FINAL

DECISION DOCUMENT

EASTERN RANGE AREA A MUNITIONS RESPONSE SITE
CAMP MAXEY FORMERLY USED DEFENSE SITE (FUDS)
LAMAR COUNTY, TEXAS

FUDS Project No. K06TX030507

Prepared for:

U.S. Army Engineering and Support Center, Huntsville

Geographic District:

U.S. Army Corps of Engineers, Fort Worth District

September 2018

EXECUTIVE SUMMARY

This Decision Document is being presented by the United States Army Corps of Engineers (USACE) to describe the Department of Army (Army) selected remedy for the Eastern Range Area A Munitions Response Site (MRS) at the Camp Maxey Formerly Used Defense Site (FUDS) in Lamar County, Texas. The remedy described in this Decision Document was selected in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S. Code § 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, and the National Oil and Hazardous Substances Pollution Contingency Plan, 40 Code of Federal Regulations Part 300 et seq., as amended.

The Defense Environmental Restoration Program (DERP) was established by Congress in 1986 and directed the Secretary of Defense to "…carry out a program of environmental restoration at facilities under the jurisdiction of the Secretary." DERP provides for the cleanup of Department of Defense (DoD) sites and a Military Munitions Response Program (MMRP) element was established under DERP in 2001 to address non-operational range lands known or suspected to contain munitions and explosives of concern (MEC) or munitions constituents (MC) contamination. USACE is the program manager for DERP FUDS. USACE is the lead agency for investigating, reporting, making remedial decisions, and taking remedial actions at the MRSs identified at Camp Maxey, while the Texas Commission on Environmental Quality (TCEQ) is the lead regulatory agency.

Based on the results of the Remedial Investigation (RI), the Camp Maxey FUDS was delineated into 13 MRSs. The delineation was based on the potential presence of MEC, differences in land ownership, and current and reasonably anticipated future land use. The 13 MRSs at Camp Maxey are listed below in Table ES-1 and identified in Figure 2.

Table ES- 1

Munitions Response Site (MRS)	Acreage
Western Range Area A	1,310
Western Range Area B	2,166
Western Range Area C	1,104
Western Range Area D	1,799
Western Range Area E	203
Eastern Range Area A	1,124
Eastern Range Area B	540
Eastern Range Area C	563
Grenade Range Area	97
Cave Training Area	7
Mine and Booby Trap Training Area	35
Bivouac Area	1,125
Pat Mayse Lake	4,283

In addition to the 12 land MRS listed in Table ES-1, approximately 4,283 acres of the Pat Mayse Lake are within the Camp Maxey FUDS. The 4,283 acres of water within the Pat Mayse Lake were not investigated as part of the RI completed in 2014.

This Decision Document addresses the Eastern Range Area A MRS only. The Eastern Range Area A MRS consists of approximately 1,124-acres located along the north and east shore of Pat Mayse Lake within the Eastern Range Area within the Pat Mayse Lake recreational area. The MRS contains firing points and portions of numerous range fans associated with the Eastern Range Area. MEC contamination has been confirmed on the ground surface and in the subsurface.

The RI completed for Camp Maxey in 2014 concluded that potential MEC hazards are present for site visitors and/or recreational users. Therefore, the RI for Camp Maxey recommended a Feasibility Study (FS) be conducted to evaluate a range of possible remedial alternatives. The FS for Camp Maxey, and the related Proposed Plan for select Camp Maxey MRSs, were completed in 2014 and resulted in the lead agency recommending a remedy for the Eastern Range Area A MRS that incorporates a MEC surface and subsurface clearance focused in areas frequented by the public for recreational activities (i.e., trails, dirt roads, picnic areas, camp grounds, shorelines), including a safety buffer of 30 feet surrounding those areas as shown in Figures 3a, 3b, and 3c. The shoreline removals will extend from the Pat Mayse Lake Conservation Pool Elevation (451 feet above mean sea level) landward for 30 feet or 30 feet beyond any shoreline recreational facilities. Land use controls (LUCs) in the form of the Army's 3Rs Program (i.e., 3Rs of Explosives Safety "Recognize, Retreat, and Report") signage and public education will be implemented. A long-term management (LTM) program will also be developed and implemented to maintain the signs and check for any changed site conditions, such as erosion of streambeds or exposure of the lakebed due to drought. In the 2014 Feasibility Study, the total estimated cost for the recommended remedy at the Eastern Range Area A MRS is $4,646,000; adjusting the cost estimate for inflation brings the current estimated cost to complete to $5,745,200. Following stakeholder and public review of these recommendations and the Proposed Plan for Camp Maxey, USACE has determined that the recommended remedy is appropriate for this MRS.

