

FINDING OF SUITABILITY TO TRANSFER (FOST)  
FOR SUBPARCELS FORMERLY DESIGNATED:  
SR-W-2 AND SR-W-3 (APPROXIMATELY 20.4 ACRES)  
[Now Designated RecD and MUV D/OS-C, respectively]

FORMER  
NAVAL AIR STATION SOUTH WEYMOUTH,  
WEYMOUTH, MASSACHUSETTS

BRAC PROGRAM MANAGEMENT OFFICE  
NORTHEAST  
U.S. NAVY



May 2008

## MEMORANDUM FOR THE RECORD

Subj: FINDING OF SUITABILITY TO TRANSFER (FOST), FOR THE SUBPARCELS FORMERLY DESIGNATED SR-W-2 AND SR-W-3 (20.40 TOTAL ACRES), [NOW DESIGNATED AS RecD and MUV/OS-C] AT THE FORMER NAVAL AIR STATION (NAS) SOUTH WEYMOUTH, MASSACHUSETTS

- Ref:
- (a) South Weymouth NAS Reuse Plan and South Shore Tri-Town Development Corporation Enabling Legislation ("The Reuse Plan"), as approved by the Towns of Abington, Rockland, and Weymouth in March 1998 and as enabled by the Governor on August 14, 1998. "The Reuse Plan" was revised to "Reuse Plan for Naval Air Station South Weymouth", accepted by the Corporation on May 5, 2005, and approved by the Towns of Abington, Rockland, and Weymouth in June and July 2005.
  - (b) Zoning and Land Use By-Laws for NAS South Weymouth, as approved by the NAS Planning Committee on March 24, 1998. The zoning and land-use by-laws were revised and accepted by the Corporation on May 5, 2005, and approved by the Towns of Abington, Rockland, and Weymouth in June and July 2005.
  - (c) Community Environmental Response Facilitation Act (CERFA) Determination Report, NAS South Weymouth, Massachusetts, March 28, 1997.
  - (d) Final Basewide Environmental Baseline Survey (EBS) Phase I, NAS South Weymouth, Massachusetts, November 18, 1996.
  - (e) Phase I EBS Report Errata, November 10, 1997.
  - (f) BRAC Cleanup Plan (BCP), NAS South Weymouth, Massachusetts, August 1998.
  - (g) Final Streamlined Human Health Risk Assessment for Area of Concern (AOC) 55A, NAS South Weymouth, Massachusetts, November 2002.
  - (h) Final Streamlined Human Health Risk Assessment for AOC 55B/D, NAS South Weymouth, Massachusetts, December 2002.
  - (i) Final Streamlined Ecological Risk Assessment for AOC 55A, November 2002.
  - (j) Final Streamlined Ecological Risk Assessment for AOC 55B/D, November 2002.
  - (k) Final Close-out Report Action Memorandum for AOC 55A – Antennae Towers, Foster Wheeler Environmental Corporation, April 2003.
  - (l) Final Proposed Plan for AOC 55A and 55B, NAS South Weymouth, Massachusetts, August 2003.
  - (m) Final Record of Decision (ROD) for AOC 55A and 55B, NAS South Weymouth, Massachusetts, October 2003.
  - (n) Federal Facility Agreement (FFA) for South Weymouth Naval Air Station National Priorities List Site, April 2000.
  - (o) Supplemental Environmental Baseline Survey Naval Air Station, South Weymouth, Massachusetts, October 2004.
  - (p) Final Streamlined HHRA for AOC 55D (Area North of Trotter Road – Wetland Area, NAS South Weymouth, Weymouth, Massachusetts, EA Engineering, Science, and Technology, September 2004.
  - (q) Final ERA for AOC 55D (Area North of Trotter Road – Wetland Area, NAS South Weymouth, Weymouth, Massachusetts, EA Engineering, Science, and Technology, October 2004.
- Encl:
- (1) Environmental Baseline Survey to Transfer (EBST) for the Subparcels Formerly Designated SR-W-2 and SR-W-3 (20.40 total acres) [now designated as RecD and MUV/OS-C] at the former NAS South Weymouth, Massachusetts.
  - (2) Environmental Covenants, Conditions, Reservations, and Restrictions.
  - (3) Summary of Comprehensive Environmental Response Compensation and Liability Act (CERCLA) AOCs.
  - (4) Summary of Nearby Massachusetts Contingency Plan (MCP) Sites.
  - (5) Summary of EBS Review Item Areas (RIAs).

- (6) Solid Waste Inventory.
  - (7) Responsiveness Summary – 2003 Draft FOST.
  - (8) Responsiveness Summary – 2006 Updated FOST.
- Enclosure (8) Addendum.

1. I have reviewed the Environmental Baseline Survey to Transfer (EBST), enclosure (1), for the property designated as SR-W-2 and SR-W-3 (the subject subparcels) at the former Naval Air Station (NAS) South Weymouth, Massachusetts. The properties are proposed to be transferred from the Navy to the South Shore Tri-Town Development Corporation (SSTTDC). The following table summarizes information about subparcels SR-W-2 and SR-W-3:

**TABLE 1 – SUMMARY OF SUBPARCELS INCLUDED IN THIS FOST**

Subparcels	Township	Description	Area (acres) <sup>a</sup>
SR-W-2	Weymouth	Contains Building 76 (former barracks) and its associated parking lot, driveway, and grounds.	1.69
SR-W-3	Weymouth	Forested land, wetlands, and dirt roads.	18.71
TOTAL			20.40
NOTES:			
a. Approximate areas (a real estate survey will be completed as part of the property transfer process).			

The SSTTDC's Master Developer, LNR South Shore, LLC, has developed a Conceptual Master Plan that required changes to the current Zoning By-Law, reference (b) and the Reuse Plan, reference (a). The Conceptual Master Plan was presented to the communities on September 23, 2004. The Reuse Plan and Zoning By-Laws were voted on and approved by the participating communities during the summer of 2005.

As summarized in Table 1 of the FOST Memorandum, this EBST evaluates existing conditions of the land in two subparcels, SR-W-2 (1.69 acres), and SR-W-3 (18.71 acres). Under the 2005 Reuse Plan, the zoning designation for Subparcel SR-W-2 has changed from Senior Residential (SR) to Recreation District (RecD). The zoning designation for Subparcel SR-W-3 has changed from Senior Residential (SR) to predominantly Mixed-Use Village District (MUV), with Open Space-Corporation (OS-C) along the west boundary of the subparcel. The original designations have been retained in the FOST for consistency with the draft document. Changes to the Reuse Plan do not have any impact on the Finding of Suitability to Transfer. Any property found suitable to transfer for unrestricted use prior to approval and implementation of the 2005 Reuse Plan would still be suitable for unrestricted use, unless clearly identified through covenants and restrictions.

2. The *Comprehensive Environmental Response and Facilitation Act (CERFA) Determination Report, NAS South Weymouth, Massachusetts*, reference (c), was issued on March 28, 1997 by the BRAC Cleanup Team (BCT) to identify "CERFA-uncontaminated" parcels, which are suitable for transfer by deed. Enclosure (1) summarizes the CERFA Environmental Condition of Property (ECP) categories for the subject subparcels of this FOST.
3. The *former* NAS South Weymouth is listed on the U.S. Environmental Protection Agency (EPA) National Priorities List (NPL). In accordance with the NPL and CERCLA, the Navy is addressing various sites at NAS South Weymouth under the Department of Defense (DOD) Installation Restoration (IR) Program. As documented in references (c), (d), and (f), there are no current or former IR Program sites located within subparcels SR-W-2 or SR-W-3. There are no identified impacts to the FOST subparcels from the IR Program sites located in other areas at NAS South Weymouth.

An interim groundwater restriction (see enclosure (2) clause 9) is recommended for subparcel SR-W-

2. IR Program Site 11 (Former AOC 108) is located approximately 300 ft to the east of subparcel SR-W-2. Impacted groundwater from Site 11 flows south and, therefore, has not adversely impacted subparcel SR-W-2. The recommended interim groundwater restriction is intended to ensure adequate review of proposed activities on the FOST parcel, such as development of a water supply well (potable or non-potable). The interim groundwater restriction is not recommended because the FOST property is contaminated, but to ensure that activity on the FOST parcel would not adversely impact ongoing investigations or remedy implementation on IR Program Site 11.
4. Two former CERCLA AOCs at NAS South Weymouth, AOC 55A (Antennae Field) and AOC 55B (Debris Area), are partially located within subparcel SR-W-3, as summarized in enclosures (1) and (3). Streamlined Human Health Risk Assessments were prepared for AOCs 55A and 55B as presented in references (g) and (h). Human health risk assessments demonstrated that potential risks associated with exposure to constituents of concern (COCs) were within EPA acceptable risk target ranges and that no restrictions were necessary to protect human health. Streamlined ecological risk assessments were also prepared for AOCs 55A and 55B as presented in references (i) and (j). Low level risks to some ecological receptors were associated with potential exposure to soil around the antennae poles at AOC 55A. As presented in reference (k), the Navy conducted a removal action at the antennae towers and removed the structures and impacted soil. This action has significantly reduced ecological risk in the area. The results of the streamlined risk assessments and the removal action show that no further action is required to ensure protection of human health and the environment under CERCLA. The Navy has completed a Proposed Plan, reference (l), and a ROD, reference (m), specifying No Further Action at AOC 55A and No Action at AOC 55B. The ROD has been signed by the Navy and EPA, with concurrence by the Massachusetts Department of Environmental Protection (MADEP). Therefore, the Navy has completed all necessary actions at those sites. Completion of the Proposed Plan and ROD for CERCLA AOCs is a requirement under the FFA for NAS South Weymouth, reference (n). There are no CERCLA AOCs located within or nearby (within 200 ft) subparcel SR-W-2. AOCs 55C and 55D are located adjacent to subparcel SR-W-3. There are no identified impacts to the subject subparcels of this FOST from AOCs 55C or 55D, or CERCLA AOCs located in other areas at NAS South Weymouth.
5. The Navy has addressed sites under the Massachusetts Contingency Plan (MCP) when the primary COCs have been petroleum constituents or petroleum products. Specific releases of petroleum products at the Main Base have been assigned separate MCP Release Tracking Numbers (RTNs). As documented in references (d), (e), and (f), as well as in enclosures (1) and (4) of this FOST, there are no current or former specific MCP RTNs within subparcels SR-W-2 and SR-W-3. As summarized in enclosure (4), the Navy has completed the required work and closed MCP sites nearby (within 200 ft) the two FOST subparcels (i.e., RTN 3-13673 – Shea Memorial Drive Spill and RTN 3-15289 – Building 105 Swimming Pool). No adverse impacts have been identified to the FOST subparcels from the former nearby MCP sites or from MCP sites in other areas of the Base. The only remaining MCP RTN is 3-2621 (Basewide NPL) which is not associated with a specific release of an oil or hazardous substance. Instead, MADEP has assigned RTN 3-2621 to all of the sites on the Base that have been or will be addressed under CERCLA. There are no remaining sites within the subject subparcels that are to be addressed under CERCLA. Therefore, MCP RTN 3-2621 no longer applies to the subject subparcels.
6. The results of the Basewide Phase I EBS completed at the former NAS South Weymouth, Massachusetts are documented in references (d) and (e). This comprehensive site assessment was performed in accordance with the *DoD Policy on the Environmental Review Process to Reach a Finding of Suitability to Transfer* of September 9, 1993 and the *Memorandum of Understanding* between the EPA and the DoD of May 4, 1994. References (d) and (e) documented the history of NAS South Weymouth and identified the then current environmental conditions and the potential constraints for transfer of land and/or structures. References (d) and (e) incorporated the following: information from previous environmental studies; visual inspections of property and buildings; information on hazardous substance and petroleum product management practices; and descriptions of off-Base properties. References (d) and (e) included reviews of maps, plans, and aerial photographs; interviews with current and former NAS South Weymouth personnel; and records,

correspondence, reports, and other information available from NAS South Weymouth, the Navy Engineering Field Activity Northeast (EFANE), and MADEP. References (d) and (e) summarized the results of the radon, asbestos, and lead-based paint (LBP) surveys completed by the Navy and the status of the identified former and current aboveground storage tanks (ASTs) and underground storage tanks (USTs). In October 2004, the Navy updated the EBS documentation for the remaining property to be transferred, as documented in the SEBS, reference (o). No active EBS RIAs are located within subparcel SR-W-2. RIAs 79 and 80, as described in enclosures (1) and (5), refer to Basewide asbestos and lead-based paint, respectively, and are handled in accordance with DOD policy. Two former EBS RIAs (RIA 55A and RIA 55B) located in subparcel SR-W-3 were investigated under the Phase II EBS and were subsequently addressed as CERCLA AOCs (see Item 4 above). Solid waste (RIA 76C) addresses basewide solid waste. Solid waste is not a CERCLA issue and does not preclude the FOST for the subject subparcels. RIA 62 is located nearby (within 200 ft) subparcel SR-W-3. Several RIAs, including RIAs 46, 49, 50, 77, 90, and 92, are located nearby (within 200 ft) subparcel SR-W-2. There are no identified impacts to either subparcel from the current/former EBS RIAs located nearby or in other areas at NAS South Weymouth.

7. The EBST, enclosure (1), summarizes the most up-to-date information on existing environmental conditions of property (ECP) at the subject subparcels. Additional information on surrounding properties is available in reference (d). In Table 1 of enclosure (1), each subparcel is categorized with respect to its history, use, and ECP category. Subparcel SR-W-2 is ECP Category 1, areas where no release, disposal, and/or migration has occurred. Subparcel SR-W-3 is ECP Category 4, areas where release, disposal, and/or migration has occurred, and all remedial actions have been taken. The CERFA ECP categories are based on criteria for hazardous substance notice established in CERCLA Section 120 (h)(1), 40 CFR 373. Hazardous substances and petroleum products formerly used, released, or disposed of in the subject subparcels are listed in Table 2 of enclosure (1). Notice of hazardous substances under CERCLA 120(h)(1) is provided in Table 3 of enclosure (1) based on available information.
8. The FFA for the NAS South Weymouth NPL site, reference (n), requires that this document, including enclosures (1) through (7), shall be made available as a part of any transfer documents or future leases entered into with any other party for the subject subparcels. References (a) through (q) are available at the Caretaker Site Office (CSO) Information Repository located at the former NAS South Weymouth. Upon closure of the CSO, references (a) through (q) shall be available upon request from the Navy's BRAC PMO. The property transfer document(s) and any future lease(s) shall guarantee a right of access by the Navy and regulatory agencies to conduct environmental studies and investigations and to carry out environmental responses as necessary on these or adjacent properties.
9. I hereby find that the subject subparcels SR-W-2 and SR-W-3 (now zoned as RecD and MUVDO/C, respectively) are suitable to transfer under the terms and conditions contained in this FOST, including those described in enclosure (2). The environmental conditions are suitable for unrestricted reuse, except as clearly identified through covenants and restrictions identified in enclosure (2). An interim groundwater restriction applies to subparcel SR-W-2, as described in enclosure (2) clause 9. Environmental Covenants, Conditions, Reservations, and Restrictions will be included in the transfer deed as presented in enclosure (2). The record of information before me, which was compiled after diligent inquiry, supports the conclusion that these properties can be used pursuant to the proposed transfer, with the specified use restrictions and conditions in this FOST, with no unacceptable risks to human health or the environment, and without interference from or to the ongoing environmental restoration process. The EPA and MADEP have reviewed this FOST, references (c) through (q), and enclosures (1) through (7). Their comments on this FOST and its enclosures have been incorporated or otherwise addressed. Public Notice of the Navy's intent to sign this FOST was provided in the *Patriot Ledger* on April 11, 2003 and October 18, 2006, in the *Weymouth News* on April 16, 2003 and October 18, 2006, and in the *Rockland Mariner* on April 18, 2003 and October 20, 2006. Another Public Notice will be published in these local papers once Navy signs this FOST. References (d) and (e) shall be incorporated into the Quit Claim Deed by reference, this FOST and its enclosures shall be

included in and made part of this deed, and these documents shall be required to be included as part of any future property transfer(s) or lease(s) entered with any other party.

5-28-08

Date

David Drozd

DAVID DROZD  
Director  
BRAC PMO Northeast  
U.S. Navy

**ENCLOSURE (1)**  
**ENVIRONMENTAL BASELINE SURVEY TO TRANSFER**  
**FOR THE SUBPARCELS FORMERLY DESIGNATED SR-W-2 AND SR-W-3**  
**(20.40 TOTAL ACRES), [NOW DESIGNATED AS RecD and MUVD/OS-C]**  
**AT THE FORMER NAVAL AIR STATION**  
**SOUTH WEYMOUTH, MASSACHUSETTS**

**INTRODUCTION**

This Environmental Baseline Survey to Transfer (EBST) summarizes the existing environmental conditions at the subparcels designated as SR-W-2 and SR-W-3 (the subject subparcels) at the former Naval Air Station (NAS) South Weymouth, Massachusetts. The former NAS is located in the Towns of Weymouth, Abington, and Rockland. The two subject subparcels of this EBST are located in Weymouth. The EBST categorizes the history of use, storage, or release of hazardous materials or petroleum products, in accordance with the *Department of Defense (DoD) Policy on the Environmental Review Process to Reach a Finding of Suitability to Transfer (FOST)* of September 9, 1993 ("DoD Policy").

Table 1 of the FOST Memorandum provides an overview of the subject subparcels and their potential reuse. The South Shore Tri-Town Development Corporation (SSTTDC) is the state-designated recipient of the Navy property to be transferred. Information regarding the property reuse is based on the approved allowances in the Reuse and Zoning Plans, of August 1998 and March 1998, respectively. The SSTTDC's Master Developer, LNR South Shore, LLC, has developed a Conceptual Master Plan that required changes to the current Zoning and Reuse Plans. This Conceptual Master Plan was presented to the communities on September 23, 2004. The Reuse Plan and Zoning By-Laws were voted on and approved by the participating communities during the summer of 2005.

As summarized in Table 1 of the FOST Memorandum, this EBST evaluates existing conditions of the land in two subparcels, SR-W-2 (1.69 acres), and SR-W-3 (18.71 acres). Under the 2005 Reuse Plan, the zoning designation for Subparcel SR-W-2 has changed from Senior Residential (SR) to Recreation District (RecD). The zoning designation for Subparcel SR-W-3 has changed from Senior Residential (SR) to predominantly Mixed-Use Village District (MUVD), with Open Space-Corporation (OS-C) along the west boundary of the subparcel. The original designations have been retained in the FOST for consistency with the draft document. Changes to the Reuse Plan do not have any impact on the Finding of Suitability to Transfer. Any property found suitable to transfer for unrestricted use prior to approval and implementation of the 2005 Reuse Plan would still be suitable for unrestricted use, unless clearly identified through covenants and restrictions such as those identified in enclosure (2).

The *Environmental Baseline Survey (EBS) Phase I Report* of November 18, 1996, the *Phase I EBS Report Errata* of November 10, 1997, the *EBS Phase II Sampling Work Plan* of October 13, 1998, and the *Supplemental Environmental Baseline Survey (SEBS)* of October 2004, which are incorporated herein by reference, were prepared in accordance with *DoD Policy* and are the source documents for this EBST. The Basewide EBS reports describe in more detail the site history, the results of record searches, the available information regarding use, storage, or release of hazardous substances or petroleum products, and the analysis of aerial photographs. The status of the environmental sites within the subject subparcels has been updated based on the most recent documentation from the environmental programs on the Base. The EBST updates the original EBS and evaluates potential impacts from existing environmental conditions such as EBS Review Item Areas (RIAs) and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Areas of Concern (AOCs) within the subject subparcels.

The following figures are included to show locations of the subparcels as well as the CERCLA AOCs and EBS RIAs within the subject subparcels:

- |          |                                  |
|----------|----------------------------------|
| Figure 1 | Main Base Location Map           |
| Figure 2 | Subparcels included in this FOST |
| Figure 3 | Subparcel SR-W-2                 |
| Figure 4 | Subparcel SR-W-3.                |

The figures included with this EBST and the descriptions of the subparcels provide a general depiction of the subparcel boundaries. As part of the pending property transfer process, the Navy will conduct a real estate survey to accurately delineate the extent of the property to be transferred.

The following sections provide the Environmental Condition of Property (ECP) requirements, a summary of the environmental investigation programs in progress, descriptions of the subject subparcels, and a summary of other environmental compliance issues, all with respect to the subject subparcels.

## **ENVIRONMENTAL CONDITION OF PROPERTY**

As part of the Navy's FOST process, areas to be transferred must be categorized based on the environmental condition of the property. The following seven CERFA ECP categories are based on criteria for hazardous substance notice established in *DoD Policy*:

1. Areas Where No Release or Disposal (Including Migration) Has Occurred
2. Areas Where Only Release or Disposal of Petroleum Products Has Occurred
3. Areas Where Release, Disposal, and/or Migration Has Occurred, but Require No Remedial Action
4. Areas Where Release, Disposal, and/or Migration Has Occurred, and All Remedial Actions Have Been Taken
5. Areas Where Release, Disposal, and/or Migration Has Occurred and Action is Underway, but All Required Remedial Actions Have Not Yet Been Taken
6. Areas Where Release, Disposal, and/or Migration Has Occurred, but Required Response Actions Have Not Yet Been Implemented
7. Unevaluated Areas or Areas Requiring Additional Evaluation.

ECP categories were initially designated for parcels on the Base during the *Phase I EBS* of November 18, 1996, the *CERFA Determination Report* of March 28, 1997, and the *BRAC Cleanup Plans* of October 1996 (revised August 1998). Since that time, the Navy has obtained additional information about the conditions at NAS South Weymouth from several environmental investigations under the Installation Restoration (IR) Program, the Massachusetts Contingency Plan (MCP) program, and the EBS programs. This EBST summarizes the current environmental status of the subject subparcels; therefore, this EBST also provides the Navy's revised ECP categories for the property contained within the subject subparcels. The ECP categories cited in this FOST supersede the ECP categories for this area as identified in the *Phase I EBS*, *CERFA Determination Report*, *BRAC Cleanup Plan*, and the *SEBS*.

Table 1 of this EBST summarizes the relevant information for the ECP determinations for the subject subparcels and also provides additional details such as subparcel history, building and property use, and potential land use restrictions. Further descriptions of the subject subparcels and the environmental sites (AOCs and EBS RIAs) within and nearby the subparcels are provided below.

## **ENVIRONMENTAL INVESTIGATION PROGRAMS**

### **Installation Restoration (IR) Program**

The Navy's IR Program addresses specific sites that have been cited for further investigation as part of the National Priorities List (NPL) for NAS South Weymouth. The Navy's IR Program closely follows the federal CERCLA program, and the IR Program sites are often referred to as the CERCLA sites. There are no current or former IR Program sites within the subparcels of this EBST. There are no identified or anticipated impacts to the subparcels of this EBST from IR Program sites in other areas of the Base. Therefore IR Program sites do not adversely affect the transfer of the subject subparcels.



An interim groundwater restriction (see enclosure (2) clause 9) is recommended for subparcel SR-W-2. IR Program Site 11 (Former AOC 108) is located approximately 300 ft to the east of subparcel SR-W-2. Chlorinated solvents have been identified in groundwater at Site 11. Impacted groundwater from Site 11 flows south and, therefore, has not adversely impacted subparcel SR-W-2. Installing a new groundwater extraction well within subparcel SR-W-2 may alter the groundwater flow regime in this area; therefore, the interim groundwater restriction may apply as outlined in clause 9 of enclosure (2). The recommended interim groundwater restriction is intended to ensure adequate review of proposed activities on the FOST parcel, such as development of a water supply well (potable or non-potable). The interim groundwater restriction is not recommended because the FOST property is contaminated, but to ensure that activity on the FOST parcel would not adversely impact ongoing Navy investigations or remedy implementation on IR Program Site 11.

### **CERCLA Areas of Concern**

Several sites formerly investigated under the EBS program have been designated areas of concern (AOCs) under CERCLA. These are sites for which streamlined risk assessments or time critical or non-time critical removal actions have been performed. There are no active CERCLA AOC investigations within the subject subparcels. The following two former CERCLA AOCs were located partially within subparcel SR-W-3:

- Former AOC 55A (North of Trotter Road – Antennae Field)
- Former AOC 55B (North of Trotter Road – Debris Area).

As summarized in enclosure (3), these sites have been closed because there are no unacceptable risks to human health or the environment. The Navy and EPA signed a final Record of Decision (ROD) in Oct 03 that specifies No Further Action for AOC 55A and No Action for AOC 55B.

There are two sites, AOC 55C (North of Trotter Road – Pond Area) and AOC 55D (North of Trotter Road – Wetland Area) located nearby (within 200 ft of) subparcel SR-W-3. However, as summarized in enclosure (3), the presence of these adjacent sites does not preclude the transfer of subparcel SR-W-3.

There are no current or former CERCLA AOCs within or nearby (within 200 ft of) subparcel SR-W-2. There are no identified or anticipated impacts to the subparcels of this EBST from CERCLA AOCs in other areas of the Base.

### **Massachusetts Contingency Plan Sites**

The Navy has addressed sites under the MCP when the primary chemicals of concern (COCs) have been petroleum products or petroleum-related constituents. There are no current (active) or former MCP sites within the subparcels of this EBST. There are no active MCP sites nearby (within 200 ft of) the subparcels of this EBST. As shown in Figure 3 and summarized in enclosure (4), there were two former MCP sites (RTN 3-13673 – Shea Memorial Drive Spill and RTN 3-15289 – Building 105 Swimming Pool) located nearby subparcel SR-W-2; however, the Navy has evaluated and/or cleaned and closed those sites.

MCP RTN 3-2621 (Basewide NPL), as noted in enclosure (4), is not associated with a particular release of oil or hazardous substances at the Base. Instead, MADEP has assigned RTN 3-2621 to all of the sites on the Base that have been or will be addressed under CERCLA. There are no remaining sites within the subject subparcels that are to be addressed under CERCLA. Therefore, MCP RTN 3-2621 no longer applies to the subject subparcels.

### **EBS Review Item Areas**

During the *Basewide EBS Phase I Report* of November 18, 1996, various Phase II EBS RIAs were identified at the Main Base of NAS South Weymouth. Additional areas were identified thereafter and included in the EBS RIA program. The EBS RIAs have been investigated or otherwise addressed on a

case-by-case basis, as described in enclosure (5). The following current and former EBS RIAs are located within the subparcels of this EBST:

- RIA 76C (Basewide solid waste) in subparcel SR-W-3
- Former RIA 79 (Basewide asbestos) in subparcel SR-W-2
- Former RIA 80 (Basewide LBP) in subparcel SR-W-2.

