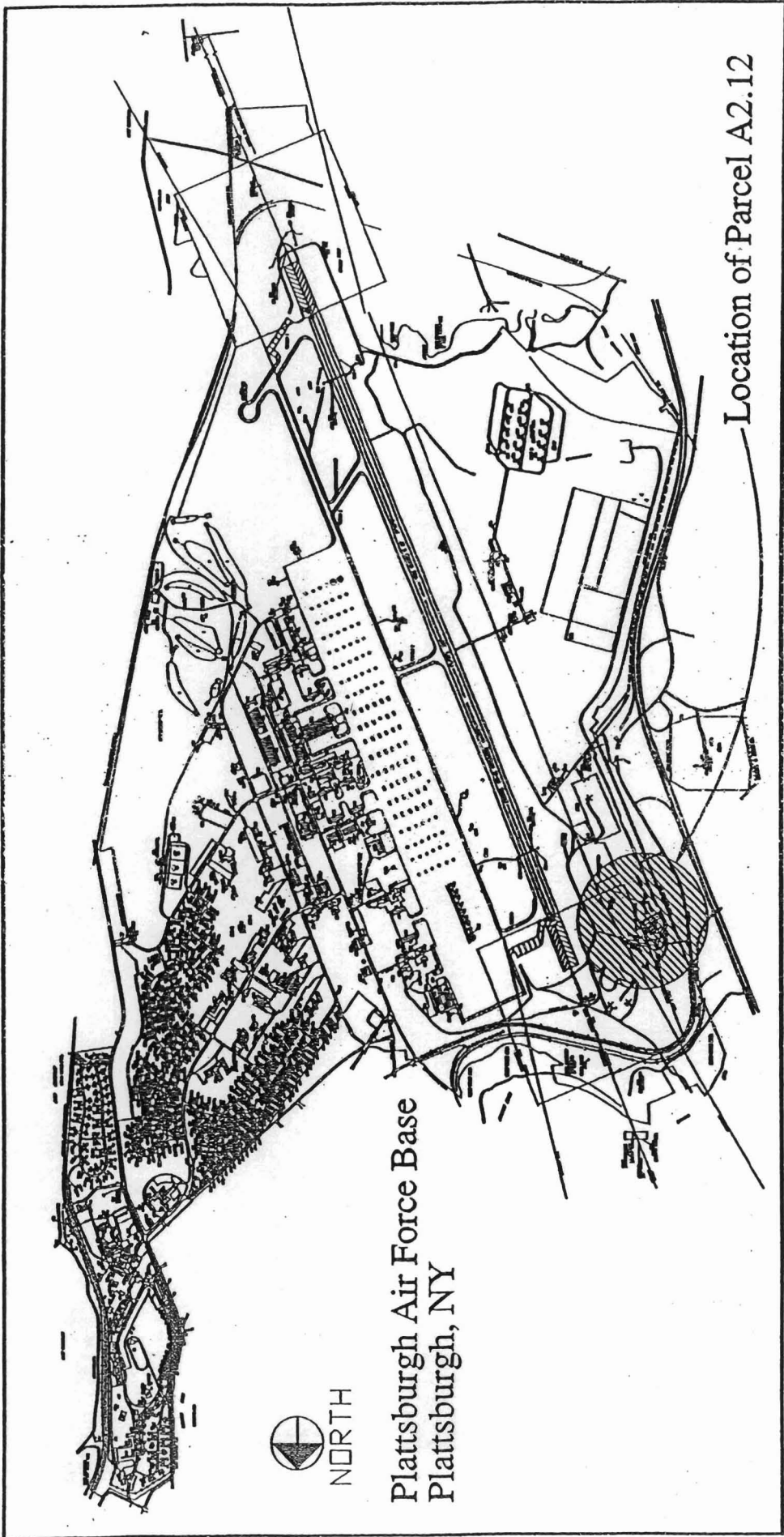
The deed proposal has been adequately assessed and evaluated for (a) environmental hazards, (b) environmental impacts anticipated from future use of the property, and (c) adequate notice of disclosure resources. The future use of this Property does not present a current or future risk to human health or the environment, subject to inclusion and compliance with the appropriate deed covenants as addressed above. The Property, therefore, is suitable for transfer.