Based on information currently available, the selected remedy is protective of human health, safety, and the environment; and satisfies the statutory requirements of CERCLA §121(b) with regards to the former use of this MRS by the Army and DoD.

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ACRONYMS AND ABBREVIATIONS

AP	Armor Piercing
ARAR	Applicable or relevant and appropriate requirement
bgs	below ground surface
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
COC	Chemical of Concern
CSM	Conceptual Site Model
DERP	Defense Environmental Restoration Program
DGM	Digital geophysical mapping
DoD	Department of Defense
ESD	Explanation of Significant Difference
FS	Feasibility Study
FUDS	Formerly Used Defense Site
GPS	Global Positioning System
HA	Hazard Assessment
LUC	Land Use Control
LTM	Long-Term Management
MC	Munitions Constituents
MD	Munitions Debris
MEC	Munitions and Explosives of Concern
MMRP	Military Munitions Response Program
MRS	Munitions Response Site
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
NPV	Net Present Value
RAO	Remedial Action Objective
RI	Remedial Investigation
ROE	Right-of-Entry
TCEQ	Texas Commission on Environmental Quality
TPP	Technical Project Planning
TPWD	Texas Parks and Wildlife Department
U.S.	United States
USACE	United States Army Corps of Engineers
USEPA	United States Environmental Protection Agency
UXO	Unexploded Ordnance
WMA	Wildlife Management Area

PART 1 – DECLARATION

1 SITE NAME AND LOCATION

Eastern Range Area A Munitions Response Site (MRS), Camp Maxey Formerly Used Defense Site (FUDS), Lamar County, Texas (Figure 1). The FUDS project number for this site is K06TX030507.