As summarized in enclosure (5), no further action (NFA) is required for these RIAs under the EBS program. These current and former RIAs do not adversely affect the transfer of the subject subparcels.

The following former RIAs are located nearby (i.e., within 200 ft of) subparcel SR-W-2; however, as summarized in enclosure (5), there are no identified impacts to the subparcels from these RIAs:

- Former EBS RIA 46 (barracks)
- Former EBS RIA 49 (Building 105 swimming pool)
- Former EBS RIA 50 (child care center)
- Former EBS RIA 77 (Basewide USTs – leak tests)
- Former EBS RIA 90 (transient housing)
- Former EBS RIA 92 (hobby shop).

The following RIA is located nearby (i.e., within 200 ft of) subparcel SR-W-3; however, as summarized in enclosure (5), there are no identified impacts to the subparcels from this RIA:

- EBS RIA 62 (French Stream).

## **SUBPARCEL DESCRIPTIONS**

### **Subparcel SR-W-2**

The Navy finds that the environmental conditions in subparcel SR-W-2 are such that the property is suitable to transfer for unrestricted use, except as noted in clause 9 of enclosure (2) due to the proximity of the property to IR Program Site 11 (Former AOC 108). An interim groundwater restriction (see enclosure (2) clause 9) is recommended for subparcel SR-W-2. The recommended interim groundwater restriction is intended to ensure adequate review of proposed activities on the FOST parcel, such as development of a water supply well (potable or non-potable). The interim groundwater restriction is recommended to ensure that activity on the FOST parcel would not adversely impact ongoing investigations or remedy implementation on IR Program Site 11.

As shown in Figure 3, subparcel SR-W-2 includes approximately 1.69 acres located in the central building area of the Base. The subparcel is comprised of Building 76 (former Bachelor Enlisted Quarters) and its associated grounds, parking lot, and driveway. The northern, eastern, and southern boundaries of the subparcel are primarily defined by pavement edges (e.g., parking areas and roadway sidewalk). The western boundary of the subparcel abuts property that previously transferred to SSTTDC in May 03. A description of the history and conditions of Building 76 is provided in Table 1 of this EBST.

There are no current or former IR Program sites, CERCLA AOCs, or MCP sites within subparcel SR-W-2. There are no active (ongoing) EBS RIAs located within subparcel SR-W-2; however, the following former EBS RIAs had applied to Building 76 (see also enclosure [5]):

- Former EBS RIA 79 (Basewide asbestos) – NFA is required under the EBS program. Asbestos containing materials (ACMs) are addressed in accordance with DoD policy on a case-by-case basis. See also clause 7 of enclosure (2).
- Former EBS RIA 80 (Basewide lead-based paint (LBP)) – NFA is required under the EBS program. Potential LBP hazards are addressed in accordance with DoD policy on a case-by-case basis. See also clause 6 of enclosure (2).

There are no ongoing environmental investigations nearby (within 200 ft of) subparcel SR-W-2. The following former sites are located nearby subparcel SR-W-2:

- Former MCP RTN 3-13673 (Shea Memorial Drive spill)
- Former MCP RTN 3-15289 (Building 105 swimming pool)
- Former EBS RIA 46 (barracks)
- Former EBS RIA 49 (Building 105 swimming pool)
- Former EBS RIA 50 (child care center)
- Former EBS RIA 77 (Basewide USTs – leak tests)
- Former EBS RIA 90 (transient housing)
- Former EBS RIA 92 (hobby shop).

As described in enclosures (4) and (5), these nearby sites do not adversely affect the transfer of subparcel SR-W-2.

### **Subparcel SR-W-3**

The Navy finds that the environmental conditions in subparcel SR-W-3 are such that the property is suitable to transfer for unrestricted use.

As shown in Figure 4, subparcel SR-W-3 includes approximately 18.71 acres located in the western portion of the Base. The subparcel is comprised of forested land, wetlands, and dirt roads. The western portion of the subparcel formerly included several antennae towers. There is also some construction debris present in the subparcel, as summarized in enclosure (6). The boundaries of the subparcel are equivalent to the former SR-W zoning parcel lines in this area except for a small portion in the northwest corner of the subparcel (drawn at the south edge of a dirt roadway in order to exclude AOC 55D) and the eastern side, which corresponds with the east edge of Calnan Road.

No current or former IR Program sites or MCP sites are located within subparcel SR-W-3. The following former CERCLA AOCs and EBS RIAs are located within the subparcel, as described in enclosures (3) and (5):

- Former AOC 55A (North of Trotter Road – Antennae Field) – The site was formerly investigated as EBS RIA 55A. Streamlined human health and ecological risk assessments were completed. No unacceptable human health risks were identified. The Navy completed a removal action to reduce potential ecological risks to acceptable levels. Current site conditions at AOC 55A do not pose an unacceptable risk to human health or the environment and the Navy and EPA signed a No Further Action ROD in October 2003.
- Former AOC 55B (North of Trotter Road – Debris Area) – This site was formerly investigated as EBS RIA 55B. Streamlined human health and ecological risk assessments demonstrated that the site conditions at AOC 55B do not pose an unacceptable risk to human health or the environment. The Navy and EPA signed a No Action ROD in October 2003. A wetland area formerly associated with AOC 55B that requires further evaluation was excluded from the AOC and subparcel SR-W-3. This wetland area has been designated AOC 55D (see Figure 4).
- EBS RIA 76C (Basewide solid waste) – The presence of solid waste does not preclude a FOST. Notification of solid waste debris areas within the FOST subparcels is provided in enclosure (6).

No current or former IR Program sites or MCP sites are located nearby (i.e., within 200 ft of) subparcel SR-W-3. The following EBS RIAs and CERCLA AOCs are nearby (within 200 ft) of subparcel SR-W-3. As described in enclosures (3) and (5), the conditions at these nearby sites do not adversely affect the subparcel:

- EBS RIA 62 (French Stream)
- CERCLA AOC 55C (North of Trotter Road – Pond Area)

- CERCLA AOC 55D (North of Trotter Road – Wetland Area).

## **OTHER COMPLIANCE ISSUES**

In addition to the specific environmental investigations described above, the Navy has also addressed various regulatory compliance programs at NAS South Weymouth. A summary of these programs and how they affect the subject subparcels is presented below.

### **Storage Tanks**

No current or former aboveground storage tanks (ASTs) or underground storage tanks (USTs) are located in subparcels SR-W-2 or SR-W-3, as documented in the *BRAC Cleanup Plan* of August 1998 and the *Phase I EBS* of November 18, 1996. Building 76 was heated by station steam heat and no fuel tank was present onsite.

### **Asbestos**

The *Potential Immediate Hazards (PIH) Survey* of November 1999 reported the current types and quantities of ACMs in the buildings currently present at the Main Base of NAS South Weymouth. The *PIH Survey* of August 2001 provided an updated status of the general conditions of these ACMs. No ACMs have been identified in subparcel SR-W-3. The types, quantities, and conditions of the ACMs associated with SR-W-2 are summarized in Table 1.

The November 1999 *PIH Survey* reported that the built-up roofing material on Building 76 was presumed to contain ACM. However, during the subsequent preparation of the Finding of Suitability to Lease (FOSL) for Building 76, it was determined that in 1984, the built-up roofs were replaced with rubber membrane roofs that do not contain asbestos.

The *PIH Survey* of August 2001 indicated that the identified ACMs in Building 76 were in fair condition; however, no specific restrictions or recommendations were listed in the *PIH Survey* for ACMs in Building 76.

*DoD Policy on Asbestos at BRAC Properties* of January 12, 1995 states that ACM shall be remediated prior to property disposal only if it is of a type and condition that is not in compliance with applicable laws, regulations, and standards, or if it poses a threat to human health at the time of transfer of the property (i.e., it is friable, accessible, and damaged [FAD]). The Navy will implement *DoD policy* regarding ACM in accordance with a written statement of facility-specific utilization or non-utilization as provided by the SSTITDC. A copy of the *DoD policy* on asbestos is presented in the *BRAC Cleanup Plan* of August 1998.

Given that Building 76 was formerly heated by station steam, asbestos-lined underground utilities (e.g., heating pipes) may be present within subparcel SR-W-2. The possibility remains for the presence of additional undiscovered ACMs associated with underground utilities at NAS South Weymouth. These underground utilities do not pose a hazard to site users. As part of the property transfer, the Navy will provide utility maps of the Base property. Due to the presence of such underground utilities, any subsurface work performed by the Grantee must be conducted in accordance with applicable regulations and conducted by trained, properly-equipped personnel.

There is one former EBS RIA that pertained to ACM nearby (within 200 ft of) subparcel SR-W-2. Former EBS RIA 46 was designated to address the reported presence of buried pallets of asbestos shingles at the north and south ends of Building 75, which is adjacent to Building 76 (see Figure 3). As summarized in enclosure (5), the Navy has completed investigations at RIA 46 and NFA is required.

### **Polychlorinated Biphenyls (PCBs)**

As documented in the *PCB-Free Activity Report* of January 4, 1995, NAS South Weymouth has been "PCB-free" (PCB concentrations less than 50 parts per million) for electrical and hydraulic equipment since December 31, 1994. Prior to that, since the promulgation of the Toxic Substances Control Act

(TSCA, 40 CFR 761) in 1976, NAS South Weymouth Environmental/Public Works Department personnel have conducted periodic inspections of PCB-containing equipment at the Base. To confirm that the equipment at the Base is currently PCB-free, the Navy has tested transformers and capacitors and has also verified with the manufacturers that the hydraulic systems do not contain PCBs.

Circa 1994/1995, the Navy completed a program to remove/replace ballasts containing PCBs at NAS South Weymouth. The removed ballasts were sent for offsite recycling. No PCB-containing ballasts remain at NAS South Weymouth. Testing (Spring 2003) of representative direct-bury ballasts confirmed that they do not contain PCBs.

No PCB contamination has been identified within the subject subparcels of this EBST.

### **Lead-Based Paint (LBP) in Residential Buildings**

The Navy's policy that is applicable to the subject subparcels is presented in the DoD Memorandum called "Lead-Based Paint Policy for Disposal of Residential Real Property" of January 7, 2000. The Navy/DoD policy is to manage LBP in a manner protective of human health and the environment, and to comply with all applicable federal, state, or local laws regulating LBP and LBP hazards.

The *PIH Survey* of August 2001 documented the current paint conditions for the buildings at the Main Base of NAS South Weymouth. Only Building 76 is included in the subject subparcels of this EBST. As summarized in Table 1, Building 76 in subparcel SR-W-2 may contain LBP and some of the interior paint in that building is peeling. Building 76 (barracks) is currently unoccupied and the current planned reuse of the property is "recreation district;" therefore, the building has not been and is not planned to be occupied by children under the age of 6. The DoD Policy Memorandum requires this notification to the Grantee of the LBP conditions. The Policy also indicates that the transfer agreement may require the purchaser/Grantee to perform the necessary abatement activities. This requirement is included as clause 6 of enclosure (2). If the Grantee decides to use Building 76 for residential purposes, then the Navy will implement the *DoD policy* regarding LBP in accordance with a written statement of facility-specific utilization or non-utilization as provided by the Grantee. The Navy is not required to conduct lead abatements for buildings that are scheduled for non-residential use, as outlined in the *DoD Policy on LBP at BRAC Properties* of January 12, 1995. If the Grantee decides to modify the planned reuse, including modifying approved zoning such that a building in this EBST would be reused for residential purposes that included the presence of children under the age of 6 years, then the Grantee shall assess potential LBP hazards for such uses and, prior to occupancy, shall complete any required abatements or engineering controls in accordance with applicable federal, state, and local regulations. No LBP or LBP hazards have been identified in subparcel SR-W-3 (i.e., there are no buildings in subparcel SR-W-3 and there are no known disposals of LBP, or material containing LBP, in subparcel SR-W-3).

### **Lead in Drinking Water Fountains**

As documented in the *BRAC Cleanup Plan* of August 1998, the Base Environmental Office completed testing of lead in drinking water at NAS South Weymouth from July to September 1992. This included 44 drinking water fountains at the Main Base, testing at 25 Basewide priority areas, and testing at 259 housing water taps. The 1992 sample result for Building 76 (subparcel SR-W-2) was 2 micrograms per liter ( $\mu\text{g/L}$ ), which does not exceed the current federal action level for lead in drinking water of 15  $\mu\text{g/L}$ .

### **Radon**

The *BRAC Cleanup Plan* documented the DoD's voluntary approach to sampling and documenting potential radon exposure at NAS South Weymouth. In 1989, the Navy completed a radon screening at the Main Base, Squantum Gardens, and Naval Terrace. The results indicated that none of the facilities or housing units at these locations had radon levels above the U.S. Environmental Protection Agency's (EPA's) advisory action level of 4 picocuries per liter (pCi/L).

## **Pesticides**

Detailed information is not available regarding the specific past use of pesticides within the FOST subparcels. The *Phase I EBS* of November 18, 1996 documents that NAS South Weymouth developed a Pest Management Plan which is part of the *Natural Resources Management Plan* of September 30, 1987 (updated during 1992). A summary of the pesticide/herbicide/pest management requirements is presented in Table 5-16 of the *Phase I EBS*. No additional records of pesticide use prior to 1987 have been found (although activity personnel confirmed that pesticides were used at NAS South Weymouth prior to 1987). The *Phase I EBS* states that no items of concern were cited by EPA during their August 8, 1993 Pesticide Use Investigation for the pesticide storage and use at NAS South Weymouth. Residual concentrations of pesticides and herbicides may be present in soil resulting from past applications for normal upkeep of the facility. Pesticides detected in soil and sediments at AOCs 55A and 55B have been evaluated in the human health and ecological risk assessments.

## **Solid Waste**

Solid waste is not regulated under CERCLA Section 120(h). DoD BRAC guidance for FOSTs states that, in some cases, it may be required that certain hazards not regulated under CERCLA be disclosed, according to the policies of the particular DoD component (i.e., Navy), and that restrictions on use related to those hazards be stated in the deed of transfer. Such disclosures and restrictions should be described in the FOST. Non-CERCLA hazards can include issues such as solid waste, petroleum products, and safety concerns.

Therefore, the presence of solid waste in the subject subparcels does not preclude the FOST provided that notification and any necessary restrictions are included in the FOST document. Enclosure (6) of this FOST summarizes the types, quantities, and locations of solid waste within the FOST subparcels.

## **Mold, Fungi**

Subsequent to the *PIH Survey* of August 2001, the Navy has identified localized mold/fungal growth and potential airborne fungal spores in several areas of Building 76, especially the basement. The mold/fungal growth could be hazardous to sensitive individuals, and particle-filtering respirators should be worn in the basement. Also, disposable footwear is recommended in the basement due to the presence of extensive mold growth. Abatement for mold/fungi in Building 76 would be necessary prior to occupancy.

## **Listed Species**

No federal-listed endangered species have been identified at NAS South Weymouth.

The state-listed endangered species, the Upland Sandpiper (*Bartramia longicauda*) has been observed at NAS South Weymouth three times in 2001 and twice in 2002.

No federal-listed threatened species have been identified at NAS South Weymouth, although migrating bald eagles could occasionally pass through this area. One state-listed threatened bird species, the northern harrier (*Circus cyaneus*), has been observed at NAS South Weymouth and may pass through the subject subparcels on occasion.

Four state-listed "species of special concern," the grasshopper sparrow (*Ammodramus savannarum*), the spotted turtle (*Clemmys guttata*), the eastern box turtle (*Terrapene carolina*), and the Mystic Valley amphipod (*Crangonyx aberrans*), have been identified at NAS South Weymouth. Of these, spotted turtles have been observed within subparcel SR-W-3 (at AOC 55A) and some of the AOC 55A area is turtle habitat. Note that in May 2006, the spotted turtle was removed from the state list as a "species of special concern." Eastern box turtles and Mystic Valley amphipods have not been identified within the subparcels of this FOST/EBST. The grasshopper sparrow may pass through the subject subparcels on occasion.

## NOTICE OF CERCLA HAZARDOUS SUBSTANCES

In accordance with CERCLA Section 120(h)(1), 40 CFR 373, notice is required when a hazardous substance has been stored for one year or more, but applies only when the substances are or have been stored in quantities greater than or equal to 1,000 kilograms or the substance's reportable quantity, whichever is greater. There are no records or knowledge that hazardous materials listed under 40 CFR 261.30 as acutely hazardous waste, in excess of 1 kilogram, were stored for one year or more. Notice is also required when hazardous substances are or have been stored, released, or disposed of in quantities greater than or equal to the substance's CERCLA-reportable quantity.

Table 2 and Table 3 summarize CERCLA hazardous constituents that have been detected in media of concern at AOCs 55A and 55B in subparcel SR-W-3.

As stated in DoD BRAC guidance (*Fast Track to FOST* of Fall 1996), the FOST is a determination that the subject property is environmentally suitable for transfer by deed under Section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). CERCLA Section 120(h) requires that notice be given, both in deed and contracts for sale, of the storage, release, or disposal of hazardous substances.

## REFERENCES

Table 1 of this EBST summarizes the history, past environmental activities, and current conditions for the subject subparcels. Table 1 is the basis for determining the hazardous substance notification required by the *DoD Policy*. The following documents located in the Caretaker Site Office (CSO) at NAS South Weymouth serve as the basis for the information contained in Table 1, this EBST, and the FOST enclosures:

*Polychlorinated Biphenyls (PCB)-Free Activity Report*, NAS South Weymouth, January 4, 1995.

*Asbestos, Lead Paint, and Radon Policies at BRAC Properties*, Office of the Under Secretary of Defense, January 12, 1995.

*Release Notification and Response Action Outcome (RAO) Statement for South Weymouth Naval Air Station, Shea Memorial Drive, Weymouth, MA, Release Tracking Number (RTN) 3-13673*, ENSR, June 14, 1996.

*Final Basewide EBS Phase I*, Stone & Webster Environmental Technology & Services, November 18, 1996.

*Community Environmental Response Facilitation Act (CERFA) Determination Report*, NAS South Weymouth, Massachusetts, Department of the Navy, March 28, 1997.

*Phase I EBS Report Errata*, Stone & Webster Environmental Technology & Services, November 10, 1997.

*Lead Remediation Survey*, Dewberry & Davis, June 1997.

*RAO Supporting Documentation Report, Barracks 115 Site*, Brown & Root Environmental, February 1998.

*South Shore Tri-Town Development Corporation's (SSTTDC's) Governing Document as Approved by the Towns of Weymouth, Abington, and Rockland, Zoning and Land Use By-Laws for the Naval Air Station South Weymouth*, approved March 24, 1998. The zoning and land use by-laws were revised and accepted by the Corporation on May 5, 2005, and approved by the Towns of Abington, Rockland, and Weymouth in June and July 2005.

*South Weymouth NAS Reuse Plan and SSTDC Enabling Legislation ("the Reuse Plan")*, as approved by the towns of Abington, Rockland, and Weymouth in March 1998 and as enabled by the Governor on August 14, 1998. "The Reuse Plan" was revised to "Reuse Plan for Naval Air Station South Weymouth", accepted by the Corporation on May 5, 2005, and approved by the Towns of Abington, Rockland, and Weymouth in June and July 2005.

*BRAC Cleanup Plan (BCP)*, the BRAC Cleanup Team and EA Engineering, Science, and Technology, October 1996 (revised August 1998).

*RAO, Building 105 Swimming Pool, RTN 3-15289*, August 1998.

*Final Basewide EBS Phase II Sampling Work Plan*, Stone & Webster Environmental Technology & Services, October 13, 1998.

*Geophysical Investigation, South Weymouth NAS*, Geophysics GPR International, December 10, 1998.

*Lead-Based Paint (LBP) Policy for Disposal and Residential Real Property*, DoD Memorandum, January 7, 2000.

*Draft Phase II EBS Decision Document for RIA 55B, Area North of Trotter Road – Disposal Area*, Stone & Webster Environmental Technology & Services, January 2001.

*Site/Facility Condition Report for Building 76*, Navy Caretaker Site Office, January 25, 2001.

*Potential Immediate Hazards (PIH) Survey and Materials Update for Asbestos and LBP, NAS South Weymouth, Massachusetts*, Dewberry & Davis, August 2001.

*EBS Review Items Requiring NFA under the EBS*, EA Engineering, Science, and Technology, effective January 18, 2002 and signed February 2002.

*Final Phase II EBS Decision Document for RIAs 42, 46, and 51*, EA Engineering, Science, and Technology, April 2002.

*Final Streamlined Ecological Risk Assessment for RIA 55A*, Stone & Webster Environmental Technology & Services, November 2002.

*Final Streamlined Ecological Risk Assessment for RIA 55B/D*, Stone & Webster Environmental Technology & Services, November 2002.

*Final Streamlined Human Health Risk Assessment (HHRA), AOC 55A*, EA Engineering, Science, and Technology, November 2002.

*Final Streamlined HHRA for RIA 55B/D*, EA Engineering, Science, and Technology, December 2002.

*Final Close-out Report Action Memorandum for AOC 55A – Antennae Towers*, Foster Wheeler Environmental Corporation, April 2003.

*Final Proposed Plan, Area of Concern 55A (Area North of Trotter Road – Antennae Field) & Area of Concern 55B (Area North of Trotter Road – Debris Area), NAS South Weymouth, Weymouth, Massachusetts*, EA Engineering, Science, and Technology, August 2003.



*Final Record of Decision for Area of Concern 55A – North of Trotter Road – Antennae Field, Area of Concern 55B – North of Trotter Road – Debris Area, NAS South Weymouth, Weymouth, Massachusetts, EA Engineering, Science, and Technology, October 2003.*

*Final Streamlined HHRA for AOC 55D (Area North of Trotter Road – Wetland Area, NAS South Weymouth, Weymouth, Massachusetts, EA Engineering, Science, and Technology, September 2004.*

*Final ERA for AOC 55D (Area North of Trotter Road – Wetland Area, NAS South Weymouth, Weymouth, Massachusetts, EA Engineering, Science, and Technology, October 2004.*

*Supplemental Environmental Baseline Survey, Naval Air Station, South Weymouth, Massachusetts, October 2004.*

ENCLOSURE (1) TABLE 1 - SUMMARY OF CONDITIONS

Sub-parcel	Bldg	History	Existing Environmental Conditions (a)			ECP (b)
			ACM/LBP	Compliance/ Other	Environmental Sites	
SR-W-2	76	Building 76 (former Bachelor Enlisted Quarters) is a 21,690 square feet (sf), three-story masonry structure built in 1954. It was heated by station steam. In 1984, the built-up roof was replaced with a rubber membrane roof. The property in subparcel SR-W-2 has been used for military housing since the Navy developed the Base in the 1940s. Barracks that formerly occupied this location were demolished in the early 1950s. The Navy completed a Finding of Suitability to Lease (FOSL) for Bldg 76 in April 2001; however, Building 76 has not been used since Base closure in September 1997.	<p>Asbestos-containing materials (ACMs) were identified in the building's construction materials. The August 2001 <i>PIH Survey</i> reported that ACMs are in fair condition. The following ACMs have been identified in Building 76:</p> <ul style="list-style-type: none"> <li>• Green floor tile (9 in. × 9 in.) and mastic in the first floor maintenance hall (under 12-in. × 12-in. brown floor tile) and the first floor mechanical room (560 sf);</li> <li>• Black floor tile (9 in. × 9 in.) and mastic in the first floor hallway and bedrooms, first floor game-room, second floor hallway and bedrooms, and third floor hallway and bedrooms (15,510 sf);</li> <li>• Black floor tile (12 in. × 12 in.) and mastic in the first floor stairwells (64 sf);</li> <li>• Tan floor tile (12 in. × 12 in.) and mastic in the first and second floor stairwell (64 sf);</li> <li>• Light brown floor tile (2 ft × 2 ft) and mastic in the second and third floor stairwells (378 sf);</li> <li>• Black floor tile (2 ft × 2 ft) and mastic throughout the perimeter of the third floor hall and open bunk room (1,044 sf);</li> <li>• (Presumed) joint compound throughout the building (2,211 sf);</li> <li>• (Presumed) carpet mastic throughout the building in most areas (14,653 sf).</li> </ul> <p>Lead-based paint (LBP) is likely to be present. The August 2001 <i>PIH Survey</i> reported that some interior paint is peeling. A wipe sample from the second floor center stairwell was reported to contain lead at 31 micrograms (µg)/sf. The November 1999 <i>PIH Survey</i> reported wipe samples contained lead at concentrations of 154 µg/sf (south stairwell), and 67.5 µg/sf (second floor bathroom).</p>	References (q) and (r) of Enclosure (2) summarize the physical condition of the building and its surrounding grounds.	EBS Review Item Area (RIA) 79 (Basewide asbestos). See enclosure (5).	1
				<p>Renovations are required if the building is to be used.</p> <p>Subsequent to the <i>PIH Survey</i> of August 2001, the Navy identified localized mold and fungal growth and potential airborne fungal spores in several areas of Building 76, especially the basement. The Navy patched the roof and repaired the roof drain in 2002.</p> <p>See clause 9 of enclosure (2) concerning an interim groundwater restriction that applies to subparcel SR-W-2 based on proximity to IR Site 11.</p>	EBS RIA 80 (Basewide LBP). See enclosure (5).	1

Sub-parcel	Bldg	History	Existing Environmental Conditions (a)			ECP (b)
			ACM/LBP	Compliance/ Other	Environmental Sites	
SR-W-3	None	Prior to Navy ownership, this property was likely farmland. The Navy used this subparcel as open space and, in the past, also disposed of some concrete rubble and solid waste debris therein. The only Navy structures present in this area were antennae towers (3 of 7 towers were within the subparcel). Currently, the subparcel is forested except for dirt roads and a short portion of Calnan Road (paved). Wetlands are present along the edge of the west and southwest boundaries of the subparcel. The antennae towers, impacted soil, and portions of the associated copper grounding wiring were removed in September 2002. The property has not been used since Base closure in September 1997.	None.	Removal Actions conducted for 7 transmitter antennae towers and surrounding soil, Foster Wheeler of April 2003.	CERCLA AOC 55A (North of Trotter Road - Antennae Field). See enclosure (3).	4
				Foster Wheeler also removed visible rebar and some of the exposed copper wires in June 2003.	CERCLA AOC 55B (North of Trotter Road - Debris Area). See enclosure (3).	3
					EBS RIA 76C (Basewide Solid Waste). See enclosures (5) and (6).	1

(a) As per the PIH Survey of August 2001.

(b) Environmental Condition of Property (ECP) categories:

1. Areas where no release or disposal (including migration) has occurred.
2. Areas where only release or disposal of petroleum products has occurred.
3. Areas where release, disposal, and/or migration has occurred, but require no remedial action.
4. Areas where release, disposal, and/or migration has occurred, and all remedial actions have been taken.
5. Areas where release, disposal, and/or migration has occurred and action is underway, but all required remedial actions have not yet been taken.
6. Areas where release, disposal, and/or migration has occurred, but required response actions have not yet been implemented.
7. Unevaluated areas or areas requiring additional evaluation.