Date

KATHRYN M. HALVORSON
Director
Air Force Real Property Agency

Attachments:

- 1. Property Map(s)**
- 2. Environmental Factors Considered**
- 3. Notice of Hazardous Substances Stored**
- 4. Regulatory Comments**
- 5. Air Force Response to Regulatory Comments**



Plattsburgh Air Force Base
Plattsburgh, NY



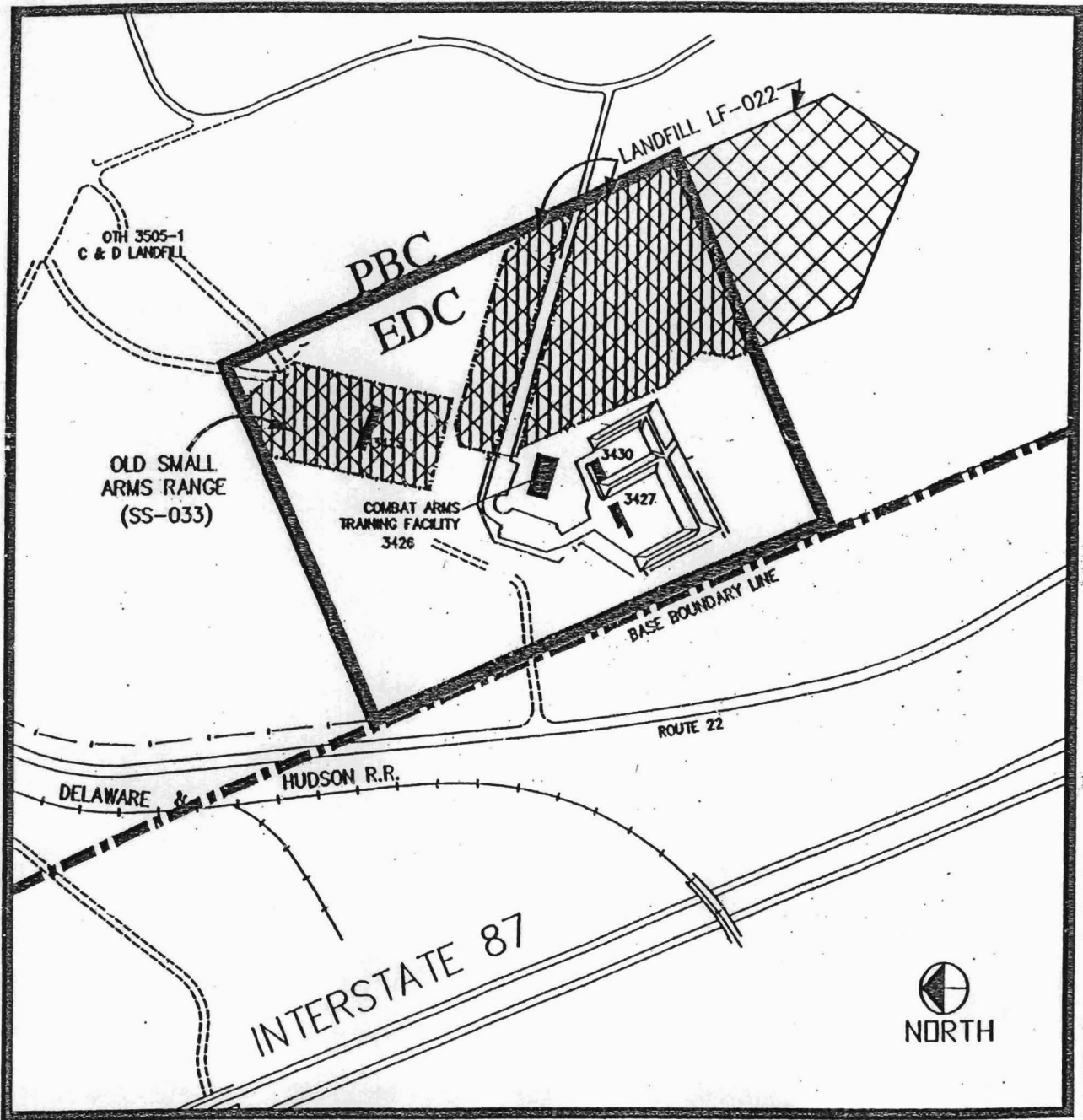
Location of Parcel A2.12

Location of Parcel A2.12

Old Small Arms Area/LF-022

Scale: 1"=2800'

Plattsburgh AFB, NY



AutoCAD File: parcel a2_12.dwg



Area of Parcel A2.12 FOST
 (Former Use: Small Arms Range/Landfill)
 (Area of FOST= 9.1 Acres)



IRP Sites

FOST Parcel A2.12

Scale: 1"=500'

Plattsburgh AFB, NY

**OLD SMALL ARMS RANGE AND LF-022 AREA
Parcel A2.12**

Deed Restriction or Notification Required?		<i>Environmental Factors Considered</i>
No	Yes	
		<i>Environmental Restoration, Hazardous Substances, Petroleum</i>
	X	Hazardous Substances (Notification)
X		Spills and Releases
	X	Installation Restoration Program (IRP) and Areas of Concern
X		Medical/Biohazardous Wastes
X		Oil/Water Separators (OWSs)
	X	Unexploded Ordnance
X		Radioactive & Mixed Wastes
X		Storage Tanks (USTs/ASTs)
		<i>Disclosure Factors/Resources:</i>
	X	Asbestos
X		Drinking Water Quality
X		Indoor Air Quality
X		Lead-Based Paint (High-Priority Facilities)
	X	Lead-Based Paint (Other Facilities)
X		PCBs
X		Radon
		<i>Other Factors:</i>
X		Air Conformity/Air Permits
X		Energy (Utilities)
X		Flood Plains
X		Hazardous Waste Management (By Lessee)
X		Historic Property (Archeological/Native American, Paleontological)
X		OSHA (Occupational Safety & Health Administration)