2 STATEMENT OF BASIS AND PURPOSE

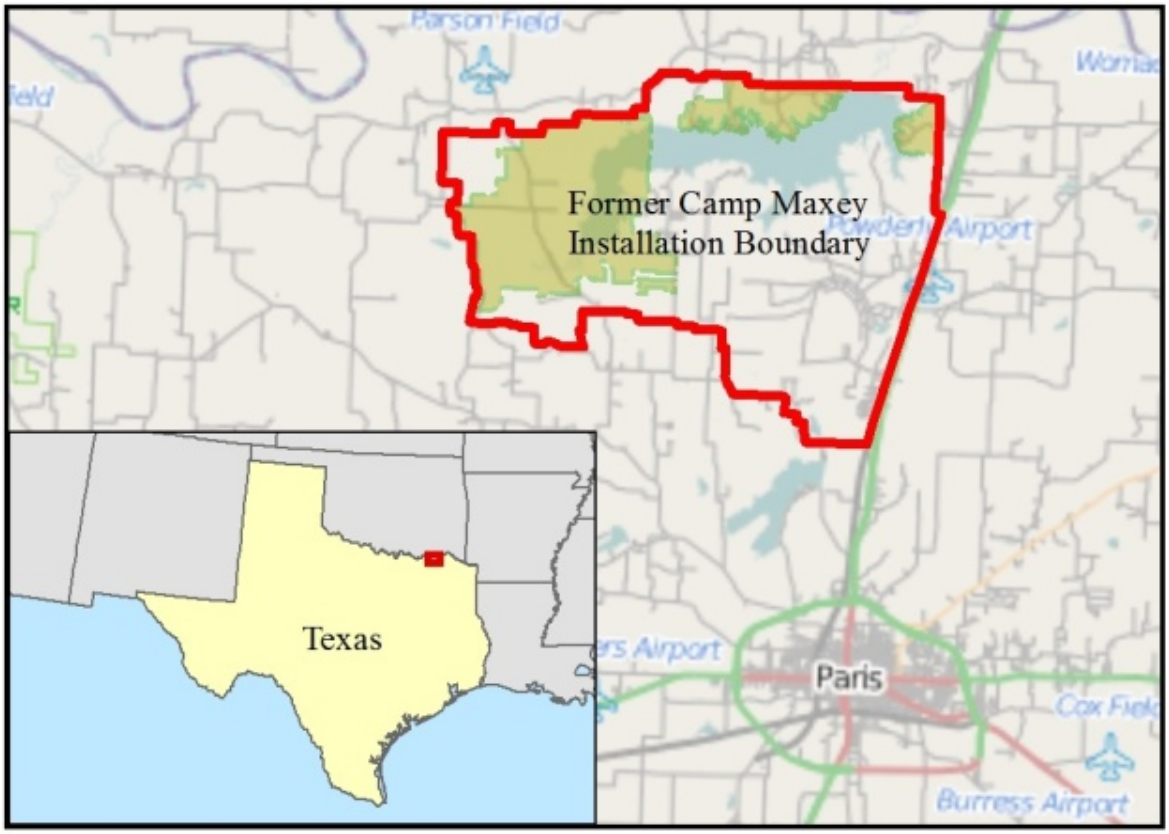
This Decision Document is being presented by the United States Army Corps of Engineers (USACE) to describe the Department of Army selected remedy for the Eastern Range Area A MRS at the Camp Maxey FUDS in Lamar County, Texas (Figure 2). The Defense Environmental Restoration Program (DERP) was established by Congress in 1986 and directed the Secretary of Defense to "…carry out a program of environmental restoration at facilities under the jurisdiction of the Secretary." DERP provides for the cleanup of Department of Defense (DoD) sites. A Military Munitions Response Program (MMRP) element was established under DERP in 2001 to address non-operational range lands known or suspected to contain munitions and explosives of concern (MEC) or munitions constituents (MC) contamination. The USACE is the program manager for the DERP FUDS. USACE is the lead agency for investigating, reporting, making remedial decisions, and taking remedial actions at the MRSs identified at Camp Maxey, while the Texas Commission on Environmental Quality (TCEQ) is the lead regulatory agency.

The site addressed by this Decision Document is the Eastern Range Area A MRS, which encompasses approximately 1,124-acres located along the north and east shore of Pat Mayse Lake within the Eastern Range Area within the Pat Mayse Lake recreational area. The MRS contains firing points and portions of numerous range fans associated with the Eastern Range Area. MEC contamination has been confirmed on the ground surface and in the subsurface. The Remedial Investigation (RI) completed for Camp Maxey recommended that a Feasibility Study (FS) be conducted to evaluate possible remedial alternatives to address MEC contamination that was identified. The *Final RI/FS Report for former Camp Maxey* (EOTI, 2014) was completed in April 2014.

This Decision Document was prepared in accordance with the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), also known as Superfund, and follows the requirements from Engineer Regulation 200-3-1; *FUDS Program Policy* (USACE, 2004); and the United States Environmental Protection Agency (USEPA) guidance provided in *A Guide to Preparing Superfund Proposed Plans, Records of Decision, and Other Remedy Selection Decision Documents*, *USEPA 540-R-98-031* (USEPA, 1999). Because this Decision Document follows the precise format specified in the USEPA guidance, some sections are included that might not apply to this site and the associated selected remedies. In these cases text is included explaining why the information required in the guidance is not relevant and/or not applicable to Camp Maxey.

The remedy described in this Decision Document was selected in accordance with CERCLA, 42 U.S. Code § 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 Code of Federal Regulations (CFR) Part 300, as amended.