**ENCLOSURE (1) TABLE 2 - HAZARDOUS SUBSTANCE AND PETROLEUM PRODUCTS STORED, RELEASED, OR DISPOSED**

<b>Subparcel (a)</b>	<b>Building/ Site Number</b>	<b>Description</b>	<b>Substance Stored, Released, or Disposed</b>	<b>Quantity</b>	<b>Date(s) Stored, Released, or Disposed</b>	<b>CERCLA 120(h)(1) Reportable? (b)</b>
Basewide	Basewide	Use of pesticides and herbicides for insect/weed control	Pesticides and herbicides (applied in accordance with manufacturer's instructions).	Unknown.	Circa 1940s-1990s	Unknown.
SR-W-3	AOC 55A	North of Trotter Road -Antennae Field	Copper, chromium, pesticides, and PAHs detected in surface soil and sediment (now removed) surrounding poles at levels above screening benchmarks.	Unknown.	Circa 1940s-1990s	Unknown.
SR-W-3	AOC 55B	North of Trotter Road - Debris Area	Solid waste and concrete construction debris. Metals including antimony, chromium, mercury, and pesticides at levels above screening benchmarks.	Unknown.	Circa 1960s-1990s	Unknown.

**NOTES:**

(a) Acronyms and abbreviations used in this table are defined as follows:

AOC = Area of Concern

NAS = Naval Air Station

CERCLA = Comprehensive Environmental Response, Compensation, and Liability Act

CFR = Code of Federal Regulations

PAHs = Polycyclic aromatic hydrocarbons.

(b) Determination made from 40 CFR 302, Table 302.4 "List of Hazardous Substances and Reportable Quantities."

Note: The hazardous substances, quantities, and dates listed in this notice are based on the available information and documentation.

**ENCLOSURE (1) TABLE 3 - NOTICE OF CERCLA HAZARDOUS SUBSTANCES**

<b>Location (Subparcel)</b>	<b>Substance Stored</b>	<b>CAS Number</b>	<b>Regulatory Synonym</b>	<b>RCRA Hazardous Waste Number</b>	<b>CERCLA Reportable Quantity lbs (kg)</b>	<b>Quantity Stored (kg)</b>	<b>Date(s) Stored</b>
SR-W-3 (AOC 55A)	Copper	NA	Copper compounds	NA	NA	Unknown	Circa 1940s-1990s
SR-W-3 (AOC 55A)	Chromium	NA	Chromium compounds	NA	NA	Unknown	Circa 1940s-1990s
SR-W-3 (AOC 55A)	Pesticides	Unknown	Unknown	Unknown	Unknown	Unknown	Circa 1940s-1990s
SR-W-3 (AOC 55A)	PAHs	Unknown	Unknown	Unknown	Unknown	Unknown	Circa 1940s-1990s
SR-W-3 (AOC 55B)	Antimony	NA	Antimony compounds	NA	NA	Unknown	Circa 1960s-1990s
SR-W-3 (AOC 55B)	Chromium	NA	Chromium compounds	NA	NA	Unknown	Circa 1960s-1990s
SR-W-3 (AOC 55B)	Mercury	7439976	NA	U151	1 (0.454)	Unknown	Circa 1960s-1990s
SR-W-3 (AOC 55B)	Pesticides	Unknown	Unknown	Unknown	Unknown	Unknown	Circa 1960s-1990s

**NOTES:**

The information contained in this notice is required under the authority of regulations promulgated under Section 120(h) of CERCLA 42 U.S.C. Section 9620(h).

The hazardous substances, quantities, and dates listed in this notice are based on the available information and documentation (including interviews with employees). This list may not represent all materials stored or used on the property over the period of operation.

Acronyms and abbreviations are as follow:

AOC = Area of Concern

CERCLA = Comprehensive Environmental Response, Compensation, and Liability Act

CAS = Chemical Abstract Service

Gal = Gallons

NA= Not available

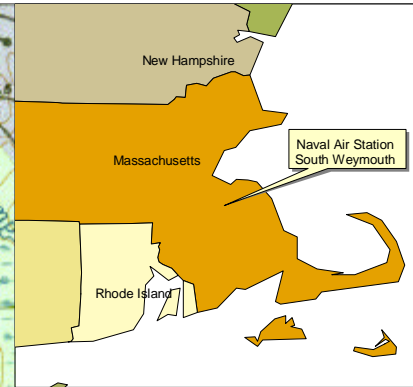
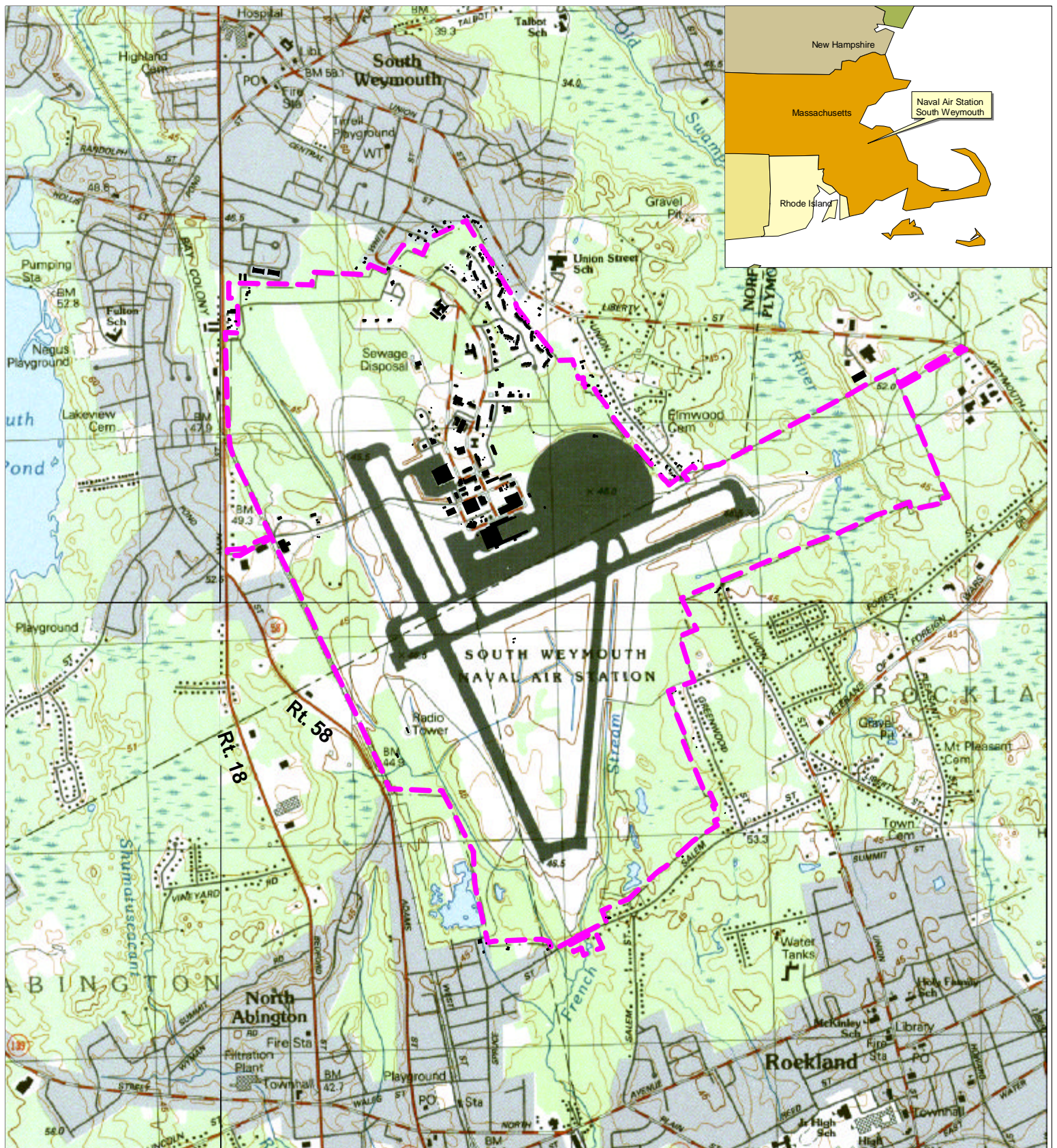
PAHs = Polycyclic aromatic hydrocarbons

RCRA = Resource Conservation and Recovery Act

SR-W = Senior Residential – Weymouth

U.S.C. = United States Code.





2000 0 2000 4000 Feet

 NAS South Weymouth Perimeter

Figure 1  
Main Base Location Map



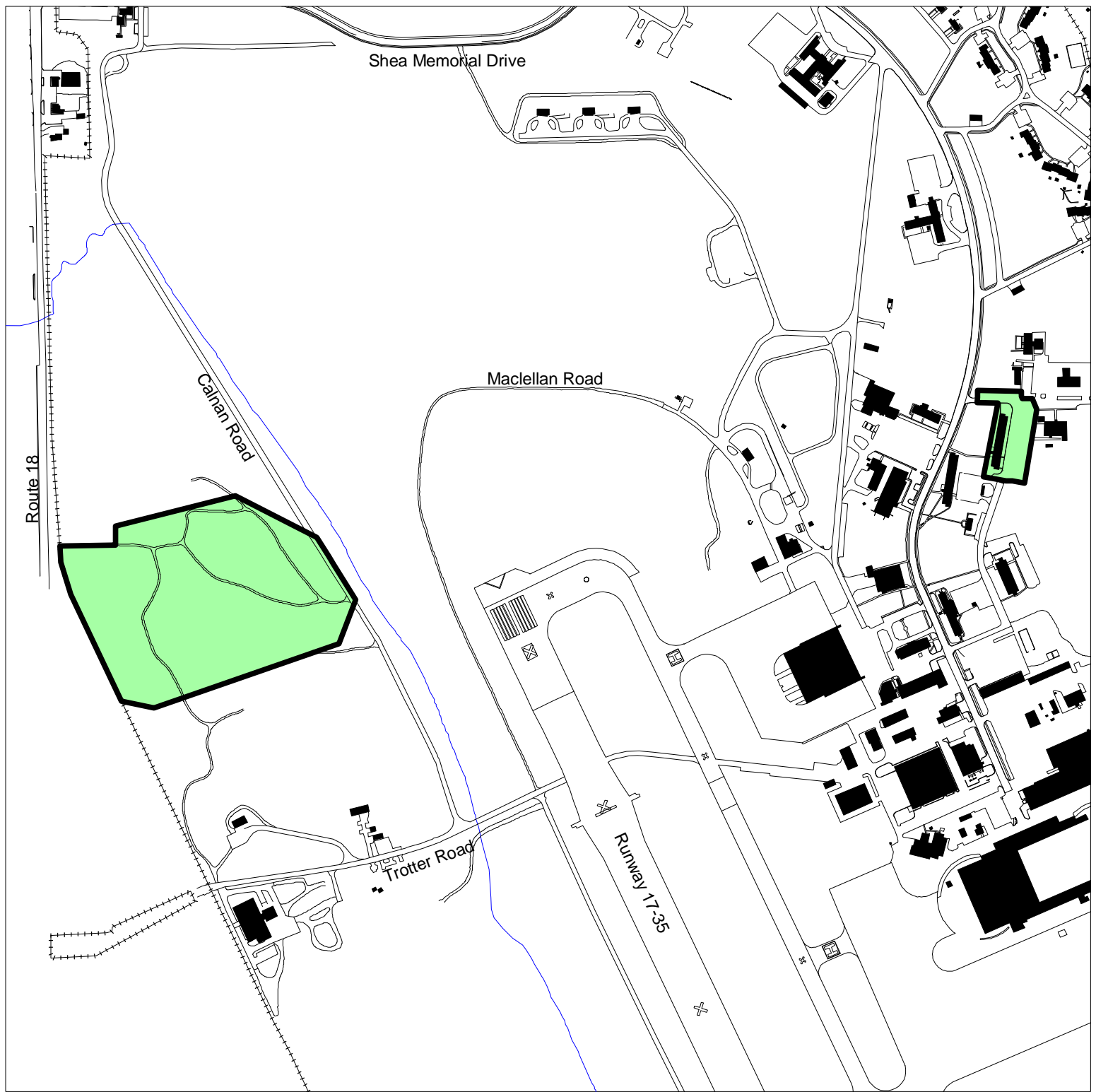


Figure 2  
Subparcels Included in this FOST  
NAS South Weymouth, MA

- Perimeter Fenceline
- Roads & Pavement
- French Stream
- Buildings & Facilities
- FOST Subparcel

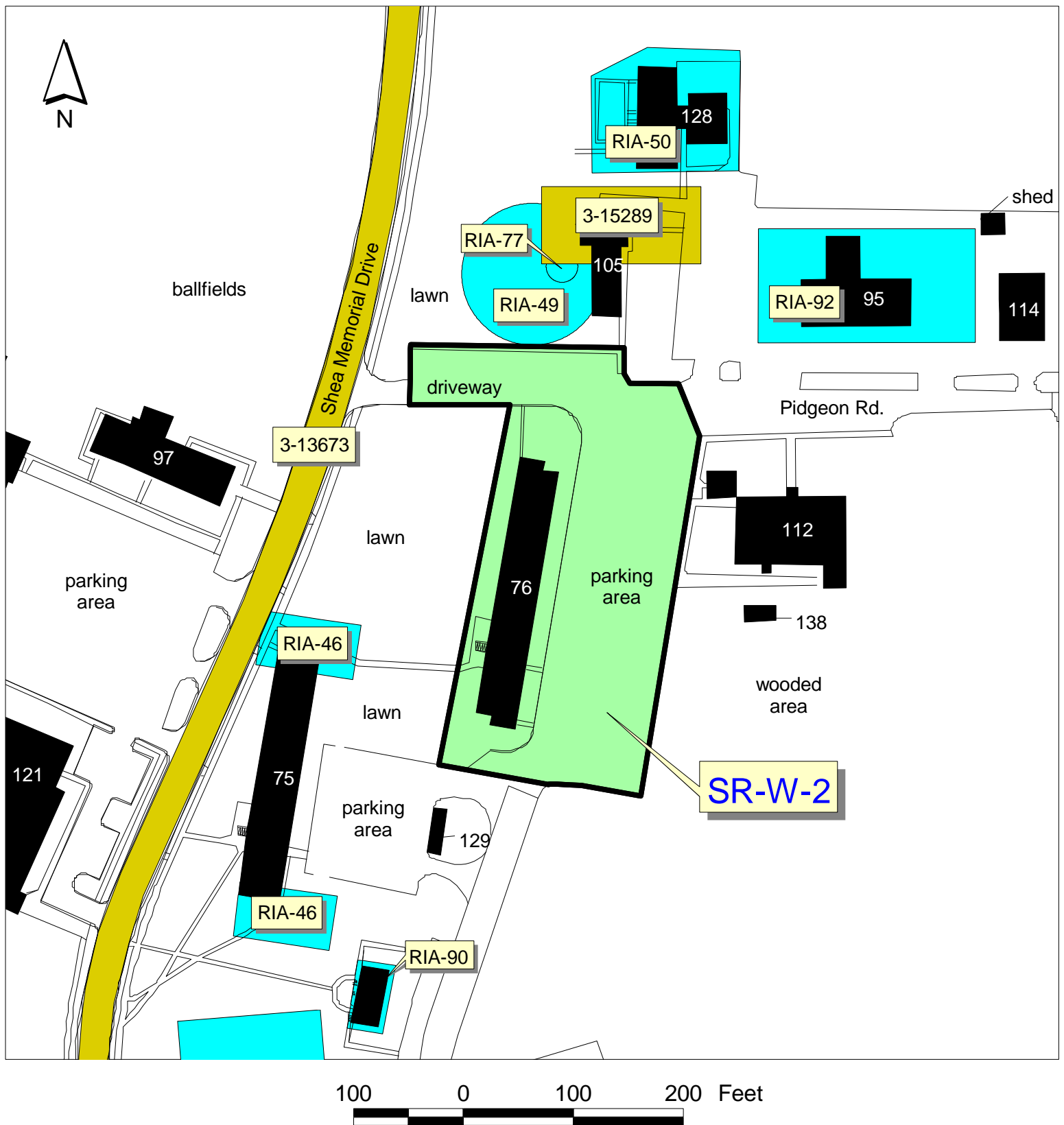


Figure 3  
Subparcel SR-W-2  
NAS South Weymouth, MA

Note: Only environmental sites within 200 ft of the FOST subparcel are labelled.  
Note: Basewide EBS RIAs 79 (asbestos) and 80 (lead-based paint) are not shown.  
EA - 4/14/03



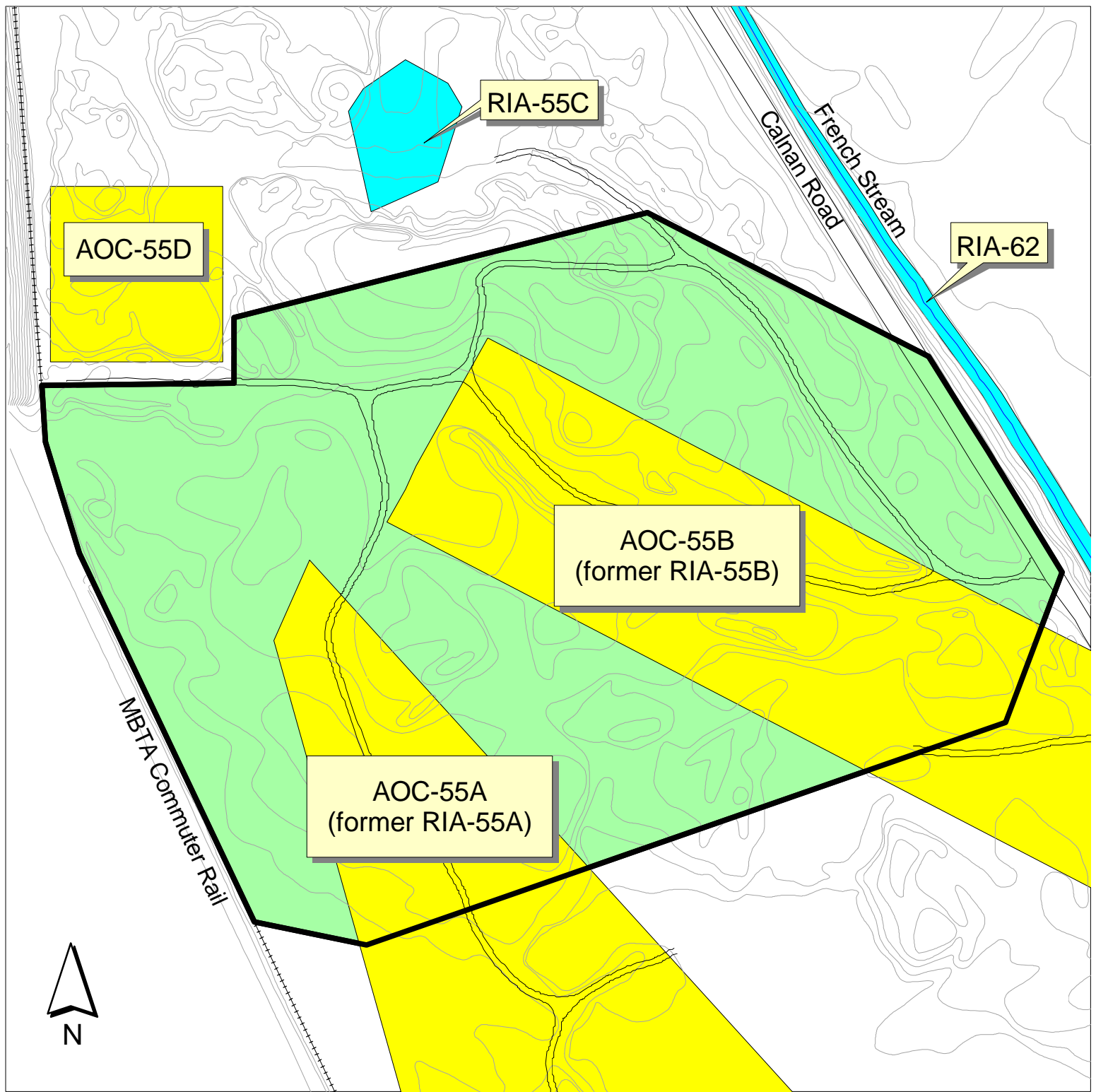


Figure 4  
Subparcel SR-W-3  
NAS South Weymouth, MA

- Perimeter Fenceline
- Roads & Pavement
- French Stream
- Topographic Contours
- 2 ft
- CERCLA AOCs (approximate)
- EBS RIAs (approximate)
- FOST Subparcel

**ENCLOSURE (2)**  
**ENVIRONMENTAL COVENANTS, CONDITIONS, RESERVATIONS, AND RESTRICTIONS FOR THE**  
**SUBPARCELS FORMERLY DESIGNATED SR-W-2 AND SR-W-3**  
**(20.40 TOTAL ACRES), [NOW DESIGNATED AS RecD and MUV/OS-C]**  
**AT THE FORMER NAVAL AIR STATION (NAS), SOUTH WEYMOUTH, MASSACHUSETTS**

1. Notice of Environmental Condition: Information concerning the environmental condition of the Subparcels formerly designated as Senior Residential – Weymouth Nos. 2 and 3 (SR-W-2 and SR-W-3) ("the subject subparcels"), including the type and quantity of hazardous substances stored for one year or more, known by the GRANTOR to have been released or disposed of, and the time at which such storage, release, or disposal took place and a description of the remedial action taken, if any, is referenced in numerous reports, including, but not limited to, documents identified as follow, which are also incorporated herein by reference:
  - (a) *Polychlorinated Biphenyls (PCB)-Free Activity Report, NAS South Weymouth, January 4, 1995.*
  - (b) *Asbestos, Lead Paint, and Radon Policies at BRAC Properties, Office of the Under Secretary of Defense, January 12, 1995.*
  - (c) *Release Notification and Response Action Outcome (RAO) Statement for South Weymouth Naval Air Station, Shea Memorial Drive, Weymouth, MA, Release Tracking Number (RTN) 3-13673, ENSR, June 14, 1996.*
  - (d) *Final Basewide EBS Phase I, Stone & Webster Environmental Technology & Services, November 18, 1996.*
  - (e) *Community Environmental Response Facilitation Act (CERFA) Determination Report, NAS South Weymouth, Massachusetts, Department of the Navy, March 28, 1997.*
  - (f) *Phase I EBS Report Errata, Stone & Webster Environmental Technology & Services, November 10, 1997.*
  - (g) *Lead Remediation Survey, Dewberry & Davis, June 1997.*
  - (h) *RAO Supporting Documentation Report, Barracks 115 Site, Brown & Root Environmental, February 1998.*
  - (i) *South Shore Tri-Town Development Corporation's (SSTTDC's) Governing Document as Approved by the Towns of Weymouth, Abington, and Rockland, Zoning and Land Use By-Laws for the Naval Air Station South Weymouth, approved March 24, 1998. The zoning and land use by-laws were revised and accepted by the Corporation on May 5, 2005 and approved by the Towns of Abington, Rockland, and Weymouth in June and July 2005.*
  - (j) *South Weymouth NAS Reuse Plan and SSTTDC Enabling Legislation ("the Reuse Plan"), as approved by the towns of Abington, Rockland, and Weymouth in March 1998 and as enabled by the Governor on August 14, 1998. Revised and approved by the Corporation on May 5, 2005. "The Reuse Plan" was revised to "Reuse Plan for Naval Air Station South Weymouth", accepted by the Corporation on May 5, 2005, and approved by the Towns of Abington, Rockland, and Weymouth in June and July 2005.*
  - (k) *BRAC Cleanup Plan (BCP), the BRAC Cleanup Team and EA Engineering, Science, and Technology, October 1996 (revised August 1998).*
  - (l) *RAO, Building 105 Swimming Pool, RTN 3-15289, August 1998.*

- (m) *Final Basewide EBS Phase II Sampling Work Plan*, Stone & Webster Environmental Technology & Services, October 13, 1998.
- (n) *Geophysical Investigation, South Weymouth NAS*, Geophysics GPR International, December 10, 1998.
- (o) *Lead-Based Paint (LBP) Policy for Disposal and Residential Real Property*, DoD Memorandum, January 7, 2000.
- (p) *Draft Phase II EBS Decision Document for RIA 55B, Area North of Trotter Road – Disposal Area*, Stone & Webster Environmental Technology & Services, January 2001.
- (q) *Site/Facility Condition Report for Building 76*, Navy Caretaker Site Office, January 25, 2001.
- (r) *Potential Immediate Hazards (PIH) Survey and Materials Update for Asbestos and LBP, NAS South Weymouth, Massachusetts*, Dewberry & Davis, August 2001.
- (s) *EBS Review Items Requiring NFA under the EBS*, EA Engineering, Science, and Technology, effective January 18, 2002 and signed February 2002.
- (t) *Final Phase II EBS Decision Document for RIAs 42, 46, and 51*, EA Engineering, Science, and Technology, April 2002.
- (u) *Final Streamlined Ecological Risk Assessment for RIA 55A*, Stone & Webster Environmental Technology & Services, November 2002.
- (v) *Final Streamlined Ecological Risk Assessment for RIA 55B/D*, Stone & Webster Environmental Technology & Services, November 2002.
- (w) *Final Streamlined Human Health Risk Assessment (HHRA), AOC 55A*, EA Engineering, Science, and Technology, November 2002.
- (x) *Final Streamlined HHRA for RIA 55B/D*, EA Engineering, Science, and Technology, December 2002.
- (y) *Final Close-out Report Action Memorandum for AOC 55A – Antennae Towers*, Foster Wheeler Environmental Corporation, April 2003.
- (z) *Final Proposed Plan, Area of Concern 55A (Area North of Trotter Road – Antennae Field) & Area of Concern 55B (Area North of Trotter Road – Debris Area), NAS South Weymouth, Weymouth, Massachusetts*, EA Engineering, Science, and Technology, August 2003.
- (aa) *Final Record of Decision for Area of Concern 55A – North of Trotter Road – Antennae Field, Area of Concern 55B – North of Trotter Road – Debris Area, NAS South Weymouth, Weymouth, Massachusetts*, EA Engineering, Science, and Technology, October 2003.
- (bb) *Final Streamlined HHRA for AOC 55D (Area North of Trotter Road – Wetland Area, NAS South Weymouth, Weymouth, Massachusetts)*, EA Engineering, Science, and Technology, September 2004.
- (cc) *Final ERA for AOC 55D (Area North of Trotter Road – Wetland Area, NAS South Weymouth, Weymouth, Massachusetts)*, EA Engineering, Science, and Technology, October 2004.
- (dd) *Final Supplemental Environmental Baseline Survey Naval Air Station, South Weymouth Weymouth, Massachusetts*, EA Engineering, Science, and Technology, October 2004.