X		Outdoor Air Quality
X		Prime/Unique Farmlands
X		Sanitary Sewer Systems (Wastewater)
X		Sensitive Habitat
X		Septic Tanks (Wastewater)
	X	Solid Waste
X		Threatened and Endangered Species
X		Transportation
X		Wetlands

NOTICE OF HAZARDOUS SUBSTANCES RELEASE

Notice is hereby provided that the information set out below from the Basewide EBS and its Supplement provide notice of hazardous substances that have been known to have been used and disposed of on Parcel A2.12 at Plattsburgh Air Force Base and the dates the use and disposal took place. The information contained in this notice is required under the authority of regulations promulgated under Section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or "Superfund") 42 U.S.C. Section 9620(h).

Substance	Regulatory Synonym(s)	CAS Registry Number	Quantity	Date	Hazardous Waste ID Number (if applicable)	Remarks
Household and Construction Debris	N/A	N/A	N/A	1959 through 1966	N/A	IRP Site LF-022
Lead	N/A	N/A	N/A	1960 to 1989	N/A	IRP Site SS-033

N/A: Not Applicable



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

Via Facsimile 11/29/04

Mr. Michael D. Sorel, P.E.
Site Manager / BRAC Environmental Coordinator
AFRPA/DA
304 New York Rd
Plattsburgh, New York 12903

Re: Draft Supplemental Environmental Baseline Survey (SEBS) and Finding Of Suitability To Transfer (FOST) for Parcel A2.12 (Old Small Arms Range and LF-022 Area)

Dear Mr. Sorel:

EPA has reviewed the Draft Supplemental Environmental Baseline Survey (SEBS) and Finding Of Suitability To Transfer (FOST) for Parcel A2.12 (Old Small Arms Range and LF-022 Area). EPA comments are presented below.