(ee) *Site Management Plan, Revision 6, for Naval Air Station South Weymouth, Weymouth, Massachusetts, Tetra Tech NUS, Inc., October 2006 (updated annually).*

2. CERCLA Notification: Pursuant to CERCLA Title 42 United States Code (U.S.C.), Section 9620(h), notice is hereby provided that information contained in the FOST Table 3 attached hereto and made a part hereof, identifies hazardous substances that were stored for one year or more, known to have been released or disposed of on the subject subparcels. The GRANTOR has made a complete search of its files and records concerning the subject subparcels and represents that the FOST provides (1) the requisite notice of the type and quantity of such hazardous substances, (2) notice of the time the storage, release, or disposal took place, and (3) description of the remedial action taken, if any.
  3. Representation, Warranty, and Covenant required by Title 42, U.S.C., Section 9620(h)(3)(A)(ii): In accordance with the requirements and limitations contained in Title 42, U.S.C., Section 9620(h)(3)(A)(ii), the GRANTOR hereby warrants that:
    - (a) All remedial action necessary to protect human health and the environment with respect to any hazardous substances remaining on the subject subparcels has been taken by the GRANTOR, and
    - (b) Any additional remedial action found to be necessary after delivery of this Quit Claim Deed shall be conducted by the GRANTOR.
  4. Reservation of Access by Title 42, U.S.C., § 9620(h)(3)(A)(iii): In accordance with 42 U.S.C. § 9620(h)(3)(A)(iii), GOVERNMENT reserves all reasonable and appropriate rights of access to the CONVEYED PROPERTY whenever any remedial action or corrective action is found to be necessary. The right of access described herein shall include the right to conduct tests, investigations, and surveys (including, where necessary, drilling, test pitting, boring, and other similar activities). Such right shall also include the right to conduct, operate, maintain, or undertake any other response or remedial action as reasonably necessary (including but not limited to monitoring wells, pumping wells, and treatment facilities). Any such entry, and all responses, or remedial actions, shall be coordinated in advance by GOVERNMENT, with such coordination including reasonable notice provided to GRANTEE or its successors and assigns, and shall be performed in a manner which eliminates, or minimizes to the maximum extent possible, (i) any damage to any structures now or hereafter located on the CONVEYED PROPERTY and (ii) any disruption or disturbance of the use and enjoyment of the CONVEYED PROPERTY.
- Enclosure (1) of the Finding of Suitability to Transfer (FOST) includes figures showing the site location and the subject subparcels.
5. Deleted.
  6. Presence of Lead-Based Paint (LBP): The GRANTEE covenants and agrees, on behalf of itself, its successors and assigns, that it will comply with all federal, state, and local laws relating to lead-based paint ("LBP") in its use and occupancy of the subject subparcels (including demolition and disposal of existing improvements). The GRANTOR assumes no new or further liability as a result of this transfer than it would otherwise have for losses, judgments, claims, demands, expenses, or damages of whatever nature or kind from or incident to the purchase, transportation, removal, handling, use, disposition, or other activity causing or leading to contact of any kind whatsoever with LBP on the subject subparcels, arising after the conveyance of the subject subparcels from the GRANTOR to the GRANTEE. Improvements on the subject subparcels were constructed prior to 1978 and, as with all such improvements, an LBP hazard may be present. The GRANTOR expressly acknowledges that this Section 6 shall not in any way eradicate or diminish any of the GRANTOR's obligations regarding (a) indemnification pursuant to Section 330 of the National Defense Authorization Act of 1993 (P.L. 102-484), as amended by Section 1002 of P.L. 103-160, (b) covenants and warranties required pursuant to 42 U.S.C., Section 9620(h)(3)(A), and (c) any other

applicable law. In August 2001, the Navy completed the update of the *Potential Immediate Hazards (PIH) Survey and Materials Update for Asbestos and LBP at NAS South Weymouth, Massachusetts*. This provision only applies to military improvements and not to any newly discovered LBP that may be found to have been disposed of by the military. Buildings will be transferred "as is" and LBP hazards will become the responsibility of the Grantee.

7. Presence of Asbestos: The GRANTEE covenants and agrees, on behalf of itself, its successors and assigns, that it will comply with all federal, state, and local laws relating to asbestos containing materials ("ACM") in its use and occupancy of the subject subparcels (including demolition and disposal of existing improvements). The GRANTOR assumes no new or further liability as a result of this transfer than it would otherwise have for losses, judgments, claims, demands, expenses, or damages of whatever nature or kind from or incident to the purchase, transportation, removal, handling, use, disposition, or other activity causing or leading to contact of any kind whatsoever with ACM on the subject subparcels, arising after the conveyance of the subject subparcels from the GRANTOR to the GRANTEE. The GRANTOR expressly acknowledges that this Section 7 shall not in any way eradicate or diminish any of the GRANTOR's obligations regarding (a) indemnification pursuant to Section 330 of the National Defense Authorization Act of 1993 (P.L. 102-484), as amended by Section 1002 of P.L. 103-160, (b) covenants and warranties required pursuant to 42 U.S.C., Section 9620(h)(3)(A), and (c) any other applicable law. Buildings will be transferred "as is" and asbestos hazards will become the responsibility of the Grantee.
8. Presence of Historic Fill Material: The GRANTEE, its successors and assigns, acknowledges that certain portions of the subject subparcels are underlain by historic fill material deposited by parties other than the GRANTOR, which may contain rocks, boulders, and other non-hazardous debris such as ash (generated from controlled burn/vegetation reduction during land clearing operations), asphalt, brick, and/or concrete materials. The GRANTEE, by acceptance of this Deed, covenants and agrees, for itself, its heirs, successors and assigns, that in its use and occupancy of the subject subparcels (including excavation) the GRANTEE will comply with all federal, state and local laws relating to the constituents of such historic fill and that the GRANTOR assumes no new or further liability as a result of this transfer than it would otherwise have for damages for personal injury, illness, disability or death to the GRANTEE, or to the GRANTEE's heirs, successors, assigns, employees, invitees, or any other person, including members of the general public, arising from or incident to the purchase, transportation, removal, handling, use, disposition, or other activity causing or leading to contact of any kind whatsoever with the historic fill on the subject subparcels, whether the GRANTEE, its heirs, successors or assigns, has properly warned or failed to properly warn the individual(s) injured. The GRANTOR expressly acknowledges that this Section 8 shall not in any way eradicate or diminish any of the GRANTOR's obligations regarding (a) indemnification pursuant to Section 330 of the National Defense Authorization Act of 1993 (P.L. 102-484), as amended by Section 1002 of P.L. 103-160, (b) covenants and warranties required pursuant to 42 U.S.C., Section 9620(h)(3)(A), and (c) any other applicable law.
9. Interim Covenant and Restriction Concerning the Use of Groundwater: Navy is currently evaluating Installation Restoration (IR) Program Site 11, known as the Solvent Release Area, which is located in the vicinity of subparcel SR-W-2. Pending completion of the evaluation and any subsequent response actions, GOVERNMENT and GRANTEE agree to implement this interim groundwater restriction.

GRANTEE covenants, on behalf of itself, its successors and assigns, that no groundwater extraction/production/supply wells shall be installed or permitted, and that no access to groundwater shall be permitted in that portion of the CONVEYED PROPERTY known as subparcel SR-W-2, as such subparcel is shown in Enclosure (1), without the written approval of the United States Environmental Protection Agency ("EPA") or the Massachusetts Department of Environmental Protection or its successors ("DEP"). This restriction shall terminate upon the recording of a notice that there has been: (1) a determination in writing by the EPA or DEP or both, as may be appropriate, that the groundwater at the Solvent Release Area (IR Site 11) poses no unacceptable risks to human health or the environment; or (2) written concurrence by the EPA or DEP or both, as

may be appropriate, in a determination made by the party responsible for response actions at the Solvent Release Area (IR Site 11) that the groundwater at that site poses no unacceptable risks to human health or the environment; or (3) issuance of the Navy covenant required by 42 U.S.C. § 9620(h)(3)(A)(ii)(I) for the Solvent Release Area (IR Site 11), certifying that all remedial action necessary to protect human health or the environment with respect to any hazardous substance remaining on the property has been taken before the date of transfer, whichever is the first to occur.

**ENCLOSURE (3)**  
**SUMMARY OF CERCLA AREAS OF CONCERN (AOCs)**

Note: This is a summary of the current and former (shaded rows) Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) AOCs located within and nearby (within 200 ft of) the subparcels of this Finding of Suitability to Transfer (FOST). This summary table indicates whether these areas have potential impacts to or restrictions for the subparcels included in this FOST. This information has been updated as of July 2006.

<b>CERCLA AOC</b>	<b>Description</b>	<b>Location</b>	<b>Site Concern</b>	<b>Status</b>	<b>Restrictions for transfer?</b>	<b>References</b>
AOC 55A	North of Trotter Road – Antennae Field  (formerly designated EBS RIA 55A)	Partially within subparcel SR-W-3.	Seven antennae poles and the associated copper cables. Three of seven poles were located in the SR-W-3 subparcel.  Chromium, copper, PAHs, and pesticides in surface soil above benchmarks and background.	Closed. Initially investigated under Phase II EBS, then re-sampled in May/June 2001. Human Health Risk Assessment (HHRA) indicated no unacceptable risks to human health. Ecological Risk Assessment (ERA) indicated low ecological risk mainly due to copper. In September 2002, Navy conducted a removal action to remove the antennae poles, platforms, portions of the associated grounding wires, and adjacent soil (840 tons of soil) to lower ecological risk. The Close-out Report Action Memorandum was issued in April 2003. A No Further Action Proposed Plan was issued in August 2003 and the Record of Decision (ROD) was signed in October 2003.	None.	Decision Document, Stone & Webster, January 2001.  Work Plan for RIA 55A Removal and Soil Remediation of Seven Transmitter Antennae Towers, Foster Wheeler, August 22, 2002.  Final Streamlined ERA, Stone & Webster, December 2002.  Final Streamlined HHRA, EA, November 2002.  Final Close-out Report Action Memorandum, Foster Wheeler, April 2003.  Final Proposed Plan, EA, August 2003.  Final ROD, EA, October 2003.

<b>CERCLA AOC</b>	<b>Description</b>	<b>Location</b>	<b>Site Concern</b>	<b>Status</b>	<b>Restrictions for transfer?</b>	<b>References</b>
AOC 55B	North of Trotter Road- Debris Area  (formerly designated EBS RIA 55B)	Partially within subparcel SR-W-3.	Solid waste disposal over a large, heavily wooded area.  Antimony, chromium, mercury, and pesticides exceeding benchmarks and background.	Closed. Formerly investigated under Phase II EBS and then re-sampled in May/June 2001. HHRA indicated no unacceptable human health risks. ERA indicated low ecological risks associated primarily with the wetland area in the northwest portion of the site. That area was re-designated as AOC 55D and will be addressed separately from AOC 55B. A No Action Proposed Plan was issued in August 2003 and the ROD was signed in October 2003.	None.	Draft Decision Document, Stone & Webster, January 2001.  Final Streamlined ERA for AOC 55B/D, Stone & Webster, December 2002.  Final Streamlined HHRA for AOC 55B/D, EA, December 2002.  Final Proposed Plan, EA, August 2003.  Final ROD, EA, October 2003.
AOC 55C	North of Trotter Road – Pond Area  (formerly designated EBS RIA 55C)	90 ft north of subparcel SR-W-3.	Metallic debris in heavily wooded area and pond.  Metals in soil and sediment.	Ongoing investigation. The Navy collected samples in August 2001 that showed exceedances of both human health and ecological benchmarks in surface soil, subsurface soil, sediment, and surface water. The Navy performed additional field work (soil borings and surface water and sediment sampling) to delineate the extent of contamination. The next step may include a removal action or risk assessments.	None. Potential risks limited to a pond area outside of the FOST subparcels.	Work Plan, Stone & Webster, July 2001.  Final Removal Action Report (drum), CD CTO 48-26, Foster Wheeler, May 2002.  Mob 2 Field Report, Stone & Webster, July 2002.  Draft Work Plan of 19, Stone and Webster, June 2003.  Field Report for RIA 55C, Stone and Webster, July 2004.



<b>CERCLA AOC</b>	<b>Description</b>	<b>Location</b>	<b>Site Concern</b>	<b>Status</b>	<b>Restrictions for transfer?</b>	<b>References</b>
AOC 55D	North of Trotter Road – Wetland Area  (formerly part of AOC 55B)	20 ft north of subparcel SR-W-3.	Metals, PCBs exceed ecological benchmarks in surface water and sediment.	<p>Area originally characterized and risks assessed as part of AOC 55B. Initial sampling indicated no unacceptable risks to human health and current concerns therefore primarily pertain to potential ecological receptors. This parcel was cut out of AOC 55B, and was further characterized (sampled) during the Fall 2002 and 2003 field investigations. New human health and ecological risk assessments prepared in 2004 concluded there is no unacceptable risk to human health or the environment.</p> <p>The next step will be preparation of a No Action Proposed Plan and ROD.</p>	None	<p>Draft Decision Document for 55B, Stone &amp; Webster, January 2001.</p> <p>Final ERA for AOC 55B/D, Stone &amp; Webster, December 2002.</p> <p>Final Streamlined HHRA for 55B/55D, EA, December 2002.</p> <p>Draft Work Plan, Stone &amp; Webster, September 2002.</p> <p>Final Streamlined HHRA, EA, September 2004.</p> <p>Final ERA for AOC 55D, Stone &amp; Webster, October 2004.</p>

**ENCLOSURE (4)**  
**SUMMARY OF MASSACHUSETTS CONTINGENCY PLAN (MCP) SITES**

Note: This is a summary of the current and former (shaded rows) state-listed MCP sites within and nearby (within 200 ft of) the subparcels of this Finding of Suitability to Transfer (FOST). This information has been updated as of July 2006.

<b>Release Tracking Number (RTN)</b>	<b>Description</b>	<b>Location</b>	<b>Site Concern</b>	<b>Status</b>	<b>Restrictions for transfer?</b>	<b>References</b>
3-13673	Shea Memorial Drive Spill	40 ft west of subparcel SR-W-2 (at closest)	Release of approximately 41 gal of hydraulic oil from street sweeper on April 18, 1996.	Closed (RAO filed). Absorbent material used to clean up oil on the same day as the release. Absorbent material was drummed and properly disposed of. No catch basins were affected. No Activity Use Limitation (AUL).	None.	Class A-1 RAO, ENSR, June 14, 1996.
3-15289	Building 105 (Swimming Pool)	75 ft north of subparcel SR-W-2	Impacts from domestic heating oil.	Closed (RAO filed). UST and impacted soil removed in February 1998. No AUL.	None.	Class A-2 RAO, Brown & Root, August 1998.
3-2621	Basewide National Priorities List	Basewide	General RTN that is part of Basewide MCP programs. Not associated with a particular release of a hazardous substance or petroleum product.	MADEP has assigned this RTN to all of the sites on the Base that have been or will be addressed under CERCLA (such as those listed in enclosure [3]).	See enclosure (3).	None.

**ENCLOSURE (5)**  
**SUMMARY OF ENVIRONMENTAL BASELINE SURVEY (EBS) REVIEW ITEM AREAS (RIAs)**

Note: This is a summary of the current and former (shaded rows) EBS RIAs located within and nearby (within 200 ft of) the subparcels in this Finding of Suitability to Transfer (FOST). This summary table indicates whether any of these areas have potential impacts to or restrictions for the subparcels included in this FOST. This information has been updated as of July 2006.

<b>EBS RIA</b>	<b>Description</b>	<b>Location</b>	<b>Site Concern</b>	<b>Status</b>	<b>Restrictions for transfer?</b>	<b>References</b>
RIA 46	Barracks	95 ft west of SR-W-2	Reported presence of buried pallet of asbestos shingles.	No Further Action (NFA) (regulators concur). Conducted geophysical survey and exploratory excavation. No pallet was found; no asbestos shingles are exposed at the surface. Only small, scattered amounts of shingles were found and no large disposal pile. No hazard associated with their presence in the subsurface.	None.	Final NFA Decision Document for EBS RIAs 42, 46, and 51, EA, April 11, 2002.
RIA 49	Swimming Pool	Abuts SR-W-2 to the north	Discharge of chlorinated pool water.	NFA (regulators concur). This compliance issue was handled with the Massachusetts Water Resources Authority (MWRA).	None.	Phase I EBS, Stone & Webster, November 18, 1996; Final Phase II Work Plan Screening Matrix, Table 2-2, Stone & Webster, October 1998.  EBS NFA list, EA, January 18, 2002.

EBS RIA	Description	Location	Site Concern	Status	Restrictions for transfer?	References
RIA 50	Child Care Center (Building 128)	155 ft north of SR-W-2	Possible lead-based paint (LBP) in soil from Hobby Shop's peeling paint.	NFA. Lead concentrations did not exceed regulatory standards. EPA approved NFA at Phase II EBS stage. RIA had been included on the NFA list but had been removed at the request of DEP prior to the January 2002 approval of the NFA list. DEP subsequently concurred after reviewing data, as documented in letter from Dave Chaffin (DEP) to Mark Leipert (Navy) of September 3, 2003.	None.	Phase I EBS, Stone & Webster, November 18, 1996; Final Phase II Work Plan Screening Matrix, Table 2-2, Stone & Webster, October 1998.  Lead Remediation Survey, Dewberry & Davis, 1997.  Lead in Soil Sample Results, ENSR, June 1997.
RIA 55A	North of Trotter Road – Antennae Field	Partially within SR-W-3	See enclosure (3).	NFA under EBS (regulators concur). Addressed as CERCLA Area of Concern (AOC). See enclosure (3).	See enclosure (3).	See enclosure (3).
RIA 55B	North of Trotter Road - Debris Area	Partially within SR-W-3	See enclosure (3).	NFA under EBS (regulators concur). Addressed as CERCLA AOC. See enclosure (3).	See enclosure (3).	See enclosure (3).
RIA 55C	North of Trotter Road – Pond Area	See enclosure (3).	See enclosure (3).	NFA under the EBS program. Designated as an AOC. See enclosure (3).	See enclosure (3).	See enclosure (3).
RIA 55D	North of Trotter Road - Wetland Area	Approx. 20 ft north of subparcel SR-W-3.	See enclosure (3).	Addressed as CERCLA AOC. See enclosure (3).	See enclosure (3).	See enclosure (3).
RIA 62	French Stream	20 ft east of SR-W-3	Potential past releases to French Stream.	To be determined. A Basewide watershed study will support closure of this item.	None. A 20-ft buffer zone has been established until RIA 62 (French Stream) is resolved. No impact to the subparcel is anticipated.	Pending Basewide watershed study.

EBS RIA	Description	Location	Site Concern	Status	Restrictions for transfer?	References
RIA 76C	Basewide Solid Waste	Partially within SR-W-3	Areas of solid waste (primarily concrete) and/or debris.	Initially proposed NFA under EBS. Instead, individual areas to be addressed on a case-by-case basis as necessary to support property transfers.  RIA 76C pertains to solid waste located within the subparcels of this FOST. See enclosure (6).	None. Not a CERCLA issue. However, the Navy has removed rebar from the concrete debris in SR-W-3. See enclosure (6).	Phase I EBS, Stone & Webster, November 18, 1996 Table 10-3; Final Phase II Work Plan Screening Matrix, Table 2-2, Stone & Webster, October 1998.
RIA 77	Basewide USTs - Leak Test Not Performed	One of the USTs was located 60 ft north of SR-W-2	Base Closure Program - removed USTs, including those listed in the EBS Phase I Tables 10-4.	NFA (regulators concur). The USTs identified under RIA 77 have been removed.	None.	EBS NFA letter, EA, January 18, 2002.
RIA 79	Basewide Asbestos	Partially within SR-W-2	Presence of asbestos-containing materials (ACMs).	NFA under EBS (regulators concur). Ongoing evaluations and abatements for individual locations as necessary in accordance with DoD policy. ACMs have been identified as being in fair condition in Building 76. See enclosure (1).	None. Conduct any required abatements based on reuse. See clause 7 of enclosure (2).	Final Phase II Work Plan Screening Matrix, Table 2-2, Stone & Webster, October 1998.  EBS NFA list, EA, January 18, 2002.
RIA 80	Basewide LBP	Partially within SR-W-2	Presence of LBP.	NFA under EBS (regulators concur). Ongoing evaluations and abatements for individual locations as necessary in accordance with DoD policy. Lead dust from peeling paint has been identified in Building 76. See enclosure (1).	None. Conduct any required abatements based on reuse. See clause 6 of enclosure (2).	Final Phase II Work Plan Screening Matrix, Table 2-2, Stone & Webster, October 1998.  EBS NFA list, EA, January 18, 2002.

EBS RIA	Description	Location	Site Concern	Status	Restrictions for transfer?	References
RIA 90	Transient Housing	190 ft south of SR-W-2	Pipes protruding from ground (located 4-6 ft away from the east and west sides of Building 20).	NFA (regulators concur). Pipes were confirmed as sewage drainpipes that are connected to the MWRA. Originally connected to cesspool that was removed in 1992.	None.	Phase I EBS, Stone & Webster, November 18, 1996; Final Phase II Work Plan Screening Matrix; and EBS Phase I Report Errata, Stone & Webster, November 10, 1997.  EBS NFA letter, EA, January 18, 2002.
RIA 92	Hobby Shop (Building 95) equipment pit and potential spills	80 ft northeast of SR-W-2	Extractable Petroleum Hydrocarbon (EPH) constituents in soil and methyl tertiary butyl ether (MTBE) in groundwater.	NFA (regulators concur). Various Removal Action (VRA) completed inside Building 95 in June 1998 to remove the hydraulic lifts and EPH-impacted soil as an MCP Limited Removal Action. Sampled in Fall 2002. Data collected as part of Fall 03 IR Program Site 11 (former RIA/AOC 108) field effort confirmed that NFA is appropriate.	None.	Removal Action Report, Building 95, Foster Wheeler, February 1999.  Final Decision Document, Stone & Webster, July 2004.

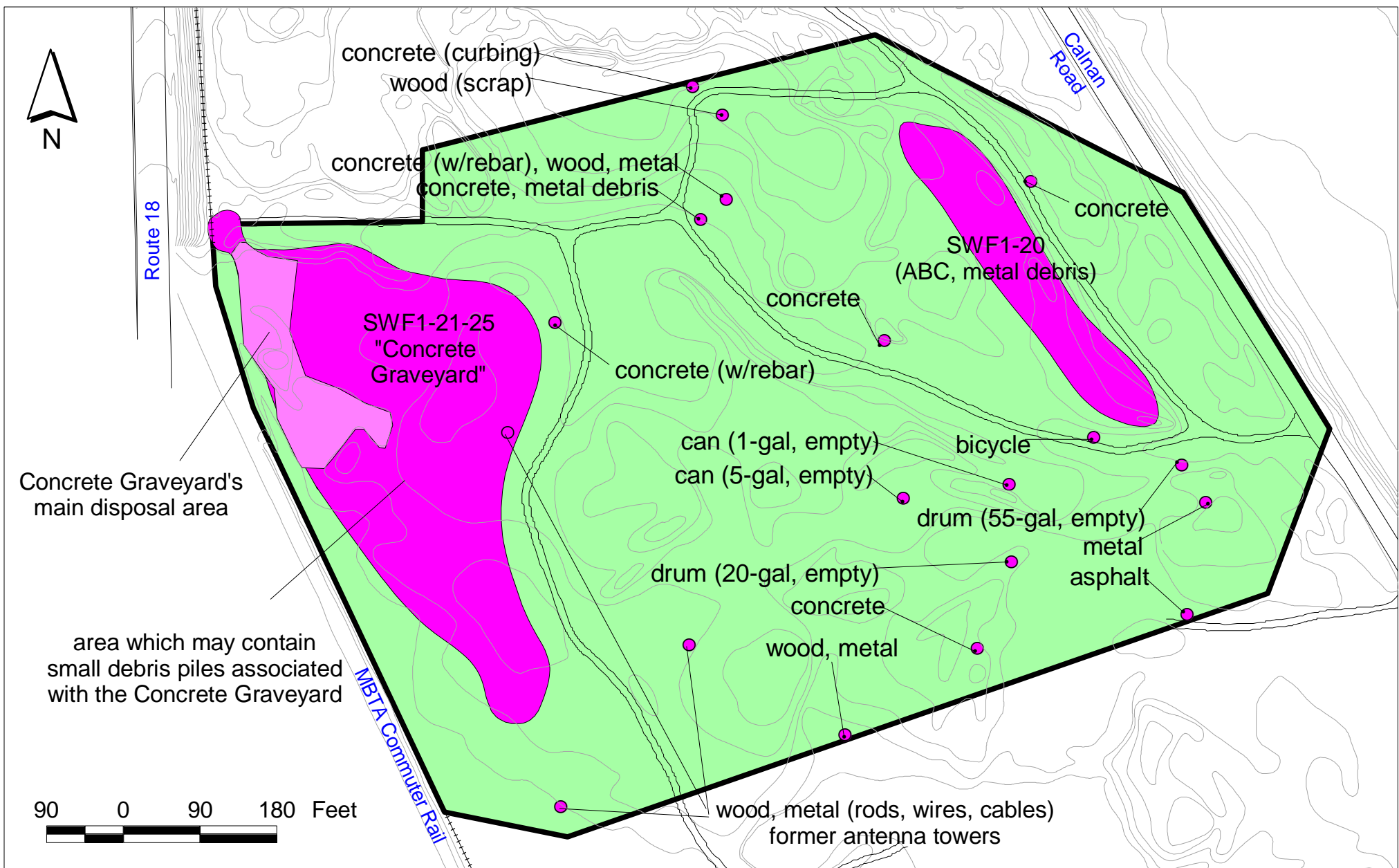
## *Enclosure (6) - Solid Waste Inventory for FOST3*

<i>Subparcel</i>	<i>Description</i>	<i>Approx CY</i>	<i>Category</i>	<i>Alias</i>	<i>Proposed</i>	<i>Status</i>	<i>Notes</i>	<i>DEP Comment</i>
SR-W-3	ABC (w/ rebar), misc debris	1500	2, 4	SWF1-21-25	remove visible rebar, notify & NFA	REMOVED NON-ABC	a.k.a. "Concrete Graveyard"; removed visible rebar as feasible	letter of 13 May 03
SR-W-3	ABC, metal debris	100	1, 4	SWF1-20	remove non-ABC, notify & NFA	REMOVED NON-ABC	approximated volume	--
SR-W-3	asphalt	0.2	1, 4	--	notify & NFA	present	scattered	--
SR-W-3	bicycle	0.1	1	--	remove & NFA	REMOVED	--	--
SR-W-3	can (1-gal, empty)	0	3	--	remove & NFA	REMOVED	possible milk can	--
SR-W-3	can (5-gal, empty)	0	3	--	remove & NFA	REMOVED	possible office trash can	--
SR-W-3	concrete	0.1	1, 4	--	notify & NFA	present	--	--
SR-W-3	concrete	1	1, 4	--	notify & NFA	present	--	--
SR-W-3	concrete (block)	0.1	1, 4	--	notify & NFA	present	--	--
SR-W-3	concrete (curbing)	0.1	1, 4	--	notify & NFA	present	--	--
SR-W-3	concrete (w/ rebar)	20	2, 4	--	remove visible rebar, notify & NFA	REMOVED REBAR	likely part of "Concrete Graveyard"; removed visible rebar as feasible	--
SR-W-3	concrete (w/rebar), wood, metal	35	2, 4	--	remove non-ABC/rebar, notify & NFA	REMOVED NON-ABC	removed visible rebar as feasible	--
SR-W-3	concrete, metal debris	0.5	1, 4	--	remove non-ABC & NFA	REMOVED NON-ABC	lightweight concrete, metal cables/misc.	--

<i>Subparcel</i>	<i>Description</i>	<i>Approx CY</i>	<i>Category</i>	<i>Alias</i>	<i>Proposed</i>	<i>Status</i>	<i>Notes</i>	<i>DEP Comment</i>
SR-W-3	drum (20-gal, empty)	0.1	3	--	remove & NFA	REMOVED	possible RIA-55B sample location	--
SR-W-3	drum (55-gal, empty)	0.1	3	--	remove & NFA	REMOVED	rusted, no label	--
SR-W-3	metal	0.5	1	--	remove & NFA	REMOVED	--	--
SR-W-3	wood (scrap)	1	1	--	remove & NFA	REMOVED	--	--
SR-W-3	wood, metal	5	1	--	remove & NFA	REMOVED	--	--
SR-W-3	wood, metal (rods, wires, cables)	10	2	AOC 55A	remove wood/metal & NFA	REMOVED	former radio antenna (wooden pole, metal grounding)	letter of 13 May 03
SR-W-3	wood, metal (rods, wires, cables)	10	2	AOC 55A	remove wood/metal & NFA	REMOVED	former radio antenna (wooden pole, metal grounding)	letter of 13 May 03
SR-W-3	wood, metal (rods, wires, cables)	10	2	AOC 55A	remove wood/metal & NFA	REMOVED	former radio antenna (wooden pole, metal grounding)	letter of 13 May 03

*ABC = asphalt/brick/concrete CY = cubic yards DEP = Department of Environmental Protection NFA = no further action*  
*SR-W = Senior Residential Weymouth Category 1 = no chemical or safety hazard Category 2 = potential safety hazard*  
*Category 3 = empty containers Category 4 = ABC*





- Perimeter Fenceline
- Roads & Pavement
- Topographic Contours
- 2 ft
- Debris Locations in FOST (not to scale)
- Debris areas in FOST (general extent of discontinuous, scattered debris)
- FOST Subparcel

Enclosure (6), Figure 1  
Solid Waste Debris in  
FOST Subparcel SR-W-3

**ENCLOSURE (7)**  
**RESPONSIVENESS SUMMARY**  
**ADDRESSING COMMENTS ON THE 2003 DRAFT FINDING OF SUITABILITY TO TRANSFER (FOST)**  
**FOR SUBPARCELS FORMERLY DESIGNATED SR-W-2 AND SR-W-3**  
**(20.40 TOTAL ACRES), [NOW DESIGNATED AS RecD and MUV D/OS-C]**  
**AT THE FORMER NAVAL AIR STATION SOUTH WEYMOUTH, MASSACHUSETTS**

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**INTRODUCTION**

This Responsiveness Summary contains the Department of the Navy's responses to comments that were received on the draft *Finding of Suitability to Transfer (FOST)*, for the Subparcels Designated SR-W-2 And SR-W-3 (20.40 Total Acres), at the Former Naval Air Station (NAS) South Weymouth, Massachusetts (the FOST) of April 2003.

The following comments were received during the public comment period that was held from April 15, 2003 to May 15, 2003 and thereafter (complete copies of the comments are attached at the end of this Responsiveness Summary):

Letter to David Barney, Navy Caretaker Site Office (CSO), from Anne Malewicz, Massachusetts Department of Environmental Protection (MADEP) Bureau of Waste Site Cleanup, and re: Finding of Suitability for Transfer Subparcels SR-W-2 and SR-W-3, Former South Weymouth NAS, letter dated April 30, 2003.

Letter to Michele DiGeambeardino, Navy Engineering Field Activity Northeast (EFANE), from John Rogers, South Shore Tri-Town Development Corporation (SSTTDC), re: SSTTDC Comments on the Draft Finding of Suitability to Transfer (FOST) 3 document dated April 2003 at the former NAS South Weymouth, Massachusetts, letter dated May 14, 2003.

Letter to Michele DiGregorio (DiGeambeardino), Navy Engineering Field Activity Northeast (EFANE), from Patty Marajh-Whittemore, U.S. Environmental Protection Agency (EPA) Region I, re: Review of Draft "Finding of Suitability to Transfer (FOST), for the Zoning Subparcels Designated SR-W-2 and SR-W-3 (20.4 Total Acres), at the Former Naval Air Station (NAS) South Weymouth, Massachusetts, letter dated May 21, 2003.

## **EPA GENERAL COMMENTS**

1. Conditions at the listed Areas of Concern (AOCs) and Review Item Areas (RIAs) are presented accurately, and all appropriate sites on or within 200 feet of the two subparcels have been addressed. None of the encompassed or adjacent AOCs or RIAs would affect the environmental conditions in SR-W-2 or SR-W-3. The sites have either been designated No Further Action (NFA) or lack a migration pathway to the subparcels. For example, the investigation at RIA 92 is ongoing, but it has been demonstrated that groundwater flow is away from SR-W-2. The transfer of these two subparcels is acceptable, although there may need to be an addition to the restrictions, as noted below.

**Response: Comment noted.**

2. The potential concern for impacts from activities at SR-W-3 on AOC 55D and RIA 62 has not been eliminated. Enclosure (5) states that AOC 55C is topographically isolated from SR-W-3. Please confirm whether AOC 55D and RIA 62 are hydrologically isolated from SR-W-3. If not, the Navy may need to consider an appropriate land use restriction in the transfer documents to prevent construction activities in the subparcel in areas (e.g., swales) where runoff might impact the ongoing investigations at AOC 55D and RIA 62.

**Response: AOC 55D is topographically lower than much of the SR-W-3 parcel and regionally hydrologically upgradient of the parcel. RIA 62 is topographically lower and regionally hydrologically downgradient of the parcel. Additional land use restrictions would not be required to protect AOC 55D, a designated wetland, and RIA 62 (French Stream), a waterway, from construction activities on the adjacent property. During construction on the FOST 3 parcel, the developer would be required to implement runoff and sedimentation controls in accordance with local, state, and federal wetland protection regulations.**

3. Residential development could allow unrestricted public access at all of the accessible sites and areas where investigations and cleanup activities are ongoing, beyond the 200-feet. The Navy should consider placement of warning signs or other means of preventing access to these sites and areas.

**Response: Agreed. If the FOST 3 parcels become available for unrestricted access before adjacent sites have been closed out (found suitable for unrestricted access), appropriate access restrictions (warning signs or other as necessary) will be implemented on those sites.**

## **EPA COMMENTS ON THE MEMORANDUM FOR THE RECORD**

1. Page 3 of 6, Para 4: Please insert "Human health" at the beginning of the sentence that now begins "Risk assessments."

**Response: Agreed. The requested edit has been incorporated into the Final FOST.**

2. Page 4 of 6, Para 5: In the sentence beginning "The completion of the No Action Proposed Plan," please insert "CERCLA, the National Contingency Plan (NCP) and" before "the FFA for NAS South Weymouth."

**Response: The referenced section refers to the Areas of Concern (AOCs), which were designated AOCs because risk assessments and removal actions were performed. In general under CERCLA, actions conducted under removal authority do not have RODs. However, completion of PRAPs and RODs for these AOCs is a requirement of the FFA for NAS South Weymouth. The text has been changed to: "Completion of the Proposed Plan and ROD for CERCLA AOCs is a requirement under the FFA for NAS South Weymouth, reference (n)."**

## **EPA COMMENTS ON ENCLOSURE (1)**

### **Subparcel SR-W-2: Building 76**

1. Page 8 of 15 and Table 1: Given that asbestos-containing material (ACM) is present in Building 76, the FOST should include a statement on the planned future use(s) of Building 76 after the transfer.

**Response: Item 1 of the FOST Memorandum for the Record discusses the potential reuse of the FOST subparcels. Clause 7 of enclosure (2) addresses the presence of asbestos.**

2. Page 10 of 15 and Table 1: Given that lead-based paint (LBP) is present in Building 76, the FOST should include a statement on the planned future use(s) of Building 76 after transfer. Also, please note that in a letter dated March 2, 2001 regarding the "Finding of Suitability to Lease (FOSL) for Buildings 75 and 76 (Barracks)," EPA commented (in Specific Comment No. 3) that
  - lead dust (from peeling paint) is present on .... the stairwell floors of Building 76. Number 6(b) states that the "lessee/sublessee shall either require the use of protective footwear in the buildings or conduct an abatement of lead dust on the floors of the buildings."

As noted on the first page of the Memorandum, the buildings will be leased to the South Shore Tri-Town Development Corporation (SSTTDC) which, in turn, plans to sublease the buildings to the Massachusetts Criminal Justice Training Council for Police Corps Training, for overnight lodging. The requirement for lodgers to wear protective footwear while in the building is not reasonable. Who would be responsible for providing, enforcing the use of, and decontaminating or disposing contaminated protective footwear? More importantly, the presence of lead dust is an inhalation hazard, and the use of protective footwear will not eliminate the risks associated with this exposure pathway.

- It is recommended that the text of 6(b) be deleted or reworded, along with similar language present throughout the FOSL. The use of protective foot coverings (and, potentially, respirators) should only be required for necessary personnel (i.e., assessment and abatement contractors) until such time that the potential lead hazard is abated (Number 6(c) requires a LBP assessment).

It is not clear from the text of the FOST that the Navy has addressed the substance of this comment, i.e., that the use of protective foot coverings (and, potentially, respirators) be required only for necessary personnel (i.e., assessment and abatement contractors) until such time that the potential lead hazard is abated.

**Response: The FOSL cited presented a case where the Navy would remain as property owner (and remain involved as landlord). The use of protective footwear was a recommendation from the Navy's Potential Immediate Hazards (PIH) report, and the Navy's FOSL provided that information as part of complete disclosure of facility conditions. Note that, as indicated in Table 1 of enclosure (1) of the FOST, Building 76 has remained unoccupied even after the FOSL was signed.**

**In the case of this FOST, the property will be transferred to the SSTTDC, not leased, and building renovations will become the responsibility of the Grantee. As such, the Navy provides notification of the facility conditions and outlines the requirements/covenants that the Grantee shall meet such as further LBP assessments/abatements.**

**Page 2 of 4 of the Memorandum for the Record identifies the proposed reuse (Recreation District) in accordance with the 2005 Reuse Plan. Text on page 3 of 4, Clause 7, references Table 1 of enclosure (1), where the findings of lead dust are detailed. Clause 6 of enclosure (2) identifies the obligations of the Grantee with respect to LBP.**

**Clearly, in order to reuse the building, the SSTTDC will need to address the LBP, as outlined in clause 6 of enclosure (2):**

**The GRANTEE covenants and agrees, on behalf of itself, its successors and assigns, that it will comply with all federal, state, and local laws relating to lead-based paint (“LBP”) in its use and occupancy of the subject subparcels (including demolition and disposal of existing improvements).**

3. Pages 11 and 12 of 15: Mold/fungi should be abated prior to residential occupancy of Building 76.

**Response: The Navy has disclosed the presence of this potential hazard to the Grantee. Enclosure (1) of the FOST states that “Abatement for mold/fungi in Building 76 would be necessary prior to occupancy.” Such renovations will be the responsibility of the Grantee.**

#### **EPA COMMENTS ON ENCLOSURE (3)**

##### **AOC 55D**

1. Based on the first round of samples, risks to human health from AOC 55D were acceptable. However, please note that until the results of the additional sampling from this site are reviewed, potential risks to human receptors cannot be completely ruled out.

**Response: Comment noted. A human health risk assessment and ecological risk assessment have been completed for AOC 55D since the previous version of FOST III was distributed for comment. The text has been clarified accordingly.**

#### **MADEP COMMENTS ON THE MEMORANDUM FOR THE RECORD**

1. Page 1: References (k) and (l) should be updated to cite the final versions of the associated documents.

**Response: Agreed. The references have been updated as appropriate.**

2. Page 5, Item 7: The list of active Review Item Areas (RIAs) located near (within 200 feet of) Subparcel SR-W-3 should include RIA 62 (French Stream).

**Response: Agreed. The list now includes RIA 62.**

#### **MADEP COMMENTS ON ENCLOSURE (1)**

##### **CERCLA Areas of Concern**

1. Rather than signing a consensus statement, DEP will provide letters accepting the Navy’s recommendation for no further action at Areas of Concern (AOCs) 55A and 55B, and acknowledging deferral of a record of decision for these AOCs.

**Response: Comment noted. Since the time the comment was made, the Navy put forth the Proposed Plan for AOCs 55A and 55B and subsequently signed the ROD, prior to the signature of this FOST. The text has been revised accordingly. References to the consensus statement have been removed.**

##### **Massachusetts Contingency Plan Sites**

1. Characterization of Release Tracking Number (RTN) 3-2621 as serving only an administrative function is inaccurate. DEP has assigned RTN 3-2621 to all of the sites on the base that have been or will be addressed under CERCLA.

**Response: The text has been edited to reflect this comment.**

## **Subparcel SR-W-2**

### **1. Building 76:**

- In order to implement Department of Defense (DoD) policy regarding lead-based paint, a statement specifying the post-transfer use of Building 76 should be obtained from the South Shore Tri-town Development Corporation (SSTTDC) and included in the revised FOST. Because Building 76 was constructed before 1960 (Table 1), DEP understands that DoD policy requires abatement of lead-based paint before Subparcel SR-W-2 is transferred to the SSTTDC if the building will be used for residential purposes ([http://www.dtic.mil/envirodod/Policies/BRAC/DoD\\_LeadPaintPol\\_Mem.pdf](http://www.dtic.mil/envirodod/Policies/BRAC/DoD_LeadPaintPol_Mem.pdf)). Resolution of this issue is essential to the FOST because a lead-based paint hazard reportedly exists at Building 76 (Potential Immediate Hazard Survey, November 1999). In addition, signs should be placed at entrances as an interim measure until appropriate abatement is completed.

**Response: DoD policy in accordance with HUD guidelines (24 CFR Part 35) Subpart C4, CONVERSION OF NON-RESIDENTIAL PROPERTY TO RESIDENTIAL PROPERTY states that abatement of LBP is not warranted if the property that is being sold is not housing at the time of sale. However, if the agency knows the property is going to be used as housing, HUD recommends that at the very least the agency inform the buyer that LBP hazards may be present and remind the buyer that subpart A of the regulation (disclosure) will apply when the property becomes housing.**

**The FOST was prepared such that the subparcels are deemed suitable for unrestricted use, except as noted by the specific covenants outlined in enclosure (2) of the FOST. Item 1 of the FOST Memorandum discusses the potential reuse. The 2005 Reuse Plan indicates that the Building 76 property is zoned as a Recreation District. Neither the former barracks nor the Recreational zoning allowances are "child occupied" residences that would necessitate a LBP abatement by the Navy. If, subsequent to property transfer, the zoning/reuse plan changes such that child-occupied residences are allowed, then assessment and abatement would become the responsibility of the Grantee. If the zoning/reuse plan changes prior to property transfer and if the Grantee decides to use Building 76 for residential purposes, then the Navy will implement the *DoD policy* regarding LBP in accordance with a written statement of facility-specific utilization or non-utilization as provided by the Grantee.**

**The referenced LBP Policy Memorandum indicates that the transfer agreement may require the purchaser (here, the Grantee) to perform the necessary abatement activities. Item 6 of enclosure (2) to the FOST provides notice of the potential LBP hazard and requires the Grantee to comply with all federal, state, and local laws relating to LBP in its use and occupancy of the building.**

**With respect to posting of PIH hazards, the Navy currently maintains control over access to the buildings and requires that provisions of the PIH be adhered to for entry into the buildings. The Navy has notified SSTTDC of the conditions in Building 76. Therefore, after transfer, the SSTTDC will be responsible for controlling access until the building is made suitable for unrestricted access.**

- In order to implement DoD policy regarding asbestos, a statement specifying the post-transfer use of the Building 76 should be obtained from the SSTTDC and included in the revised FOST. DoD policy requires that abatement of asbestos occur before Subparcel SR-W-2 is transferred to the SSTTDC if it might pose a threat to human health at the time of transfer ([Http://www.dtic.mil/envirodod/Policies/BRAC/brac\\_asb\\_mem\\_asbespol.htm](http://www.dtic.mil/envirodod/Policies/BRAC/brac_asb_mem_asbespol.htm)). After the future use of the building is determined, Mr. John Macauley with the Bureau of Waste Prevention (978-661-7633) should be contacted prior to demolition, renovation, or occupation to confirm compliance with applicable regulations.

**Response:** Item 1 of the FOST Memorandum discusses the reuse plan.

**Asbestos abatement is conducted by the Navy to address friable, accessible, and damaged (FAD) ACM materials. The PIH for Building 76 identified the presence of ACMs but did not indicate FAD conditions. The FOST and its enclosures provide notification of the presence of ACMs. Also, clause 7 of enclosure (2) of the FOST states the following:**

**7. Presence of Asbestos: The GRANTEE covenants and agrees, on behalf of itself, its successors and assigns, that it will comply with all federal, state, and local laws relating to asbestos containing materials ("ACM") in its use and occupancy of the subject subparcels (including demolition and disposal of existing improvements).**

- **Mold/fungi should be abated prior to occupying Building 76, and signs should be placed at entrances prior to abatement.**

**Response: The Navy has disclosed the presence of this potential hazard to the Grantee. Enclosure (1) of the FOST states that "Abatement for mold/fungi in Building 76 would be necessary prior to occupancy." Such renovations will be the responsibility of the Grantee.**

2. **DEP requests the opportunity to conduct a visual inspection of Subparcel SR-W-2.**

**Response: Granted. The inspection was conducted January 29, 2002.**

### **Subparcel SR-W-3**

1. **AOCs 55A and 55B: Statements such as "potential impacts to the subparcel have been addressed", and "the site would not adversely impact future reuse" are too weak to support a FOST. Supported concise statements indicating that site conditions do not and will not pose unacceptable risk to human health or the environment are needed.**

**Response: The text has been revised to state that the site conditions at AOCs 55A and 55B do not pose an unacceptable risk to human health or the environment.**

2. **RIA 76: DEP is not aware of the Navy's efforts "to resolve solid waste issues separately from this FOST/EBST"; however, MADEP's expectations are the same as conveyed in comments on previous FOSTs: solid waste scattered across the FOST subparcels constitutes a violation of state solid waste regulations, and DEP expects the Navy to reach agreement with SSTTDC about the approach that will be used to address this non-compliance issue, including determining the roles that will be assumed by each party and the schedule that will be followed to complete work (refer to July 25, 2002 letter on FOST No. 1). In particular, a plan is needed to address the "Concrete Graveyard" (a 2-acre area with an estimated volume of 500 cubic yards of piled concrete rubble and protruding rebar), which would pose a substantial safety hazard if unrestricted access were allowed.**

**Response: It is acknowledged that the Navy's solid waste inventory/plan (enclosure [6]) specifically for this FOST ("FOST 3") was new to MADEP; however, as exemplified by the above cited letter of July 25, 2002, MADEP is aware of the Navy's previous discussions regarding a policy for solid waste debris present at NAS South Weymouth. The cited letter also indicated MADEP's willingness to work with either the SSTTDC or the Navy to resolve the disposition of solid waste on property being transferred.**

**The Navy prepared the solid waste inventory and implemented the proposed removals for this FOST consistent with previous FOSTs (i.e., "FOST 1" and "FOST 2"). The Navy implemented the proposed removals identified in enclosure (6) in the summer of 2003, thereby addressing RIA 76C (see enclosure (5)).**

The solid waste inventory for this FOST was modified to indicate that visible rebar that was present at the "concrete graveyard" was removed in the summer of 2003. The concrete will remain in place to be handled by during site redevelopment.

Overall, the presence of solid waste does not preclude a FOST provided that notification and any necessary restrictions are included in the FOST document. Solid waste is not regulated under CERCLA Section 120(h). DoD BRAC guidance for FOSTs states that, in some cases, it may be required that certain hazards not regulated under CERCLA (such as solid waste, petroleum products, or safety concerns) be disclosed, according to the policies of the particular DoD component (i.e., Navy), and that restrictions on use related to those hazards be stated in the deed of transfer. This FOST does provide the required notifications.

3. Nearby AOCs and RIAs: While migration of contaminants from nearby AOCs and RIAs may not adversely affect environmental media on Subparcel SR-W-3, residential development could allow unrestricted public access to these areas and other areas well beyond the 200-foot limit where investigation and cleanup activities are on-going. Consequently, the FOST should include restrictions that will prevent access to these areas. Because of the known potential for unacceptable exposures at some sites (e.g., unacceptable risks to trespassers at West Gate Landfill) and the incomplete characterization of other areas, a physical barrier (e.g., a chain link fence) should be used to restrict access to areas outside of Subparcel SR-W-3, and warning signs should be placed at all of the accessible sites and areas where investigations and cleanup activities are on-going.

**Response:** The Navy agrees that warning signs and, in limited cases, fencing around some active sites or some sites under construction may be warranted. If the FOST 3 subparcels become available for unrestricted access before adjacent sites have been closed out (found suitable for unrestricted use), appropriate access restrictions (warning signs or other as necessary) will be implemented *at those sites*. However, the restrictions and covenants included in FOST 3 apply to the subject subparcels of FOST 3, not to adjacent property. Restrictions for adjacent sites would be included, as appropriate, in the future transfer documents (CDR or other agreements with the regulatory agencies) pertaining to those sites.

4. Exposed copper rods used to secure grounding wires in the vicinity of the former locations of antenna poles should be removed to eliminate a significant safety hazard.

**Response:** Agreed. The Navy has since removed the exposed grounding wires in the FOST subparcel.

#### **Lead-Based Paint**

1. DoD Policy regarding lead-based paint should be summarized here, and the implementation of the policy for Building 76 should be explained.

**Response:** The DoD policy regarding LBP will be incorporated by reference. The following paragraph will be added:

The Navy's policy that is applicable to the subject subparcels is presented in the DoD Memorandum called "Lead-Based Paint Policy for Disposal of Residential Real Property" of January 7, 2000. The Navy/DoD policy is to manage LBP in a manner protection of human health and the environment and to comply with all applicable Federal, State, or local laws regulating LBP and LBP hazards.

The implementation of the policy for Building 76 will also be clarified (see the above response to Comment No. 1 for Subparcel SR-W-2).



## **Solid Waste**

1. Refer to Comment 2 on Subparcel SR-W-3.

**Response:** See the response to Comment 2 on Subparcel SR-W-3.

## **Listed Species**

1. The statement indicating that the spotted turtle has not been identified on the FOST subparcels may be inconsistent with the AOC 55A ecological risk assessment, which indicates that spotted turtles have been observed at AOC 55A. Please clarify (e.g., turtles were only observed on the portion of AOC 55A that does not overlap Subparcel SR-W-3).

**Response:** The text has been revised to state that spotted turtles have been observed at AOC 55A and that some of the area is turtle habitat. The text also notes that in May 2006, the spotted turtle was removed from the state list as a “species of special concern.”

## **Table 1**

1. The history of Subparcel SR-W-3 should be clarified; in addition to partial use as an antenna field, the subparcel was used to dispose of substantial quantities of solid waste (Enclosure 6).

**Response:** Agreed. The text has been revised to state that concrete rubble and solid waste debris were historically disposed in the subparcel.

## **MADEP COMMENTS ON ENCLOSURE (2)**

1. Restrictions should be included to prevent access to sites and areas located outside of Subparcel SR-W-3 where investigation and cleanup activities are on going. Refer to Comment 3 on Enclosure 1, Subparcel SR-W-3.

**Response:** See the response to Comment 3 on Enclosure 1, Subparcel SR-W-3. Restrictions in Enclosure 2 of FOST 3 cannot pertain to property outside of subparcels addressed in FOST 3.

## **MADEP COMMENTS ON ENCLOSURE (3)**

1. AOC 55D: Regarding restrictions, refer to Comment 3 on Enclosure 1, Subparcel SR-W-3.

**Response:** See the response to Comment 3 on Enclosure 1, Subparcel SR-W-3. Restrictions in Enclosure 2 of FOST 3 cannot pertain to property outside of subparcels addressed in FOST 3.

## **MADEP COMMENTS ON ENCLOSURE (4)**

1. RTN 3-2621: Refer to Comment 1 on Enclosure 1, MCP Sites.

**Response:** The text has been edited as requested to explain that the MCP RTN 3-2621 is used by the MADEP to track CERCLA sites on the facility.

## **MADEP COMMENTS ON ENCLOSURE (5)**

1. RIAs 55C and 62: Regarding restrictions, refer to Comment 3 on Enclosure 1, Subparcel SR-W-3.

**Response:** See the response to Comment 3 on Enclosure 1, Subparcel SR-W-3. Restrictions in Enclosure 2 of FOST 3 cannot pertain to property outside of subparcels addressed in FOST 3.

2. RIA 76: Refer to Comment 2 on Enclosure 1, Subparcel SR-W-3.

**Response: See the response to Comment 2 on Subparcel SR-W-3.**

#### **MADEP COMMENTS ON ENCLOSURE (6)**

1. The inventory should include the exposed copper rods used to secure grounding wires in the vicinity of the former locations of antenna poles. In addition, the safety hazard posed by these rods should be addressed (refer to Comment 4 on Enclosure 1, Subparcel SR-W-3).