1. **Property Transfer Category:** EPA will not comment on the listed property categories in the SEBS or FOST as such categories are largely for DoD use.
2. In accordance with CERCLA 120 h (3) (A) ii, the Air Force will need to provide a covenant in the deed warranting that all remedial action necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before the date of such transfer. In addition, EPA requests a copy of the deed once the transfer is completed.
3. FOST, section SS-033, 1st paragraph, page 3: Did NYSDEC concur with the site closeout recommendation?
4. FOST, section SS-033, 3rd paragraph, page 3: Delete this paragraph and replace with the following: "A covenant will be included in the deed to ensure that any additional response or corrective actions found to be necessary to address conditions on the property in existence before the date of the deed will be conducted by the United States. Provisions will also be included in the deed to allow the United States access to the Property in any case in which any such response or corrective action is necessary on the Property or on adjoining property, including adjacent IRP sites."
5. FOST sec 5.4, 1st para, last sentence: It is not clear how, as a matter of language, how the Air Force can state that it will not be responsible for ACM in utility pipelines.

6. FOST, sec. 5.4 Asbestos-Containing Material (ACM), page 4, last paragraph: Although the first sentence in this paragraph discusses ACM, it is not clear whether the rest of the paragraph is still referring to ACM, or other environmental issues related to the Air Force's obligations under CERCLA 120(h)(3), as this paragraph is found at the end of the asbestos section of the FOST.

This comment has been submitted to the Air Force by EPA repeatedly over the last year on FOSTs submitted to EPA by the Air Force, yet a written response as to why this paragraph continues to be included in the asbestos section of the FOST, or an adequate explanation as to the applicability of this language to the Air Force's obligations under CERCLA 120(h)(3), has not yet been provided. Such a written response is requested at this time.

Also, change "b" to "be" in the 2nd sentence. Replace the last sentence with the following: "The above response assurance by the Air Force does not necessarily mean the Air Force will perform or fund any remediation to accommodate a change in land use desired by the property recipient if such a land use change is inconsistent with a remedy, as selected or modified, or use restrictions or covenants contained in the deed or other related property transaction documents."

7. FOST, sec 5.5, para 2: In the 2nd sentence, replace "appear to be the result of Air Force activities and" with the following: "were present at the time of the transfer of the Property from the Air Force to any initial transferee, assuming the LBP".

8. FOST, sec 1.2 and 2: EBS needs to be defined.

9. It is not clear why the Air Force repeatedly inserts language concerning the contents of the deed into several different sections of the FOST (5.2, 5.4 (Asbestos-Containing Materials) and 5.5). It is requested that the appropriate language be included in one location in the FOST, and that it include the actual language from the proposed deed, or previous deeds.

10. It is not clear why the Air Force, in its response to previous EPA comments on the A2.9 FOST, characterized EPA's suggestions to the prior FOST language, as "weakening" the covenant language. It may "weaken" the Air Force's ability to claim that it should not be required to return and perform some response action, but it in fact strengthens the transferee's argument that the Air Force must. Furthermore, EPA's proposed language avoids the misconception that the Air Force is only required to perform additional response actions in the future if there is new contamination found "that is the responsibility of the Air Force" or "related to Air Force activities." Neither of these qualifiers are based on the statutory requirement that the Air Force address necessary remedial action after the date of the transfer. There is no limitation that the contamination must be the responsibility of the transferor or even the United States. If contamination is found which was present at the time of the transfer and it needs to be addressed, it is the obligation of the Air Force.

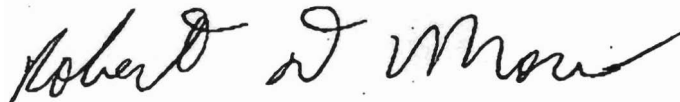
-- END OF COMMENTS --

Please note that copies of the signed SEBS and FOST must be given to all transferees prior to execution of the deed(s). The public must be notified, within 14 days of the signing of the FOST, of the existence of the FOST, and copies of both the SEBS and FOST must be placed in the Administrative Record for Plattsburgh AFB. The signed FOST must include any unresolved regulator comments.