**Response: The Navy removed exposed copper rods to the extent feasible in the summer of 2003. The inventory has been updated accordingly.**

2. The inventory should include the exposed radio transmission cables located in the former locations of antenna poles.

**Response: The Navy removed exposed radio transmission cables to the extent feasible in the summer of 2003. The inventory has been updated accordingly.**

3. Regarding the actions proposed for each of the solid waste areas, refer to Comment 2 on Enclosure 1, Subparcel SR-W-3.

**Response: See the response to Comment 2 on Subparcel SR-W-3.**

4. For future reference, identifiers and labels should be used to associate individual solid waste areas with the locations shown in Figure 1.

**Response: The labels were inadvertently omitted from the draft FOST. The final version includes the labels.**

#### **SSTTDC GENERAL COMMENTS**

1. The document is not clear about how or whether RIA 76 (Basewide Solid Waste) will be closed out relative to the FOST 3 parcel. For instance, Enclosure 1 states “the Navy is working to resolve solid waste issues with the MADEP separately from this FOST/EBST.” These issues should be resolved prior to finalizing the FOST document. A number of page- specific comments relating to volumes and the approach to managing solid waste are provided below.

**Response: See the response to MADEP’s Comment 2 regarding the subparcel SR-W-3 summary in enclosure (1).**

2. The signed consensus statement should be part of the FOST 3 document.

**Response: References to the Consensus Statement have been removed from the FOST, because the Navy chose to issue the Proposed Plan and Record of Decision prior to signature of the FOST. The Proposed Plan and ROD have been incorporated by reference (reference [l] and [m] of the FOST Memorandum).**

#### **SSTTDC COMMENTS ON THE MEMORANDUM FOR THE RECORD**

1. P. 1 of 6 – All document lists should be updated in the Final FOST 3 document, including adding the April 2003 Final Closeout Report Action Memorandum for AOC 55A.

**Response: Agreed. The references have been updated.**

2. P. 3 of 6, Item 4 – Should RIA 55C be mentioned here for its potential to become an AOC under CERCLA?

**Response: The FOST and EBST have been modified to show that RIA 55C is now designated AOC 55C.**

3. P. 4 of 6 – The Consensus Statement mentioned in Item 5 should be signed and attached to the Final FOST 3 document.

**Response: References to the Consensus Statement and the MADEP concurrence letters for AOCs 55A and 55B have been replaced by references to the Proposed Plan, ROD and DEP concurrence with the ROD.**

4. P. 4 of 6, Item 6 – Those MCP sites mentioned in this paragraph should be listed here as well.

**Response: Agreed. The RTNs for the adjacent MCP sites that have been closed have been identified in the paragraph, which is Item 5 in the revised Memorandum.**

5. P. 5 of 6, Item 7 – RIA 76 is mentioned here, however it is not suggested how it is “closed-out” relative to FOST 3.

**Response: See the response to MADEP’s Comment 2 regarding the subparcel SR-W-3 summary in enclosure (1), which is Item 6 in the revised Memorandum.**

#### **SSTTDC COMMENTS ON ENCLOSURE (1)**

1. P. 4 of 15 – MCP Sites – Those MCP sites mentioned in this paragraph should be listed here, as AOCs and RIAs are listed in their particular sections.

**Response: Agreed. The RTNs for the adjacent MCP sites that have been closed have been identified in the paragraph.**

2. P. 7 of 15 – It is stated that the Navy is working “to resolve solid waste issues” under RIA 76. What are the issues and how does the Navy plan to address them for FOST 3?

**Response: See the response to MADEP’s Comment 2 regarding the subparcel SR-W-3 summary in enclosure (1).**

3. Figure 4 – Subparcel SR-W-3 – A dashed line should connect the FOST parcel boundary where AOCs intersect (southern boundary of parcel).

**Response: To be consistent with FOST 2, the figure has been modified to depict complete (closed) solid boundary lines for the FOST subparcels.**

4. Table 1 – Subparcel SR-W-2 – History Column – The property in Subparcel SR-W-2 contained a portion of the former barracks Building 42. Has the Navy performed investigations to determine if any Building 42-demolition debris is present below the ground surface of this subparcel? Review Item Areas 42 and 46 have apparently addressed concerns about potential buried demolition debris from the former barracks Buildings 18 & 19. Is the northern portion of RIA 46 related to the demolition debris that may have been from the former barracks Building 42?

**Response: The Navy has not performed an investigation specifically focusing on the disposition of buildings formerly near the location of Building 76 (barracks demolished in the early 1950s). EBS RIA 46 pertained to an alleged pallet of buried asbestos shingles by Building 75 (nearby Subparcel SR-W-2), not to demolition debris from a former building. The geophysical study conducted as part of the RIA 46 investigation at the north end of Building 75 (i.e., nearby Subparcel SR-W-2) did not identify potential demolition debris, only possible**

asbestos-lined piping. There was minimal evidence of building debris in the test pits conducted south of Building 75, suggesting that the former buildings were not disposed of in this area. The Decision Document for RIA 46 indicated that a concrete foundation or footing was found at the base of the excavation. This was a common practice to leave subgrade concrete in place during demolitions. There is no indication of a large subsurface disposal in this area resulting from the past building demolitions.

5. Table 1 – Subparcel SR-W-2 – Compliance/Other Column – The Navy’s previous findings indicate mold and/or fungal growth in several areas of Building 76. We understand that the Navy may have recently (2002) patched one of more roof/roof drain leaks and removed various mold/fungi-impacted materials from the building. Please clarify.

**Response: Table 1 has been modified to indicate that the Navy has patched the roof and repaired the roof drain in Building 76.**

6. Table 1 – Subparcel SR-W-2 – ACM/LBP Column - The Navy’s PIH survey identifies joint compound in Building 76 as asbestos-containing, however this material was not sampled during Harding Lawson’s ACM survey of 1992. Should joint compound be a “presumed” ACM?

**Response: Based on review of the 1999 PIH and the description for the similar Building 75, it appears that there was a typographical error in the 2001 PIH, and that the joint compound in Building 76 should be listed as “presumed” ACM. Table 1 has been modified accordingly.**

7. Table 1 – Subparcel SR-W-3 – History Column - Remnants of a building foundation are present in the northwestern corner of this parcel. Was the former structure associated with past gravel pit or railroad operations here? A 1960 topographic plan obtained from the Navy’s Caretaker Site Office identifies an “old cesspool” six (6) feet deep with a top elevation of 158 feet located to the southwest of the former structure. Can you provide more information about this structure and past use?

**Response: The Navy researched the structure and has determined that it was likely a dug well for drinking water or a cesspool associated with a farm house and farm structures present before the NAS. There were actually four building structures shown on microfilm records from 1915-1941. By 1942, the buildings are gone and the property was listed as Naval Air Station. The property was purchased in 1926 by James and Josephine Lindsay. James Lindsey’s occupation was listed as farmer in the 1941 poll records.**

8. Table 1 – Subparcel SR-W-3 – Compliance/Other Column – Please revise the text to note only the number of antennae poles removed from the FOST 3 parcel, not the entire AOC 55A area.

**Response: Agreed. The text has been revised to state that 3 of the 7 poles were in the FOST 3 SR-W-3 subparcel.**

#### **SSTTDC COMMENTS ON ENCLOSURE (3)**

1. P. 1 of 2 – AOC 55A – Status Column - Portions of the copper grounding wires were removed in 2002 – those portions extending beyond the area of excavation were left in place.

**Response: Agreed. Enclosure (3) and Table 1 of enclosure (1) have been revised to state that portions of the grounding wires were removed.**

#### **SSTTDC COMMENTS ON ENCLOSURE (6)**

1. The first two lines of the Solid Waste Inventory table note that non-ABC has been removed from both areas – does this include all metal rebar at the “Concrete Graveyard”?

**Response: No. The solid waste inventory (enclosure [6] of the FOST) has been modified to indicate that rebar was present at the concrete graveyard. The Navy removed the visible rebar in the summer of 2003.**

2. Line 11 of the Solid Waste Inventory table (20 cy of concrete w/rebar) notes that SSTTDC will be notified and that NFA is required by the Navy; however on line 12 (35 cy of concrete w/rebar, wood & metal debris) it is noted that all non-ABC and rebar will be removed. The Navy should be consistent within the FOST 3 solid waste management plan. Is the FOST 3 solid waste management plan consistent with those developed for property in FOST 1 and 2 – i.e. does the Navy plan to remove all non-ABC (including rebar and other safety hazards).

**Response: The solid waste inventory (enclosure [6] of the FOST) has been modified to indicate that rebar was present in the area referred to as “the concrete graveyard”. The Navy removed the visible rebar in the summer of 2003.**

3. Suggest the Navy identify locations of solid waste similar to solid waste inventories included with FOSTs 1 & 2. Perhaps each line item in the Solid Waste Inventory table could be numbered and that number could be marked on the corresponding location shown on the attached figure.

**Response: The labels were inadvertently omitted from the draft FOST. The final version includes the labels.**

4. The estimate of 520 CY of solid waste in the “concrete graveyard” seems to be low. How did the Navy calculate the quantity of material here? Just 6 inches of debris over a 60,000-sf area would yield over 1,000-CY of debris. The concrete graveyard appears to be much larger than 60,000 sf in area, and the debris is consistently greater than 6 inches in depth.

**Response: It is agreed that the volume of the concrete graveyard is larger than the previous estimate of 520 CY. The Navy has recalculated this volume to be approximately 1,500 CY. Enclosure (6) has been modified accordingly.**

In general for the solid waste inventory (for this and previous FOSTs), the Navy determined debris volumes from estimations of debris dimensions (e.g., radius/length/width/ height of debris piles). These data were obtained during the visual site inspections conducted along with MADEP, EPA, and sometimes SSTTDC representatives. Such estimates were readily feasible for small debris piles. However, given that the concrete graveyard is comprised of numerous, large, irregular piles spread out over a heavily wooded area, such an estimating technique was not feasible within a reasonable timeframe. Therefore, the volume estimate for the concrete graveyard and some of the other “general debris areas” mapped in this and previous FOSTs was based on a rough, order-of-magnitude estimate of the overall condition of the area. The mapped area for the generalized “concrete graveyard” was estimated by the CSO long before the recent visual site inspections were conducted. The figure of 520 CY is based on that old estimate (500 CY) plus an adjacent debris point (estimated at 20 CY based on the dimensions of the debris pile) which was identified during the recent visual site inspections and had similar types of debris and is likely associated with the same disposal event.

As mapped in the draft FOST, the concrete graveyard area was shown as an area of approximately 2.7 acres (117,000 sf). However, that mapped area representing the concrete graveyard was not intended to depict actual coverage, but rather the generalized area over which a related disposal occurred (i.e., there are many locations within that mapped area that do not contain any solid waste debris). The concrete debris does not cover the entire 2.7 acres but rather is present in multiple discrete/discontinuous piles.

Due to SSTTDC’s comment, the Navy has rechecked records and located a topographic map (1-ft contours) which is available for review at the CSO and which specifically outlines the concrete graveyard area as an “area filled with blasted concrete.” This is the primary disposal

area that comprises the concrete graveyard, as also observed during the visual site inspections by Navy, EPA, and MADEP personnel. This primary disposal area is located in the northwest portion of the overall area mapped in the draft FOST (i.e., toward the fence line and by the end of the dirt road). The map presented in enclosure (6) of the final FOST has been clarified to indicate the primary disposal area as compared to the overall area where some related debris can be expected to be found. The Navy's new volume estimate is based on the area and height of the "area filled with blasted concrete" from the topographic map, with the understanding that some smaller debris piles are present in the surrounding area.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100  
BOSTON, MASSACHUSETTS 02114-2023

May 21, 2003

Ms. Michele DiGeambeardino, Code 1821/MD  
Navy Engineering Field Activity Northeast  
10 Industrial Hwy., Mail Stop 82  
Lester, PA 19113-2090

Subject: Review of Draft "Finding of Suitability to Transfer (FOST), for the Zoning Subparcels Designated SR-W-2 and SR-W-3 (20.4 Total Acres), at the Former Naval Air Station (NAS) South Weymouth, Massachusetts"

Dear Ms. DiGeambeardino:

This letter is in response to your request for the United States Environmental Protection Agency's (EPA's) comments on the draft "Finding of Suitability to Transfer (FOST), for the Zoning Subparcels Designated SR-W-2 and SR-W-3 (20.4 Total Acres), at the Former Naval Air Station (NAS) South Weymouth, Massachusetts" (FOST) dated April 2003. Our comments are enclosed in Attachment 1.

EPA reserves all rights and authorities relating to information not contained in this draft document whether or not such information was known when the Environmental Baseline Survey to Transfer (EBST) was issued or is discovered after such issuance. Please note that EPA reviewed this document solely for the purposes of determining whether it meets the requirements of the Department of Defense (DOD) Guidance on the Environmental Review Process to Reach a Finding of Suitability to Transfer dated June 1, 1994. EPA has not reviewed the draft FOST for any other purpose, including compliance with the National Environmental Policy Act (NEPA).

This letter and enclosure should be placed in the administrative record. As per DOD policy, the Navy shall provide public notice of signing the FOST and provide the regulators with a copy of the signed FOST. Thank you for the opportunity to review this document. If you have any questions, please call me at (617) 918-1382.

Sincerely,

A handwritten signature in black ink, appearing to read "P Marajh-Whittemore", is located below the "Sincerely," text.

Patty Marajh-Whittemore  
Remedial Project Manager

Enclosure

cc: Dave Chaffin/MADEP  
Dave Barney/SOWEY NAS  
John Rogers/SSTTDC  
RAB Members  
Mary Sanderson/EPA, Acting Branch Chief, R&R II  
Betsy Mason/ EPA, Office of Regional Counsel  
Don Maddox/EPA, FFEO

c:\ebs2\fast\FOST3-SR-W2&3.epa



## ATTACHMENT 1

### **General Comments**

1. Conditions at the listed Areas of Concern (AOCs) and Review Item Areas (RIAs) are presented accurately, and all appropriate sites on or within 200 feet of the two subparcels have been addressed. None of the encompassed or adjacent AOCs or RIAs would affect the environmental conditions in SR-W-2 or SR-W-3. The sites have either been designated No Further Action (NFA) or lack a migration pathway to the subparcels. For example, the investigation at RIA 92 is ongoing, but it has been demonstrated that groundwater flow is away from SR-W-2. The transfer of these two subparcels is acceptable, although there may need to be an addition to the restrictions, as noted below.
2. The potential concern for impacts from activities at SR-W-3 on AOC 55D and RIA 62 has not been eliminated. Enclosure (5) states that AOC 55C is topographically isolated from SR-W-3. Please confirm whether AOC 55D and RIA 62 are hydrologically isolated from SR-W-3. If not, the Navy may need to consider an appropriate land use restriction in the transfer documents to prevent construction activities in the subparcel in areas (e.g., swales) where runoff might impact the ongoing investigations at AOC 55D and RIA 62.
3. Residential development could allow unrestricted public access at all of the accessible sites and areas where investigations and cleanup activities are ongoing, beyond the 200-feet. The Navy should consider placement of warning signs or other means of preventing access to these sites and areas.

### **Specific Comments**

#### **Memorandum for the Record**

1. Page 3 of 6, ¶ 4: Please insert "Human health" at the beginning of the sentence that now begins "Risk assessments."
2. Page 4 of 6, ¶ 5: In the sentence beginning "The completion of the No Action Proposed Plan," please insert "CERCLA, the National Contingency Plan (NCP) and" before "the FFA for NAS South Weymouth."

#### **Enclosure 1 - Environmental Baseline Survey to Transfer**

##### **Subparcel SR-W-2: Building 76**

1. Page 8 of 15 and Table 1: Given that asbestos-containing material (ACM) is present in Building 76, the FOST should include a statement on the planned future use(s) of Building 76 after the transfer.

2. Page 10 of 15 and Table 1: Given that lead-based paint (LBP) is present in Building 76, the FOST should include a statement on the planned future use(s) of Building 76 after transfer. Also, please note that in a letter dated March 2, 2001 regarding the "Finding of Suitability to Lease (FOSL) for Buildings 75 and 76 (Barracks)," EPA commented (in Specific Comment No. 3) that

[l]ead dust (from peeling paint) is present on .... the stairwell floors of Building 76. Number 6(b) states that the "lessee/sublessee shall either require the use of protective footwear in the buildings or conduct an abatement of lead dust on the floors of the buildings."

As noted on the first page of the Memorandum, the buildings will be leased to the South Shore Tri-Town Development Corporation (SSTTDC) which, in turn, plans to sublease the buildings to the Massachusetts Criminal Justice Training Council for Police Corps Training, for overnight lodging. The requirement for lodgers to wear protective footwear while in the building is not reasonable. Who would be responsible for providing, enforcing the use of, and decontaminating or disposing contaminated protective footwear? More importantly, the presence of lead dust is an inhalation hazard, and the use of protective footwear will not eliminate the risks associated with this exposure pathway.

It is recommended that the text of 6(b) be deleted or reworded, along with similar language present throughout the FOSL. The use of protective foot coverings (and, potentially, respirators) should only be required for necessary personnel (i.e., assessment and abatement contractors) until such time that the potential lead hazard is abated (Number 6(c) requires a LBP assessment).

It is not clear from the text of the FOST that the Navy has addressed the substance of this comment, *i.e.*, that the use of protective foot coverings (and, potentially, respirators) be required only for necessary personnel (i.e., assessment and abatement contractors) until such time that the potential lead hazard is abated.

3. Pages 11 and 12 of 15: Mold/fungi should be abated prior to residential occupancy of Building 76.

### **Enclosure 3 - Summary of CERCLA Areas of Concern (AOCs)**

#### ***AOC 55D***

1. Based on the first round of samples, risks to human health from AOC 55D were acceptable. However, please note that until the results of the additional sampling from this site are reviewed, potential risks to human receptors cannot be completely ruled out.



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

MITT ROMNEY  
Governor

KERRY HEALEY  
Lieutenant Governor

ELLEN ROY HERZFELDER  
Secretary

EDWARD P. KUNCE  
Acting Commissioner

Mr. David Barney  
Department of the Navy  
Caretaker Site Office  
P.O Box 169  
S. Weymouth, MA 02190-0001

Re: Finding of Suitability for Transfer  
Subparcels SR-W-2 and SR-W-3  
Former South Weymouth NAS  
RTN 3-2621  
April 30, 2003

Dear Mr. Barney:

The Department of Environmental Protection, Bureau of Waste Site Cleanup, comments on the draft *Finding of Suitability to Transfer (FOST) for the Zoning Subparcels Designated SR-W-2 and SR-W-3 (20.40 Total Acres) at the Former Naval Air Station South Weymouth, Massachusetts*, received April 15, 2003, are attached.

Please note that the Bureau's comments are based on information provided by the Navy and are limited to concerns related to the presence of environmental contamination and the potential for human and environmental receptors to be exposed to environmental contamination. In addition, the Bureau's review of documents related to sites addressed under the Massachusetts Contingency Plan (MCP) does not constitute an audit under Subpart K of the MCP (310 CMR 40.1100), and the Department retains the authority to conduct such an audit in the future.

If you have any questions regarding this letter, please contact David Chaffin, Project Manager, at (617) 348-4005.

Very truly yours,

  
Anne Malewicz  
Federal Facilities Section Chief  
Bureau of Waste Site Cleanup

cc: M. Digeambeardino, USN  
P. Marajh-Whittemore, USEPA  
Executive Director, SSTDC  
RAB Members  
E. Worrall, MADEP-Wilmington  
S. Johnson, MADEP-Wilmington



**DEP COMMENTS ON  
DRAFT FOST FOR SUBPARCELS SR-W-2 AND SR-W-3  
FORMER S. WEYMOUTH NAS, S. WEYMOUTH, MASSACHUSETTS  
APRIL 30, 2003**

**Memorandum for the Record**

1. Page 1: References (k) and (l) should be updated to cite the final versions of the associated documents.
2. Page 5, Item 7: The list of active Review Item Areas (RIAs) located near (within 200 feet of) Subparcel SR-W-3 should include RIA 62 (French Stream).

**Enclosure 1 - Environmental Baseline Survey to Transfer (EBST)**

CERCLA Areas of Concern

1. Rather than signing a consensus statement, DEP will provide letters accepting the Navy's recommendation for no further action at Areas of Concern (AOCs) 55A and 55B, and acknowledging deferral of a record of decision for these AOCs.

Massachusetts Contingency Plan Sites

1. Characterization of Release Tracking Number (RTN) 3-2621 as serving only an administrative function is inaccurate. DEP has assigned RTN 3-2621 to all of the sites on the base that have been or will be addressed under CERCLA.

Subparcel SR-W-2

1. Building 76:
  - In order to implement Department of Defense (DoD) policy regarding lead-based paint, a statement specifying the post-transfer use of Building 76 should be obtained from the South Shore Tri-town Development Corporation (SSTTDC) and included in the revised FOST. Because Building 76 was constructed before 1960 (Table 1), DEP understands that DoD policy requires abatement of lead-based paint before Subparcel SR-W-2 is transferred to the SSTTDC if the building will be used for residential purposes ([http://www.dtic.mil/envirodod/Policies/BRAC/DoD\\_LeadPaintPolMem.pdf](http://www.dtic.mil/envirodod/Policies/BRAC/DoD_LeadPaintPolMem.pdf)). Resolution of this issue is essential to the FOST because a lead-based paint hazard reportedly exists at Building 76 (Potential Immediate Hazard Survey, November 1999). In addition, signs should be placed at entrances as an interim measure until appropriate abatement is completed.
  - In order to implement DoD policy regarding asbestos, a statement specifying the post-transfer use of the Building 76 should be obtained from the SSTTDC and included in the revised FOST. DoD policy requires that abatement of asbestos occur before Subparcel SR-W-2 is transferred to the SSTTDC if it might pose a threat to human health at the time of transfer ([http://www.dtic.mil/envirodod/Policies/BRAC/brac\\_asb\\_mem\\_asbespol.htm](http://www.dtic.mil/envirodod/Policies/BRAC/brac_asb_mem_asbespol.htm)). After the future use of the building is determined, Mr. John Macauley with the Bureau of Waste Prevention (978-661-7633) should be contacted prior to demolition, renovation, or occupation to confirm compliance with applicable regulations.

- Mold/fungi should be abated prior to occupying Building 76, and signs should be placed at entrances prior to abatement.
2. DEP requests the opportunity to conduct a visual inspection of Subparcel SR-W-2.

#### Subparcel SR-W-3

1. AOCs 55A and 55B: Statements such as “potential impacts to the subparcel have been addressed”, and “the site would not adversely impact future reuse” are too weak to support a FOST. Supported concise statements indicating that site conditions do not and will not pose unacceptable risk to human health or the environment are needed.
2. RIA 76: DEP is not aware of the Navy’s efforts “to resolve solid waste issues separately from this FOST/EBST”; however, DEP’s expectations are the same as conveyed in comments on previous FOSTs: solid waste scattered across the FOST subparcels constitutes a violation of state solid waste regulations, and DEP expects the Navy to reach agreement with SSTDC about the approach that will be used to address this non-compliance issue, including determining the roles that will be assumed by each party and the schedule that will be followed to complete work (refer to July 25, 2002 letter on FOST No. 1). In particular, a plan is needed to address the “Concrete Graveyard” (a 2-acre area with an estimated volume of 500 cubic yards of piled concrete rubble and protruding rebar), which would pose a substantial safety hazard if unrestricted access were allowed.
3. Nearby AOCs and RIAs: While migration of contaminants from nearby AOCs and RIAs may not adversely affect environmental media on Subparcel SR-W-3, residential development could allow unrestricted public access to these areas and other areas well beyond the 200-foot limit where investigation and cleanup activities are on-going. Consequently, the FOST should include restrictions that will prevent access to these areas. Because of the known potential for unacceptable exposures at some sites (e.g., unacceptable risks to trespassers at West Gate Landfill) and the incomplete characterization of other areas, a physical barrier (e.g., a chain link fence) should be used to restrict access to areas outside of Subparcel SR-W-3, and warning signs should be placed at all of the accessible sites and areas where investigations and cleanup activities are on-going.
4. Exposed copper rods used to secure grounding wires in the vicinity of the former locations of antenna poles should be removed to eliminate a significant safety hazard.

#### Lead-Based Paint

1. DoD Policy regarding lead-based paint should be summarized here, and the implementation of the policy for Building 76 should be explained.

#### Solid Waste

1. Refer to Comment 2 on Subparcel SR-W-3.

#### Listed Species

1. The statement indicating that the spotted turtle has not been identified on the FOST subparcels may be inconsistent with the AOC 55A ecological risk assessment, which indicates that spotted turtles have been observed at AOC 55A. Please clarify (e.g., turtles were only observed on the portion of AOC 55A that does not overlap Subparcel SR-W-3).

#### Table 1

1. The history of Subparcel SR-W-3 should be clarified; in addition to partial use as an antenna field, the subparcel was used to dispose of substantial quantities of solid waste (Enclosure 6).

#### **Enclosure 2 – Environmental Covenants, Conditions, Reservations, and Restrictions**

1. Restrictions should be included to prevent access to sites and areas located outside of Subparcel SR-W-3 where investigation and cleanup activities are on-going. Refer to Comment 3 on Enclosure 1, Subparcel SR-W-3.

#### **Enclosure 3 – Summary of CERCLA Areas of Concern (AOCs)**

2. AOC 55D: Regarding restrictions, refer to Comment 3 on Enclosure 1, Subparcel SR-W-3.

#### **Enclosure 4 – Summary of Massachusetts Contingency Plan (MCP) Sites**

1. RTN 3-2621: Refer to Comment 1 on Enclosure 1, MCP Sites.

#### **Enclosure 5 – Summary of Environmental Baseline Survey (EBS) Review Item Areas (RIAs)**

3. RIAs 55C and 62: Regarding restrictions, refer to Comment 3 on Enclosure 1, Subparcel SR-W-3.
4. RIA 76: Refer to Comment 2 on Enclosure 1, Subparcel SR-W-3.

#### **Enclosure 6 – Solid Waste Inventory for FOST 3**

1. The inventory should include the exposed copper rods used to secure grounding wires in the vicinity of the former locations of antenna poles. In addition, the safety hazard posed by these rods should be addressed (refer to Comment 4 on Enclosure 1, Subparcel SR-W-3).
2. The inventory should include the exposed radio transmission cables located in the former locations of antenna poles.
3. Regarding the actions proposed for each of the solid waste areas, refer to Comment 2 on Enclosure 1, Subparcel SR-W-3.
4. For future reference, identifiers and labels should be used to associate individual solid waste areas with the locations shown in Figure 1.

# South Shore Tri-Town Development Corporation

---

223 Shea Memorial Drive, South Weymouth, MA 02190

May 14, 2003

Michele DiGeambeardino  
Code 1821/MD  
Navy Engineering Field Activity Northeast  
10 Industrial Highway, Mail Stop #82  
Lester, Pennsylvania 19113-2090

Re: Draft Supplemental Environmental Baseline Survey

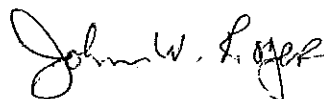
Dear Ms. DiGeambeardino:

On behalf of South Shore Tri-Town Development Corporation, I am enclosing comments on the Draft Finding of Suitability to Transfer (FOST) 3 dated April 2003.

Due to the magnitude of solid waste disposal within the FOST 3 parcel and its relationship to the resolution of the base-wide solid waste issue included in RIA 76, the South Shore Tri-Town Development Corporation would like to reserve the right to discuss resolution of this issue with the Navy and the Massachusetts DEP as part of the ESCA negotiations.

Thank you for your attention to this matter.

Very Truly Yours,



John W. Rogers, Chairman  
Board of Directors

Enclosure: Comments

Cc: M. Krivansky, Navy  
P. Whittemore, U.S. EPA  
A. Malewicz, MA DEP  
D. Chaffin, MA DEP  
M. Ryan, N,M&F  
S. Ivas, IE  
J. Young, KEI  
D. Urann, CH2M  
S. Smith, CH2M

## CH2M HILL Comments on FOST 3

TO: David Hall/Lennar Partners  
John Rogers/SSTTDC

COPIES: Mary Ryan/Nutter, McClennen & Fish  
Gordon Hart/Paul Hastings  
Jill Bensen/CH2M HILL  
Dave Urann/CH2M HILL  
Spence Smith/CH2M HILL  
Jim Young/KEI

FROM: CH2M HILL

DATE: May 13, 2003

CH2M HILL reviewed the Draft Finding of Suitability to Transfer (FOST) 3 document (dated April 2003) for completeness and information relevant to the ongoing property transfer due diligence process. Comments are provided below.

### General Comments

1) The document is not clear about how or whether RIA 76 (Basewide Solid Waste) will be closed out relative to the FOST 3 parcel. For instance, Enclosure 1 states "the Navy is working to resolve solid waste issues with the MADEP separately from this FOST/EBST." These issues should be resolved prior to finalizing the FOST document. A number of page-specific comments relating to volumes and the approach to managing solid waste are provided below.

2) The signed consensus statement should be part of the FOST 3 document.

### Page-Specific Comments

#### 1. Memorandum for the Record

- a) P 1 of 6 - All document lists should be updated in the Final FOST 3 document, including adding the April 2003 Final Closeout Report Action Memorandum for AOC 55A.
- b) P. 3 of 6, Item 4 - Should RIA 55C be mentioned here for its potential to become an AOC under CERCLA?
- c) P. 4 of 6 - The Consensus Statement mentioned in Item 5 should be signed and attached to the Final FOST 3 document.
- d) P. 4 of 6, Item 6 - Those MCP sites mentioned in this paragraph should be listed here as well.



- e) P. 5 of 6, Item 7 – RIA 76 is mentioned here, however it is not suggested how it is “closed-out” relative to FOST 3.

## 2. Enclosure 1 – Environmental Baseline Survey to Transfer

- a) P. 4 of 15 – MCP Sites – Those MCP sites mentioned in this paragraph should be listed here, as AOCs and RIAs are listed in their particular sections.
- b) P. 7 of 15 – It is stated that the Navy is working “to resolve solid waste issues” under RIA 76. What are the issues and how does the Navy plan to address them for FOST 3?
- c) Figure 4 – Subparcel SR-W-3 – A dashed line should connect the FOST parcel boundary where AOCs intersect (southern boundary of parcel).
- d) Table 1 – Subparcel SR-W-2 – History Column – The property in Subparcel SR-W-2 contained a portion of the former barracks Building 42. Has the Navy performed investigations to determine if any Building 42 demolition debris is present below the ground surface of this subparcel? Review Item Areas 42 and 46 have apparently addressed concerns about potential buried demolition debris from the former barracks Buildings 18 & 19. Is the northern portion of RIA 46 related to the demolition debris that may have been from the former barracks Building 42?
- e) Table 1 – Subparcel SR-W-2 – Compliance/Other Column – The Navy’s previous findings indicate mold and/or fungal growth in several areas of Building 76. We understand that the Navy may have recently (2002) patched one of more roof/roof drain leaks and removed various mold/fungi-impacted materials from the building. Please clarify.
- f) Table 1 – Subparcel SR-W-2 – ACM/LBP Column – The Navy’s PIH survey identifies joint compound in Building 76 as asbestos-containing, however this material was not sampled during Harding Lawson’s ACM survey of 1992. Should joint compound be a “presumed” ACM?
- g) Table 1 – Subparcel SR-W-3 – History Column – Remnants of a building foundation are present in the northwestern corner of this parcel. Was the former structure associated with past gravel pit or railroad operations here? A 1960 topographic plan obtained from the Navy’s Caretaker Site Office identifies an “old cesspool” six (6) feet deep with a top elevation of 158 feet located to the southwest of the former structure. Can you provide more information about this structure and past use?
- h) Table 1 – Subparcel SR-W-3 – Compliance/Other Column – Please revise the text to note only the number of antennae poles removed from the FOST 3 parcel, not the entire AOC 55A area.

## 3. Enclosure 3 – Environmental Covenants, Conditions, Reservations, and Restrictions

- a) P. 1 of 2 – AOC 55A – Status Column -Portions of the copper grounding wires were removed in 2002 – those portions extending beyond the area of excavation were left in place.

#### 4. Enclosure 6 – Solid Waste Inventory

- a) The first two lines of the Solid Waste Inventory table note that non-ABC has been removed from both areas – does this include all metal rebar at the “Concrete Graveyard”?
- b) Line 11 of the Solid Waste Inventory table (20 cy of concrete w/rebar) notes that SSTTDC will be notified and that NFA is required by the Navy; however on line 12 (35 cy of concrete w/rebar, wood & metal debris) it is noted that all non-ABC and rebar will be removed. The Navy should be consistent within the FOST 3 solid waste management plan. Is the FOST 3 solid waste management plan consistent with those developed for property in FOST 1 and 2 – i.e. does the Navy plan to remove all non-ABC (including rebar and other safety hazards).
- c) Suggest the Navy identify locations of solid waste similar to solid waste inventories included with FOSTs 1 & 2. Perhaps each line item in the Solid Waste Inventory table could be numbered and that number could be marked on the corresponding location shown on the attached figure.
- d) The estimate of 520 cy of solid waste in the “concrete graveyard” seems to be low. How did the Navy calculate the quantity of material here? Just 6 inches of debris over a 60,000 sf area would yield over 1,000 cy of debris. The concrete graveyard appears to be much larger than 60,000 sf in area, and the debris is consistently greater than 6 inches in depth.

**ENCLOSURE (8)**  
**RESPONSIVENESS SUMMARY**  
**ADDRESSING COMMENTS ON THE AUGUST 2006 UPDATED FINDING OF SUITABILITY TO**  
**TRANSFER (FOST) FOR SUBPARCELS FORMERLY DESIGNATED SR-W-2 AND SR-W-3**  
**(20.40 TOTAL ACRES), [Now Designated RecD and MUV D/OS-C, respectively]**  
**AT THE FORMER NAVAL AIR STATION SOUTH WEYMOUTH, MASSACHUSETTS**

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**INTRODUCTION**

This Responsiveness Summary contains the Department of the Navy's responses to comments that were received on the updated *Finding of Suitability to Transfer (FOST)*, for the *Subparcels Designated SR-W-2 And SR-W-3 (20.40 Total Acres)*, [Now Designated RecD and MUV D/OS-C, respectively] at the *Former Naval Air Station (NAS) South Weymouth, Massachusetts* (the FOST) of August 2006.

Public Notice of the Navy's intent to sign this FOST was provided in the *Patriot Ledger* on October 18, 2006, in the *Weymouth News* on October 18, 2006, and in the *Rockland Mariner* on October 20, 2006. The following comments were received during the public comment period that was held from October 18 to November 17, 2006 and thereafter (complete copies of the comments are attached at the end of this Responsiveness Summary):

Letter to Dave Barney, Navy, from Patty Marajh-Whitemore, Remedial Project Manager, U. S. Department of Environmental Protection (EPA) Region I, re: Review of the Revised Draft Finding of Suitability to Transfer (FOST), for the Zoning Subparcels Formerly Designated SR-W-2 and SR-W-3, at the Former Naval Air Station (NAS) South Weymouth, Massachusetts, letter dated October 23, 2006.

Letter to David Barney, Navy, from Anne Malewicz, Massachusetts Department of Environmental Protection (MADEP) Bureau of Waste Site Cleanup, re: Finding of Suitability for Transfer Subparcels SR-W-2 and SR-W-3, Former South Weymouth NAS, MassDEP RTN 4-3002621, letter dated September 21, 2006.

Letter to David Barney, Navy, from Terry Fancher, South Shore Tri-Town Development Corporation (SSTTDC), re: SSTTDC Comments on the Finding of Suitability to Transfer (FOST) 3 at the former NAS South Weymouth, Massachusetts, letter dated November 8, 2006.

Letter to Dave Barney, Navy, from Mike Bromberg, re: Revised FOST 3 Designated SR-W-2 and SR-W-3 (20.4 Acres), letter dated November 17, 2006.

## **EPA GENERAL COMMENTS**

1. The restriction described in Enclosure (2) Subpart 9, Interim Covenant and Restriction Concerning the Use of Groundwater states that “no groundwater extraction/production/supply wells shall be installed or permitted, and that no access to groundwater shall be permitted in the Conveyed Property without the written approval of the United States Environmental Protection Agency ("EPA") or the Massachusetts Department of Environmental Protection or its successors ("DEP"). The restriction, as written, is not specific to one subparcel or the other, but is general for the entire FOST. Given this restriction, other sections of text should not state that the environmental conditions are suitable for **unrestricted reuse**. The following are some of the areas of the text where the groundwater restriction should be addressed (however, the entire document should be reviewed for required changes):
  - a. Memorandum for the Record, Page 1 – Any documents that pertain to the groundwater restriction should be included in the References.
  - b. Memorandum for the Record, Page 2-3: There should be a paragraph concerning the groundwater restriction in this summary.
  - c. Memorandum for the Record, Page 4, Part 9, 3<sup>rd</sup> paragraph – The finding needs to identify the groundwater restrictions and clarify that the parcels are not suitable for unrestricted reuse, but will be subject to the groundwater restrictions.
  - d. Enclosure (1), page 2-3, 1<sup>st</sup> paragraph of page 3: Needs to be revised to address the groundwater circumstances that call for the groundwater restriction.
  - e. Enclosure (1), page 4, 1<sup>st</sup> paragraph of Subparcel SR-W-2 needs further clarification of the groundwater restriction.
  - f. Enclosure (1), Page 5: 1<sup>st</sup> sentence of Subparcel SR-W-3 needs to discuss the groundwater restriction.
  - g. Enclosure (1), Page 9: Should include References for information on the groundwater restriction requirement.
  - h. Enclosure (1), Table 1 – Needs to include line for the groundwater condition requiring the restriction for both SR-W-2 and SR-W-3.
  - i. Enclosure (1), Tables 2 and 3 – Needs to include lines in the Tables discussing the groundwater condition requiring the restriction.
  - j. Enclosure (2), Page 1: Needs to include references for information on the groundwater restriction requirement.
  - k. Enclosure (3): Should discuss the source of the contaminated groundwater in this table.
  - l. Enclosure (4): If the source of the groundwater contamination is an offsite source subject to the MCP, rather than CERCLA, it should be listed in this table.
  - m. Enclosure (5): Include the contaminated groundwater restrictions in this Table.

**Response: The groundwater restriction language in enclosure 2 will be deleted and replaced with a notice regarding groundwater as follows:**

**“Notice Regarding Groundwater:** The GRANTEE, its successors and assigns are hereby on notice that as identified in enclosure (1), the groundwater beneath some areas of a nearby property is either confirmed or suspected to be contaminated due to past releases of hazardous substances or petroleum products. More detailed information regarding the types of contaminants, concentration levels, areas contaminated or clean, and future investigations planned are identified in the *Site Management Plan for Naval Air Station South Weymouth*. The GRANTEE, its successors and assigns are also on notice that allowing groundwater to be drawn for any purpose can cause hazardous substances or petroleum products suspected or confirmed to be present in the groundwater beneath some areas of the nearby property to migrate to the property being conveyed by this Quitclaim Deed. GRANTEE covenants and agrees, on behalf of itself, its successors and assigns, that prior to allowing groundwater to be drawn to be used or made available for human consumption, that GRANTEE shall ensure that there is no unacceptable risk to human health, that no migration of any groundwater from the nearby property can occur and if necessary, will install an appropriate necessary water

treatment system. The GRANTEE will ensure adequate institutional controls are in place to protect the public health and to prevent inadvertent use of groundwater by the GRANTEE in cooperation with the Navy, USEPA and MADEP.”

FOST 3 will be modified to stipulate that the notice regarding groundwater applies to SR-W-2, but not to SR-W-3. In addition, text at various points in FOST 3 will be modified to clarify that the subparcels are suitable for unrestricted reuse, except as clearly identified through covenants and restrictions, identified in enclosure (2). Please note: The intent of the notice regarding groundwater for SR-W-2 is not to address risks associated with direct contact and consumption of groundwater, or secondary contacts and volatilization (as the groundwater restriction was for areas down gradient of IR Site 10 for FOST 2). The recommended notice regarding groundwater for SR-W-2 is intended only to ensure adequate review of proposed activities on SR-W-2, such as development of a water supply well (potable or non-potable). The notice regarding groundwater is not recommended because SR-W-2 is contaminated, but to ensure that activity would not adversely impact Navy’s ongoing investigations or remedy implementation on nearby sites. The Navy can prohibit activities that could disrupt any remediation activities or jeopardize the protectiveness of those remedies. The revised FOST will clarify the intent of notice regarding groundwater.

- a. There are no specific documents to be cited.
- b. The following text discussing the need for a notice regarding groundwater at SR-W-2 will be added as a new final paragraph in part 3. “A notice regarding groundwater (see enclosure (2) clause 9) is recommended for subparcel SR-W-2. IR Program Site 11 (Former AOC 108) is located approximately 300 ft to the east of subparcel SR-W-2. Impacted groundwater from Site 11 flows south and, therefore, has not adversely impacted subparcel SR-W-2. The recommended notice regarding groundwater is intended to ensure adequate review of proposed activities on the FOST parcel, such as development of a water supply well (potable or non-potable). The notice regarding groundwater is not recommended because the FOST property is contaminated, but to ensure that activity on the FOST parcel would not adversely impact ongoing investigations or remedy implementation on IR Program Site 11.”
- c. Part 9 will be modified as follows: “I hereby find that the subject subparcels SR-W-2 and SR-W-3 (now zoned as RecD and MUVD/OS-C, respectively) are suitable to transfer under the terms and conditions contained in this FOST, including those described in enclosure (2). The environmental conditions are suitable for unrestricted reuse, except as clearly identified through covenants and restrictions identified in enclosure (2). A notice regarding groundwater applies to subparcel SR-W-2, as described in enclosure (2) clause 9. Environmental Covenants, Conditions, Reservations, and Restrictions will be included in the transfer deed ...”
- d. The following revision will be made to enclosure (1) page 2-3, 1<sup>st</sup> paragraph of page 3: “...Therefore IR Program sites do not adversely affect the transfer of the subject subparcels.

A notice regarding groundwater (see enclosure (2) clause 9) is recommended for subparcel SR-W-2. IR Program Site 11 (Former AOC 108) is located approximately 300 ft to the east of subparcel SR-W-2. Chlorinated solvents have been identified in groundwater at Site 11. Impacted groundwater from Site 11 flows south and, therefore, has not adversely impacted subparcel SR-W-2. Installing a new groundwater extraction well within subparcel SR-W-2 may alter the groundwater flow regime in this area; therefore, the notice regarding groundwater may apply as outlined in clause 9 of enclosure (2). The recommended notice regarding groundwater is intended to ensure adequate review of proposed activities on the FOST parcel, such as development of a water supply well (potable or non-potable). The notice regarding groundwater is not

recommended because the FOST property is contaminated, but to ensure that activity on the FOST parcel would not adversely impact ongoing Navy investigations or remedy implementation on IR Program Site 11.”

- e. The following will be added to enclosure (1) page 4, 1<sup>st</sup> paragraph of Subparcel SR-W-2: “...due to the proximity of the property to IR Program Site 11 (Former AOC 108). A notice regarding groundwater (see enclosure (2) clause 9) is recommended for subparcel SR-W-2. The recommended notice regarding groundwater is intended to ensure adequate review of proposed activities on the FOST parcel, such as development of a water supply well (potable or non-potable). The notice regarding groundwater is recommended to ensure that activity on the FOST parcel would not adversely impact ongoing investigations or remedy implementation on IR Program Site 11.”
  - f. The notice regarding groundwater will not apply to SR-W-3. The text of the FOST will be clarified. See above revisions.
  - g. There are no specific documents to be cited.
  - h. The following will be added to Enclosure (1) Table 1 under the compliance column for SR-W-2 only: “See clause 9 of enclosure (2) regarding a notice regarding groundwater that applies to subparcel SR-W-2 based on proximity to IR Site 11.”
  - i. Groundwater at the subject subparcels is not contaminated; therefore, no change is needed for Tables 2 and 3.
  - j. There are no specific documents to be cited.
  - k. Contaminated groundwater is not present within the subject subparcels or within nearby CERCLA AOCs.
  - l. Contaminated groundwater is not present within the subject subparcels or within nearby MCP sites.
  - m. Contaminated groundwater is not present within the subject subparcels or within nearby EBS RIAs.
2. Enclosure (2), Page 5, #6 – Need to clarify that this provision only applies to military improvements and not to any newly discovered LBP that may be found to have been disposed of by the military (for example if LBP was found buried amongst the concrete debris left on-site).

**Response: This provision will be clarified as noted above.**

3. Page 13, IV Infrastructure Improvements, in the Reuse Plan notes the potential for the development of an on-site well to meet irrigation and other needs. Need to confirm that a risk assessment would permit use of the restricted groundwater for irrigation use. In addition there needs to be a better definition of “other needs” to make sure it doesn’t allow for restricted uses. As long as Subpart 9 Enclosure (2) of the FOST is adhered to, there should not be a conflict between the FOST and Reuse Plan.

**Response: There is no groundwater contamination at the subject subparcels; therefore, there are no risks to human health or the environment from using groundwater for irrigation purposes. However, the purpose of the proposed notice regarding groundwater is to prevent groundwater use at the subparcels from impacting Navy’s nearby on-going investigation and remedial efforts. Since the “other needs” phrase is within the Reuse Plan it cannot be addressed in the FOST.**

4. The Navy should provide the FOST to the public for comment.

**Response:** A public comment period was held from October 18 to November 17, 2006 for the updated August 2006 FOST 3. Responses to comments received are included in this Enclosure (8).

#### **MADEP COMMENTS ON ENCLOSURE (1)**

1. Enclosure 1 - Environmental Baseline Survey to Transfer (EBST) Page 3, First Paragraph, and Page 4, Fifth Paragraph: Regarding the imposition of groundwater restrictions, please refer to the first comment on Enclosure 2.

**Response:** See the Response to EPA General Comment No. 1 d. and e.

#### **MADEP COMMENTS ON ENCLOSURE (2)**

1. Enclosure 2 – Environmental Covenants, Conditions, Reservations, and Restrictions The FOST should not include the groundwater restriction provided in Paragraph 9 (Interim Covenant and Restriction Concerning Use of Groundwater) because: The imposition of a groundwater restriction is inconsistent with the Navy's finding that the property is suitable for unrestricted use. If transfer of the subject property requires implementation of a restriction, a covenant deferral request, rather than a FOST, should be used to support the transfer. Property that includes or may include groundwater contamination originating on "Potential Offsite Source Properties" where investigation or remediation is on-going is not suitable for transfer (i.e., ECP category 5, 6, or 7 should be assigned). MassDEP does not have general authority to provide the approvals, notices, or determinations specified in this paragraph.

**Response:** There is no groundwater contamination at the subject subparcels. The purpose of the proposed notice regarding groundwater is to prevent groundwater use at transferred subparcels from impacting nearby on-going investigation and remedial efforts. See the Responses to EPA General Comment No. 1.

#### **MADEP COMMENTS ON ENCLOSURE (6)**

1. Enclosure 6 – Solid Waste Inventory for FOST 3DEP requests the opportunity to conduct a visual inspection of Subparcel SR-W-3 to confirm completion of the post-April 2003 removals identified here.

**Response:** The Navy will conduct a visual site inspection of the subparcel with MADEP in order to confirm completion of solid waste removals. Please contact the Caretaker Site Office to arrange to conduct the site walks. As in the past, the Navy recommends conducting the visual site inspections during times when the ground is not snow-covered, but before the spring vegetation grows in.

#### **MADEP COMMENTS ON ENCLOSURE (7)**

1. Enclosure 7 – Responsiveness Summary The responsiveness summary does not include or address any comments received from the general public during the 30-day comment period initiated on April 15, 2003, nor is there any mention of an associated public hearing or presentation. The Navy should provide reasonable opportunity for the public to consider and comment on the FOST, and the FOST should document the effort to provide the public an adequate opportunity to review and comment on the FOST by including a description of the presentations, meetings, and notices provided; the verbal and written comments received; and the Navy's response to the comments received. In the event that the effort to date is incomplete or deficient, the Navy should proceed to conduct an adequate effort. Recalling the numerous

complaints about the lack of response to public comments on previous FOST submittals, MassDEP urges the Navy to provide an adequate level of public involvement before the FOST is signed.

**Response: The Enclosure (7) Responsiveness Summary addresses all comments received on the April 2003 FOST during the 30-day comment period, April 15, 2003 to May 15, 2003. No comments were received from the general public. Public notice of Navy's intent to sign this FOST is summarized in the Memorandum for the Record, Part 9. The FOST was discussed at RAB meetings. As noted in the Response to EPA General Comment No. 4, a public comment period for the updated August 2006 FOST 3 was held from October 18, 2006 to November 17, 2006. Public notices were published in local newspapers in October 2006, as described in the Introduction to this Responsiveness Summary. Responses to all comments received are included in this Enclosure (8).**

### **SSTTDC GENERAL COMMENTS**

1. Please note that references to subparcel MUVD/OS-W should be changed to "MUVD/OS-C".

**Response: All references to OS-W have been changed to OS-C.**

2. Change reference from Lennar Partners to LNR South Shore, LLC.

**Response: The reference will be changed.**

3. We note that the Navy is proposing a groundwater access restriction for both parcels as outlined in Enclosure (2) paragraph (9). This proposed restriction would prevent the unrestricted use of both parcels and is not consistent with future uses allowed under the current Reuse Plan/Zoning Bylaws for the project. In addition, there is no evidence that a groundwater access restriction is warranted for parcel MUVD/OS-C. Recent investigations associated with IR Site #11/SRA do not indicate any potential impact to parcel MUVD/OS-C.

**Response: FOST 3 will be modified to stipulate that the notice regarding groundwater applies to SR-W-2, but not to SR-W-3. For further explanation, see Responses to EPA General Comment No. 1.**

The corporation cannot accept a groundwater access restriction for parcel MUVD/OS-C, as this poses an unnecessary burden upon future development of an irrigation supply well on the western portion of the property. Also, please define "access to groundwater" in Enclosure (2), paragraph (9). Groundwater may be "accessed" during redevelopment activities such as demolition, site preparation and new construction within parcel RecD, and this level of "access" should not be subject to the proposed restriction.

**Response: See Responses to EPA General Comment No. 1. The groundwater restriction language in enclosure 2 including the term "access to groundwater" will be deleted and replaced with a notice regarding groundwater as described in Response to EPA General Comment No. 1.**

In light of the different views expressed concerning the groundwater restriction, there should be discussion among the concerned parties on the subject.

**Response: The proposed revisions to FOST 3 are intended to address groundwater restriction concerns.**



## **SSTTDC SPECIFIC COMMENTS**

### **SSTTDC COMMENTS ON MEMORANDUM FOR THE RECORD**

1. Page 3 paragraph 6, line 21, should probably read “does not preclude...”

**Response: The text will be revised.**

### **SSTTDC COMMENTS ON ENCLOSURE (1)**

1. Page 1 – Weymouth is a town, not a city.

**Response: The text will be revised.**

2. Page 3 – Any groundwater restriction should only apply to parcel SR-W-2.

**Response: Agreed. See Response to EPA General Comment No. 1.**

3. Page 6 – Text suggests that there has to be a health and safety plan for any subsurface work due to the possible presence of utilities that may contain asbestos. In the absence of an AUL, this condition seems unnecessary. Also, the last paragraph on page 6 notes that clause 7 of Enclosure (2) will require safety precautions for construction workers during any excavation in SR-W-2, but this is not spelled out in Enclosure 2, clause 7.

**Response: The following will be added to Enclosure (1), page 6, paragraph 5 of Asbestos:**

**“...Due to the presence of such underground utilities, any subsurface work performed by the Grantee must be conducted in accordance with applicable regulations and conducted by trained, properly-equipped personnel.”**

**Clause 7 of Enclosure (2) currently states that “The GRANTEE covenants and agrees, on behalf of itself, its successors and assigns, that it will comply with all federal, state, and local laws relating to asbestos containing materials (“ACM”) in its use and occupancy of the subject subparcels (including demolition and disposal of existing improvements).” Safety precautions for construction workers would be needed to comply with these laws. It is not necessary for the enclosure to spell out this or other requirements of the laws.**

### **SSTTDC COMMENTS ON ENCLOSURE (2)**

1. The Corporation objects to the use of proposed language for environmental covenants, etc. in Enclosure 2 that differs from the language negotiated by the parties and used in the deeds for FOST 1 and 2. See, for example, paragraphs 4, 5, and 9 of Enclosure 2. Some specific points are noted below, but specific language must be agreed upon in the deed at the time of transfer.

**Response: See the responses to specific comments below.**

2. Par. 4, Reservation of Access. This varies from the similar clause included in the FOST 1 and 2 deeds. Even if the Navy would argue that some additional terms are now needed, the specific language of subparagraph (b), to the extent it restates the Navy’s statutory obligations or amounts to a release of claims, is not acceptable.