Also, please note that EPA review of the above-referenced documents was performed without any independent investigation or verification of the information contained therein. EPA reserves all rights and authorities relating to information not contained in these documents whether or not such information was known when the SEBS was issued or is discovered after such issuance. Note also that EPA is not in receipt of all of the documents referenced in the SEBS and FOST. Last, without a legal description of the property, EPA cannot be responsible for providing an endorsement of the property as a whole.

If you have any questions regarding this letter, please feel free to call me at (212) 637-4331.

Sincerely,



Robert D. Morse
Remedial Project Manager

cc: J. Lister, NYSDEC

To: Stephen Gagnier@PLATTSBURGH@AFBDA.OL3
From: "James Lister" <jblister@gw.dec.state.ny.us>
Cc: ISMTP@ADMIN@AFBDA.HDQ [<Morse.Bob@epamail.epa.gov>],
ISMTP@ADMIN@AFBDA.HDQ [<rgm11@health.state.ny.us>]
Subject: Draft SEBS and FOST Parcel A2.12
Attachment:
Date: 12/2/2004 12:23 PM

Steve, NYS has reviewed the Draft SEBS and FOST for Parcel A2.12. Our only comment is that NYS has now concurred with the the Closure Report for SS-033 and the SEBS and FOST should reflect that. Jim

**PLATTSBURGH AIR FORCE BASE
FINDING OF SUITABILITY TO TRANSFER (FOST)
PARCEL A2.12, OLD SMALL ARMS RANGE AND LF-022 AREA
AFRPA RESPONSE TO REGULATORY COMMENTS**

The United States Environmental Protection Agency (USEPA) and New York State Department of Environmental Conservation (NYSDEC) submitted comments (Atchs 4A and 4B) in response to the October 2004 Draft FOST and Draft Supplemental Environmental Baseline Survey (SEBS). Regulatory comments are addressed as follows:

USEPA Letter dated 11/29/04 (Atch 4A):

- a. Comment #1, Property Categories: Comment noted.
- b. Comment #2, CERCLA Covenant: The appropriate covenant will be provided in the deed, a copy of which will be provided to the regulatory agencies when completed.
- c. Comment #3, SS-033: NYSDEC has concurred with the closeout report. The information has been added.
- d. Comment #4, SS-033: Modified language has replaced the referenced paragraph. The new language is similar to that proposed by the EPA previously and is consistent with that used in recent FOSTs.
- e. Comment #5, ACM: New language has been used in the ACM section which clarifies the Air Force position.
- f. Comment #6, FOST, Section 5.4: See the above comment and response. In addition, the deed will also state that the Air Force will be responsible for conducting any CERCLA remedial action found to be necessary for hazardous substances, including ACM, released or disposed of on the property prior to the date of the deed, so long as the property recipient is not a potentially responsible party under CERCLA for the release or disposal. This assurance by the Air Force does not mean the Air Force will perform or fund any remediation to accommodate a change in land use desired by the property recipient that is inconsistent with any remedy as selected or as modified, or any use restrictions or covenants contained in the deed or other related property transaction documents.
- g. Comment #7, FOST, Section 5.5: The language used in the LBP section is consistent with what has been provided by our headquarters.
- h. Comment #8, FOST, Sections 1.2 and 2: "EBS" has been defined.

i. Comment #9, FOST: The language concerning contents of the deed has been limited to the paragraphs following Section 5.2.

j. Comment #10, FOST Language: Revised language has been developed and inserted into the FOST to clarify the Air Force's position and responsibility. USEPA position is noted.

NYSDEC E-mail dated 12/2/2004:

k. Comment #1, SS-033: NYSDEC concurrence with the closure report has been added to the FOST and SEBS.