**Response: The clause will be deleted and replaced with the clause from the FOST 1 and 2 deeds as follows:**

**“In accordance with 42 U.S.C. § 9620(h)(3)(A)(iii), GOVERNMENT reserves all reasonable and appropriate rights of access to the CONVEYED PROPERTY whenever any remedial action or**

corrective action is found to be necessary. The right of access described herein shall include the right to conduct tests, investigations, and surveys (including, where necessary, drilling, test pitting, boring, and other similar activities). Such right shall also include the right to conduct, operate, maintain, or undertake any other response or remedial action as reasonably necessary (including but not limited to monitoring wells, pumping wells, and treatment facilities). Any such entry, and all responses, or remedial actions, shall be coordinated in advance by GOVERNMENT, with such coordination including reasonable notice provided to GRANTEE or its successors and assigns, and shall be performed in a manner which eliminates, or minimizes to the maximum extent possible, (i) any damage to any structures now or hereafter located on the CONVEYED PROPERTY and (ii) any disruption or disturbance of the use and enjoyment of the CONVEYED PROPERTY.”

3. Par. 5, Indemnification. The Navy should use the acknowledgement language found in the FOST 1 and 2 deeds instead of this restatement of its legal responsibilities.

**Response: The Paragraph 5 text will be deleted and replaced with “5. Deleted.”**

4. Par. 9, Interim Covenant and Restriction Concerning the Use of Groundwater

- a. This should be limited to the parcel referred to in the FOST as SR-W-2.
- b. The term “Potential Offsite Source Property” is not defined. This presumably refers to IR Site 11, formerly AOC 108. The introductory paragraph used in the FOST 2 deed needs to be modified for use here.
- c. Clause (1) varies from the precise language used in the FOST 2 deed and is unacceptable. That language was precisely crafted so that under each of the three alternatives, there would be no difficulty in determining when the restriction terminated.

**Response:**

- a. FOST 3 will be modified to stipulate that a notice regarding groundwater applies to SR-W-2, but not to SR-W-3. For further explanation, see the Responses to EPA General Comment No. 1.
- b. The groundwater restriction language in enclosure 2 including the term “Potential Offsite Source Property” will be deleted and replaced with a notice regarding groundwater as described in Response to EPA General Comment No. 1.
- c. Navy assumes the reviewer meant clause 9. The clause 9 language in enclosure 2 will be deleted and replaced with a notice regarding groundwater as described in Response to EPA General Comment No. 1.

#### **SSTTDC COMMENTS ON ENCLOSURE (6)**

1. We note that as a result of the recent site inspection conducted by MassDEP, it appears that the Navy did not complete the solid waste removals of metal debris and rebar which it undertook to perform on parcel SR-W-3 (MUV D/OS-C). Completion of this work should be undertaken by the Navy prior to transfer.

**Response: Solid waste is not a CERCLA issue and does not preclude the FOST for the subject subparcels. Prior to property transfer, the Navy will coordinate with SSTTDC on the solid waste removals to be completed.**

**MIKE BROMBERG COMMENT**

1. Test pits in the close vicinity of the above mentioned acreage [sic, SR-W-2 and SR-W-3, 20.4 acres] indicate that there are various types of nonstructural metals buried at depths of up to five feet deep. The topography of the hummocky land where the test pits are located is identical to that of the Fost 3 land in that area. This may lead one to conclude there may also be various nonstructural buried metals in the Fost 3 area, including possible buried drum debris. If, after removing the A, B, C's in this Fost 3 area, it is found that there are mass quantities of buried metals, please indicate who would be responsible to remove these buried metals and sample for possible contamination following this removal?

**Response: The party responsible for such a future removal would be determined in the deed transferring the property. The Navy is obligated to return and address contamination attributed to its activities if additional contamination is encountered at a later date.**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100  
BOSTON, MASSACHUSETTS 02114-2023

October 23, 2006

Dave Barney  
Department of the Navy  
1134 Main Street  
South Weymouth MA 02190

Subject: Review of the Revised Draft Finding of Suitability to Transfer (FOST), for the Zoning Subparcels Formerly Designated SR-W-2 and SR-W-3, at the Former Naval Air Station (NAS) South Weymouth, Massachusetts

Dear Mr. Barney:

The United States Environmental Protection Agency's (EPA) has reviewed the document entitled *Finding of Suitability to Transfer (FOST) for Subparcels Formerly Designated: SR-W-2 and SR-W-3 (20.4 Acres) [Now Designated RecD and MUV D/OS-W, respectively] Former Naval Air Station South Weymouth, Weymouth, Massachusetts BRAC Program Management Office Northeast U.S. Navy*, dated August 2006.

The document is a revision of the April 2003 *Draft Finding of Suitability to Transfer (FOST), for the Zoning Subparcels Designated SR-W-2 and SR-W-3 (20.4 Total Acres)*. EPA comments on the April 2003 Draft FOST have been addressed and incorporated. The revised FOST accurately describes the changes in status to the various environmental investigations adjacent to the subparcels. Since the 2003 FOST, the Solvent Release Area, (Site 11), chlorinated solvents have been identified in the groundwater. The following is EPA comments on the revised FOST:

**General Comments:**

The restriction described in Enclosure (2) Subpart 9, Interim Covenant and Restriction Concerning the Use of Groundwater states that "no groundwater extraction/production/supply wells shall be installed or permitted, and that no access to groundwater shall be permitted in the Conveyed Property without the written approval of the United States Environmental Protection Agency ("EPA") or the Massachusetts Department of Environmental Protection or its successors ("DEP"). The restriction, as written, is not specific to one subparcel or the other, but is general for the entire FOST. Given this restriction, other sections of text should not state that the environmental conditions are suitable for unrestricted reuse. The following are some of the areas of the text where the groundwater restriction should be addressed (however, the entire document should be reviewed for required changes):

- a. Memorandum for the Record, Page 1 – Any documents that pertain to the groundwater restriction should be included in the References.

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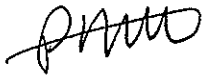
- b. Memorandum for the Record, Page 2-3: There should be a paragraph concerning the groundwater restriction in this summary.
  - c. Memorandum for the Record, Page 4, Part 9, 3<sup>rd</sup> paragraph – The finding needs to identify the groundwater restrictions and clarify that the parcels are not suitable for unrestricted reuse, but will be subject to the groundwater restrictions.
  - d. Enclosure (1), page 2-3, 1<sup>st</sup> paragraph of page 3: Needs to be revised to address the groundwater circumstances that call for the groundwater restriction.
  - e. Enclosure (1), page 4, 1<sup>st</sup> paragraph of Subparcel SR-W-2 needs further clarification of the groundwater restriction.
  - f. Enclosure (1), Page 5: 1<sup>st</sup> sentence of Subparcel SR-W-3 needs to discuss the groundwater restriction.
  - g. Enclosure (1), Page 9: Should include References for information on the groundwater restriction requirement.
  - h. Enclosure (1), Table 1 – Needs to include line for the groundwater condition requiring the restriction for both SR-W-2 and SR-W-3.
  - i. Enclosure (1), Tables 2 and 3 – Needs to include lines in the Tables discussing the groundwater condition requiring the restriction.
  - j. Enclosure (2), Page 1: Needs to include references for information on the groundwater restriction requirement.
  - k. Enclosure (3): Should discuss the source of the contaminated groundwater in this table.
  - l. Enclosure (4): If the source of the groundwater contamination is an offsite source subject to the MCP, rather than CERCLA, it should be listed in this table.
  - m. Enclosure (5): Include the contaminated groundwater restrictions in this Table.
2. Enclosure (2), Page 5, #6 – Need to clarify that this provision only applies to military improvements and not to any newly discovered LBP that may be found to have been disposed of by the military (for example if LBP was found buried amongst the concrete debris left on-site).
  3. Page 13, IV Infrastructure Improvements, in the Reuse Plan notes the potential for the development of an on-site well to meet irrigation and other needs. Need to confirm that a risk assessment would permit use of the restricted groundwater for irrigation use. In addition there needs to be a better definition of “other needs” to make sure it doesn’t allow for restricted uses. As long as Subpart 9 Enclosure (2) of the FOST is adhered to, there should not be a conflict between the FOST and Reuse Plan.
  4. The Navy should provide the FOST to the public for comment.

EPA reserves all rights and authorities relating to information not contained in this draft document whether or not such information was known when the Environmental Baseline Survey to Transfer (EBST) was issued or is discovered after such issuance. Please note

that EPA reviewed this document solely for the purposes of determining whether it meets the requirements of the Department of Defense (DOD) Guidance on the Environmental Review Process to Reach a Finding of Suitability to Transfer dated June 1, 1994. EPA has not reviewed the draft FOST for any other purpose, including compliance with the National Environmental Policy Act.

This letter should be placed in the administrative record. In accordance with DOD policy, the Navy shall provide public notice of signing the FOST and provide the regulators with a copy of the signed FOST. Thank you for the opportunity to review this document. If you have any questions, please call me at (617) 918-1382.

Sincerely,



Patty Marajh-Whittemore  
Remedial Project Manager

cc: Brian Helland/Navy  
Dave Chaffin/MADEP  
Terry Francher/SSTTDC  
RAB Members  
Bryan Olson/Ron Fein/Dave Peterson/EPA  
Don Maddox/EPA, FFEO

c:\ebs2\fostr\FOST3-Revised3-FINAL-SR-W2&3-October 2006.EPA



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

MITT ROMNEY  
Governor

KERRY HEALEY  
Lieutenant Governor

ROBERT W. GOLLEDGE, Jr.  
Secretary

ARLEEN O'DONNELL  
Commissioner

Mr. David Barney  
Department of the Navy  
Caretaker Site Office (Building 11)  
P.O. Box 169  
S. Weymouth, MA 02190-0001

Re: Finding of Suitability for Transfer  
Subparcels SR-W-2 and SR-W-3  
Former South Weymouth NAS  
MassDEP RTN 4-3002621  
September 21, 2006

Dear Mr. Barney:

The Department of Environmental Protection, Bureau of Waste Site Cleanup, comments on the revised *Finding of Suitability to Transfer (FOST) for the Zoning Subparcels Formerly Designated SR-W-2 and SR-W-3 (20.4 Acres) [Now Designated RecD and MUV/OS-W, respectively]*, Former Naval Air Station South Weymouth, Massachusetts, received September 6, 2006, are attached.

Please note that the Bureau's comments are based on information provided by the Navy and are limited to concerns related to the presence of environmental contamination and the potential for human and environmental receptors to be exposed to environmental contamination. In addition, the Bureau's review of documents related to sites addressed under the Massachusetts Contingency Plan (MCP) does not constitute an audit under Subpart K of the MCP (310 CMR 40.1100), and the Department retains the authority to conduct such an audit in the future.

If you have any questions regarding this letter, please contact David Chaffin, Project Manager, at (617) 348-4005.

Very truly yours,

Anne Malewicz  
Federal Facilities Section Chief  
Bureau of Waste Site Cleanup

cc: D. Drozd, USN-Philadelphia  
P. Marajh-Whittemore, USEPA  
Executive Director, SSTTDC  
RAB Members

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD Service - 1-800-298-2207.

MassDEP on the World Wide Web: <http://www.mass.gov/dep>



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**MASSDEP COMMENTS ON  
FOST FOR SUBPARCELS SR-W-2 AND SR-W-3 (FOST 3)  
FORMER S. WEYMOUTH NAS, S. WEYMOUTH, MASSACHUSETTS  
SEPTEMBER 21, 2006**

**Enclosure 1 - Environmental Baseline Survey to Transfer (EBST)**

1. Page 3, First Paragraph, and Page 4, Fifth Paragraph: Regarding the imposition of groundwater restrictions, please refer to the first comment on Enclosure 2.

**Enclosure 2 – Environmental Covenants, Conditions, Reservations, and Restrictions**

1. The FOST should not include the groundwater restriction provided in Paragraph 9 (Interim Covenant and Restriction Concerning Use of Groundwater) because:
  - The imposition of a groundwater restriction is inconsistent with the Navy's finding that the property is suitable for unrestricted use. If transfer of the subject property requires implementation of a restriction, a covenant deferral request, rather than a FOST, should be used to support the transfer.
  - Property that includes or may include groundwater contamination originating on "Potential Offsite Source Properties" where investigation or remediation is on-going is not suitable for transfer (i.e., ECP category 5, 6, or 7 should be assigned).
  - MassDEP does not have general authority to provide the approvals, notices, or determinations specified in this paragraph.

**Enclosure 6 – Solid Waste Inventory for FOST 3**

1. DEP requests the opportunity to conduct a visual inspection of Subparcel SR-W-3 to confirm completion of the post-April 2003 removals identified here.

**Enclosure 7 – Responsiveness Summary**

1. The responsiveness summary does not include or address any comments received from the general public during the 30-day comment period initiated on April 15, 2003, nor is there any mention of an associated public hearing or presentation. The Navy should provide reasonable opportunity for the public to consider and comment on the FOST, and the FOST should document the effort to provide the public an adequate opportunity to review and comment on the FOST by including a description of the presentations, meetings, and notices provided; the verbal and written comments received; and the Navy's response to the comments received. In the event that the effort to date is incomplete or deficient, the Navy should proceed to conduct an adequate effort. Recalling the numerous complaints about the lack of response to public comments on previous FOST submittals, MassDEP urges the Navy to provide an adequate level of public involvement before the FOST is signed.



# South Shore Tri-Town Development Corporation

223 Shea Memorial Drive, South Weymouth, MA 02190

November 8, 2006

Mr. David Barney  
Department of the Navy  
571 Shea Memorial Drive  
South Weymouth, MA 02190

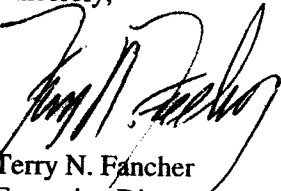
Dear David:

The South Shore Tri-Town Development Corporation (the "Corporation") has reviewed the document entitled Finding of Suitability to Transfer (FOST) for Subparcels Formerly Designated: SR-W-2 and SR-W-3 (20.4 acres) [Now Designated RecD and MUV D/OS-W, respectively], Former Naval Air Station South Weymouth, Weymouth, Massachusetts; BRAC Program Management Office Northeast, U.S. Navy; dated August 2006 ("FOST 3").

Comments requiring your attention are attached.

Thank you for the opportunity to review this document. Should you have any questions regarding our comments, please contact me at 781-682-2187.

Sincerely,



Terry N. Fancher  
Executive Director

Enc.

CC: David Drozd, Brian Helland/Navy  
Bryan Olson, Patty Whittemore/EPA  
David Chaffin, Anne Malewicz/MA DEP  
Kevin Chase, Rich Kleiman/LNR  
Mary K. Ryan/NMF  
Steve Ivas/IE  
File: 1.10.33.70.3.4

### SSTTDC Comments on Draft FOST 3

#### General Comments

- (1) Please note that references to subparcel MUVD/OS-W should be changed to "MUVD/OS-C".
- (2) Change reference from Lennar Partners to LNR South Shore, LLC.
- (3) We note that the Navy is proposing a groundwater access restriction for both parcels as outlined in Enclosure (2) paragraph (9). This proposed restriction would prevent the unrestricted use of both parcels and is not consistent with future uses allowed under the current Reuse Plan/Zoning Bylaws for the project. In addition, there is no evidence that a groundwater access restriction is warranted for parcel MUVD/OS-C. Recent investigations associated with IR Site #11/SRA do not indicate any potential impact to parcel MUVD/OS-C.

The Corporation cannot accept a groundwater access restriction for parcel MUVD/OS-C, as this poses an unnecessary burden upon future development of an irrigation supply well on the western portion of the property. Also, please define "access to groundwater" in Enclosure (2), paragraph (9). Groundwater may be "accessed" during redevelopment activities such as demolition, site preparation and new construction within parcel RecD, and this level of "access" should not be subject to the proposed restriction.

In light of the different views expressed concerning the groundwater restriction, there should be discussion among the concerned parties on the subject.

#### Specific Comments

##### Memorandum for the Record:

- (1) Page 3 paragraph 6, line 21, should probably read "does not preclude ...".

##### Enclosure 1:

- (1) Page 1 - Weymouth is a town, not a city.
- (2) Page 3 - Any groundwater restriction should only apply to parcel SR-W-2.
- (3) Page 6 - Text suggests that there has to be a health and safety plan for any subsurface work due to the possible presence of utilities that may contain asbestos. In the absence of an AUL, this condition seems unnecessary. Also, the last paragraph on page 6 notes that clause 7 of Enclosure (2) will require safety precautions for construction workers during any excavation in SR-W-2, but this is not spelled out in Enclosure 2, clause 7.

Enclosure 2:

The Corporation objects to the use of proposed language for environmental covenants, etc. in Enclosure 2 that differs from the language negotiated by the parties and used in the deeds for FOST 1 and 2. See, for example, paragraphs 4, 5 and 9 of Enclosure 2. Some specific points are noted below, but specific language must be agreed upon in the deed at the time of transfer.

Par. 4, Reservation of Access. This varies from the similar clause included in the FOST 1 and 2 deeds. Even if the Navy would argue that some additional terms are now needed, the specific language of subparagraph (b), to the extent it restates the Navy's statutory obligations or amounts to a release of claims, is not acceptable.

Par. 5, Indemnification. The Navy should use the acknowledgement language found in the FOST 1 and 2 deeds instead of this restatement of its legal responsibilities.

Par. 9, Interim Covenant and Restriction Concerning the Use of Groundwater.

- i. This should be limited to the parcel referred to in the FOST as SR-W-2.
- ii. The term "Potential Offsite Source Property" is not defined. This presumably refers to IR Site 11, formerly AOC 108. The introductory paragraph used in the FOST 2 deed needs to be modified for use here.
- iii. Clause (1) varies from the precise language used in the FOST 2 deed and is unacceptable. That language was precisely crafted so that under each of the three alternatives, there would be no difficulty in determining when the restriction terminated.

Enclosure 6:

We note that as a result of the recent site inspection conducted by MassDEP, it appears that the Navy did not complete the solid waste removals of metal debris and rebar which it undertook to perform on parcel SR-W-3 (MUVD/OS-C). Completion of this work should be undertaken by the Navy prior to transfer.

Dave Barney  
Caretaker Site Office  
1134 Main Street  
South Weymouth, MA.02190

November 17, 2006

Dear Mr. Barney,

Please accept the following as comments to the Revised FOST 3 designated SR-W-2 and SR-W-3 20.4 acres.

Test pits in the close vicinity of the above mentioned acreage indicate that there are various types of nonstructural metals buried at depths of up to five feet deep. The topography of the hummocky land where the test pits are located is identical to that of the Fost 3 land in that area. This may lead one to conclude there may also be various nonstructural buried metals in the FOST 3 area, including possible buried drum debris. If, after removing the A,B,C's in this Fost 3 area, it is found that there are mass quantities of buried metals, please indicate who would be responsible to remove these buried metals and sample for possible contamination following this removal?

Thank you for the opportunity to comment.

Mike Bromberg  
373 Forest Street  
Rockland ,MA. 02370

## **ENCLOSURE (8) ADDENDUM**

**NAVY RESPONSE DATED JUNE 4, 2007 TO:**

**EPA'S APRIL 2, 2007 CORRESPONDENCE RE:  
COMMENTS ON THE RESPONSIVENESS SUMMARY TO COMMENTS ON FINDING OF  
SUITABILITY TO TRANSFER (FOST) FOR THE ZONING SUBPARCELS FORMERLY  
DESIGNATED SR-W-2 AND SR-W-3 AT THE FORMER NAVAL AIR STATION SOUTH  
WEYMOUTH, MASSACHUSETTS**



DEPARTMENT OF THE NAVY  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE, NORTHEAST  
4911 SOUTH BROAD STREET  
PHILADELPHIA, PA 19112-1303

5090  
Code BPMP NE/DB  
Ser: 07-084  
4 June 2007

Ms. Patty Marajh-Whittemore  
U.S. Environmental Protection Agency, Region I  
1 Congress Street Suite 1100 (HBT)  
Boston, MA 02114-2023

SUBJECT: RESPONSE TO EPA COMMENTS ON THE RESPONSIVENESS SUMMARY  
FOR THE FINDING OF SUITABILITY TO TRANSFER SUBPARCELS  
SR-W-2 AND SR-W-3 (FOST 3), FORMER NAVAL AIR STATION,  
SOUTH WEYMOUTH, WEYMOUTH, MASSACHUSETTS

Dear Ms. Whittemore:

Navy has prepared this response to comments received from the U.S. Environmental Protection Agency (EPA), April 2, 2007, on the Responsiveness Summary to Comments on *Finding of Suitability to transfer (FOST)*, for the Zoning Subparcels Formerly Designated SR-W-2 and SR-W-3, at the Former Naval Air Station South Weymouth, Weymouth, Massachusetts. This document was issued by Navy on March 21, 2007.

In response to EPA General Comment 1, Navy provided to EPA information to support the conclusion that the SR-W-2 property is suitable for unrestricted use. Following discussions with EPA, Navy then provided EPA, MassDEP, and SSTTDC with proposed language to be included in Enclosure (2), clause 9, to replace the *Notice Regarding Groundwater*. Since the proposed language is based on the FOST 2 Deed, SSTTDC indicated their comfort with the proposed language and acknowledged their awareness that consensus had not been reached with the regulatory agencies. MassDEP has consistently indicated their opinion that such language is not acceptable as it would place a restriction on property otherwise determined to be suitable for unrestricted use. EPA suggested some wording changes which were accepted by Navy.

In conclusion, the following language will be inserted in the FOST 3 document, Enclosure (2), clause 9, as shown and all pertinent references to this clause will be amended as required.

9. Interim Covenant and Restriction Concerning the Use of Groundwater: Navy is currently evaluating Installation Restoration (IR) Program Site 11, known as the Solvent Release Area, which is located in the vicinity of subparcel SR-W-2. Pending completion of the evaluation and any

subsequent response actions, GOVERNMENT and GRANTEE agree to implement this interim groundwater restriction.

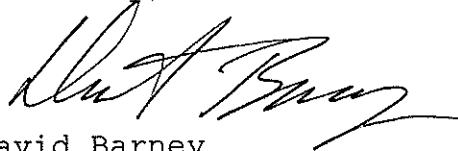
GRANTEE covenants, on behalf of itself, its successors and assigns, that no groundwater extraction/production/supply wells shall be installed or permitted, and that no access to groundwater shall be permitted in that portion of the CONVEYED PROPERTY known as subparcel SR-W-2, as such subparcel is shown in Enclosure (1), without the written approval of the United States Environmental Protection Agency ("EPA") or the Massachusetts Department of Environmental Protection or its successors ("DEP"). This restriction shall terminate upon the recording of a notice that there has been: (1) a determination in writing by the EPA or DEP or both, as may be appropriate, that the groundwater at the Solvent Release Area (IR Site 11) poses no unacceptable risks to human health or the environment; or (2) written concurrence by the EPA or DEP or both, as may be appropriate, in a determination made by the party responsible for response actions at the Solvent Release Area (IR Site 11) that the groundwater at that site poses no unacceptable risks to human health or the environment; or (3) issuance of the Navy covenant required by 42 U.S.C. § 9620(h)(3)(A)(ii)(I) for the Solvent Release Area (IR Site 11), certifying that all remedial action necessary to protect human health or the environment with respect to any hazardous substance remaining on the property has been taken before the date of transfer, whichever is the first to occur.

Finally, in response to a clarification received from SSTTDC on April 4, 2007, references to the OS-W district have been changed to OS-C.

EPA's April 2, 2007 correspondence, as well as this Navy correspondence will be included in the FOST document as an addendum to the Enclosure (8) Responsiveness Summary.

If you have any questions, please do not hesitate to contact me at 617-753-4656.

Sincerely,

A handwritten signature in black ink, appearing to read "David Barney", is written over a horizontal line.

David Barney  
BRAC Environmental Coordinator  
By direction of BRAC PMO

Copy to:

Mr. Brian Helland, NAVFAC Midlant (1 copy)

Mr. David Chaffin, MassDEP (1 copy)

Mr. Terry Fancher, SSTTDC (1 copy)

Ms. Phoebe Call, TtNUS Boston (1 copy)





**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 1

1 CONGRESS STREET, SUITE 1100  
BOSTON, MASSACHUSETTS 02114-2023

April 2, 2007

Dave Barney  
Department of the Navy  
1134 Main Street  
South Weymouth MA 02190

**Subject:** Responsiveness Summary to Comments on Finding of Suitability to Transfer (FOST), for the Zoning Subparcels Formerly Designated SR-W-2 and SR-W-3, at the Former Naval Air Station (NAS) South Weymouth, Massachusetts

Dear Mr. Barney:

The United States Environmental Protection Agency's (EPA) has reviewed the Navy's Responsiveness Summary to Comments on the Finding of Suitability to Transfer (FOST) for Subparcels Formerly Designated: SR-W-2 and SR-W-3 (20.4 Acres) at the Former Naval Air Station South Weymouth, dated March 21, 2007.

The following is EPA comments:

EPA General Comment 1. In response to EPA's comment regarding the reference to the proposed groundwater restriction throughout the body of the FOST, the Navy has proposed deleting the groundwater restriction language and replacing it with a notice regarding groundwater. EPA disagrees with the proposed change for the following reasons.

First, EPA has not reviewed the groundwater data from IR Program Site 11. Without such data, EPA cannot evaluate whether or not the notice language is sufficient under the circumstances.

Second, the proposed language is not permissible under CERCLA Section 120(h). Under the proposed language, the Navy's obligations under CERCLA 120(h) are shifted to the transferee, in that if the groundwater requires remediation before human consumption (a permitted use), the transferee, and not the Navy, will be responsible for such remediation. This is inconsistent with the requirements of Section 120(h).

EPA believes that the imposition of the deed restriction originally proposed by the Navy is appropriate in these circumstances. If the IR activities on Site 11 either render the groundwater potable or studies demonstrate that it is potable without treatment, the groundwater restrictions can be removed, consistent with the Department of Defense "Policy on Responsibility for Additional Environmental Cleanup after Transfer of Real Property" (1997). Conversely, under that policy, if it is concluded that the groundwater

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presents an unacceptable risk to human health but that deed restrictions preventing groundwater use are sufficiently protective, then the transferee would be responsible for implementing future response actions that would render the groundwater potable if it chose to do so.

Given that it believes that the original groundwater restriction language is appropriate, EPA reiterates and restates the proposed revisions to the body of the FOST that were contained in its October 23, 2006 letter.

This letter should be placed in the administrative record. In accordance with DOD policy, the Navy shall provide public notice of signing the FOST and provide the regulators with a copy of the signed FOST. Thank you for the opportunity to review this document. If you have any questions, please call me at (617) 918-1382.

Sincerely,



Patty Marajh-Whittemore  
Remedial Project Manager

cc: Brian Helland/Navy  
Dave Chaffin/MADEP  
Terry Francher/SSTTDC  
RAB Members  
Bryan Olson/John Beling/EPA

c:\ebs2\fostr\FOST 3- Responsiveness Summary-April 2007-EPA