Figure 1: Camp Maxey FUDS Location



3 ASSESSMENT OF SITE

MEC has been reported to have been found in the Eastern Range Area A MRS on the ground surface and in the subsurface (Figure 3). During the RI fieldwork in 2013, no MEC items were encountered in the five investigated grids; numerous UXO and munitions debris related to a broad range of munitions (i.e., M62A high explosive anti-tank [HEAT] rounds, M9A1 rifle grenades, and 37mm Armor Piercing High Explosives [APHE] projectiles) have been encountered and removed from the MRS during previous investigations and removal actions prior to the RI. None of the investigations or removals completed prior to the RI encompassed the entire MRS footprint and details concerning the precise location, depth, and types of many of the munitions found are not available. Low concentrations of munitions debris related to small arms ammunition were identified in the five grids investigated during the RI. Based on the confirmed MEC and the unknown details related to these MEC items (i.e., location, depth, munitions type), the RI concluded that unexploded ordnance (UXO) may be present on the surface and in the subsurface at the

Eastern Range Area A MRS; therefore the site poses a threat to public health, welfare, or the environment. MC sampling indicated that there are no unacceptable risks to human health or the environment due to exposure to MC at this MRS.

Figure 2: Camp Maxey FUDS Munitions Response Sites

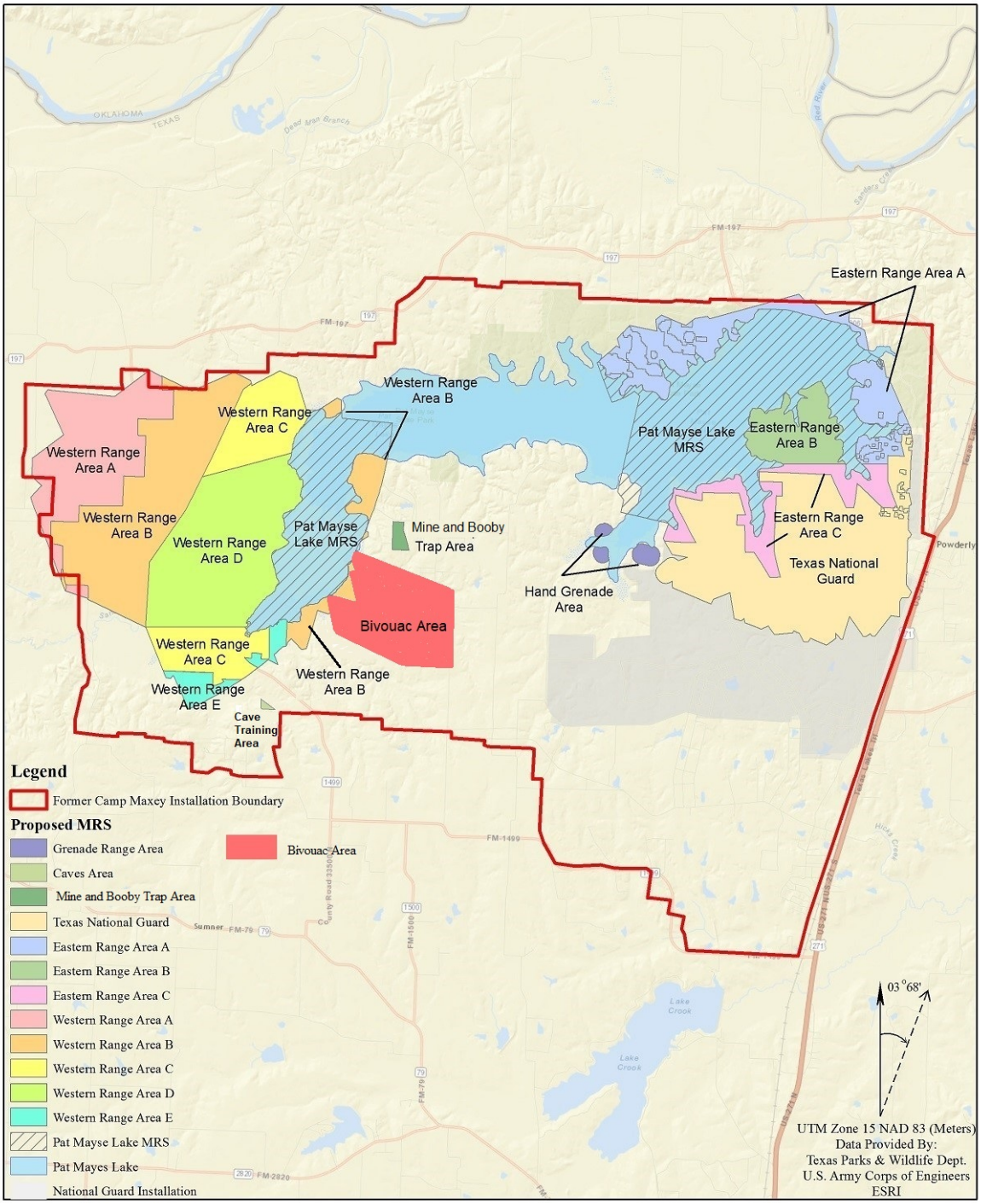


Figure 3: Eastern Range Area A MRS

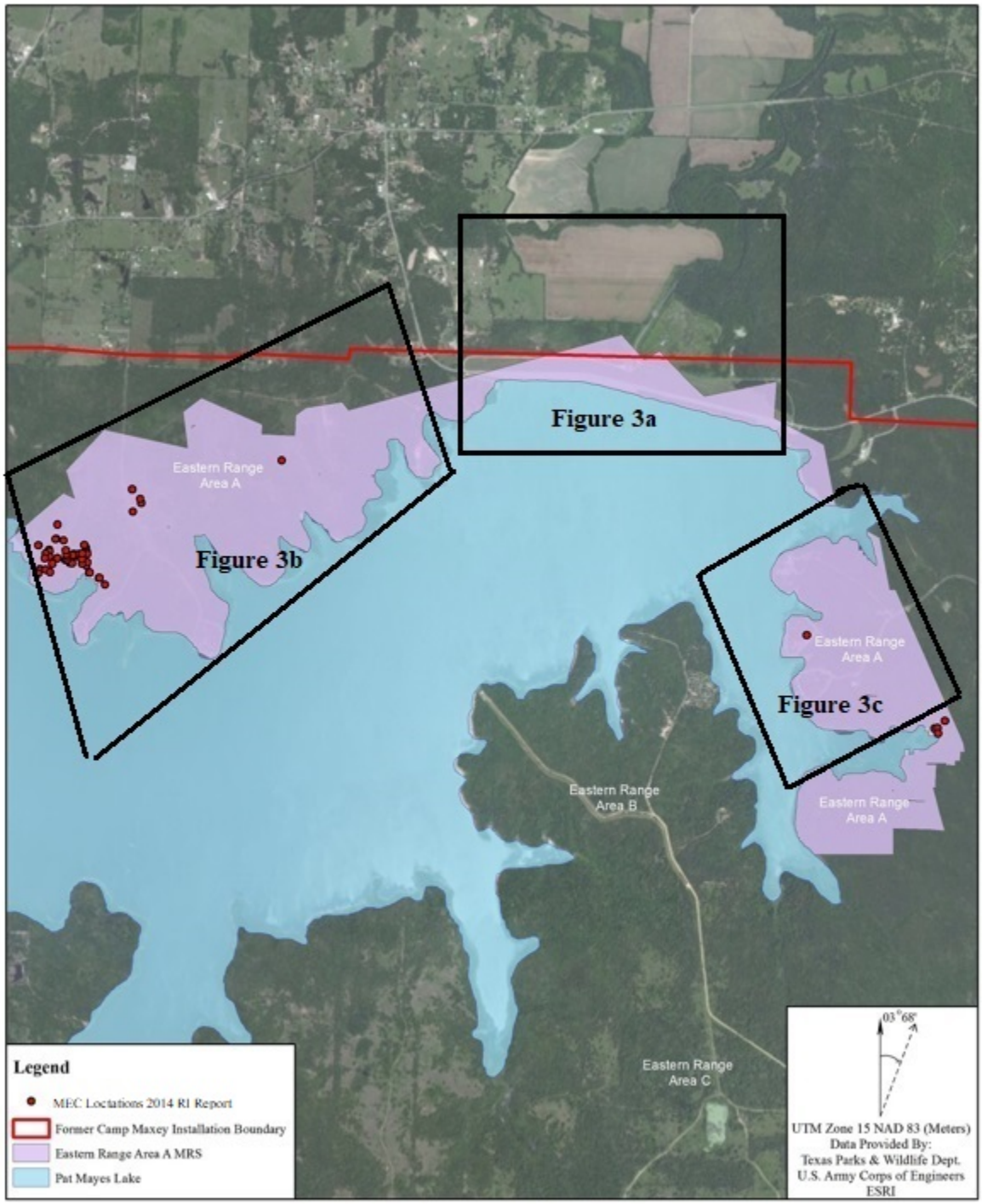


Figure 3a: Eastern Range Area A MRS Dam Site

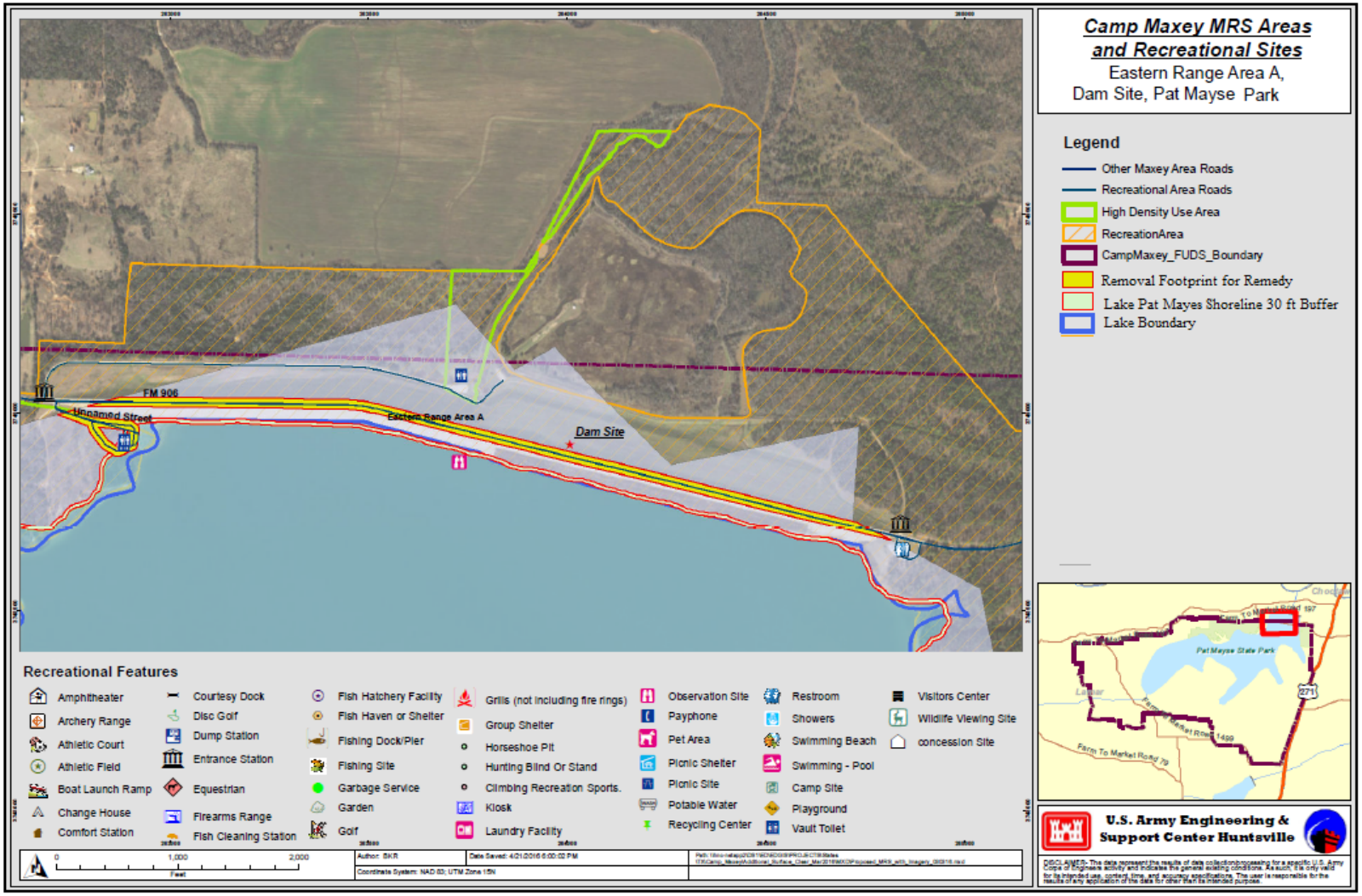
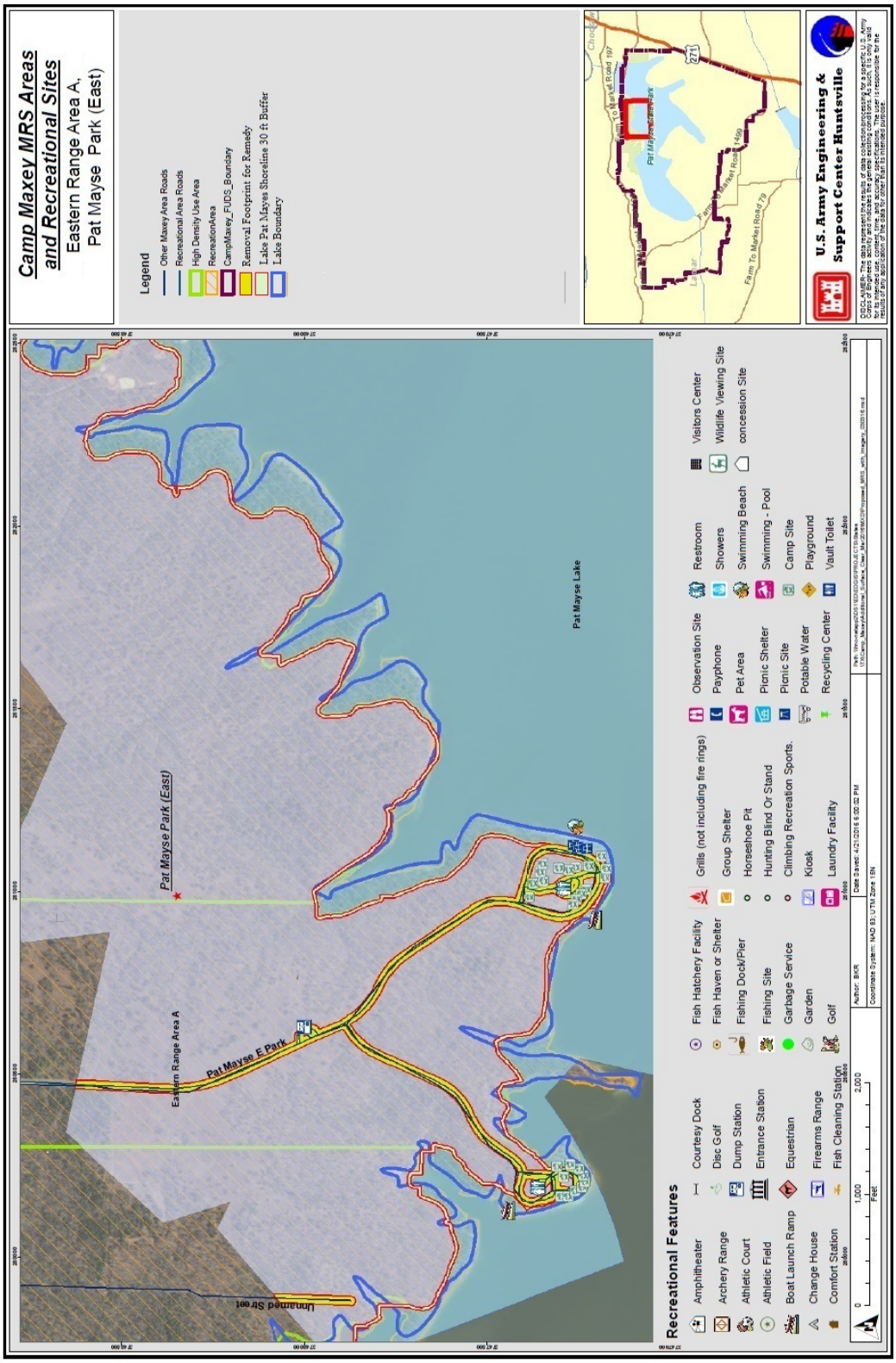


Figure 3b: Eastern Range Area A MRS Pat Mayse Park



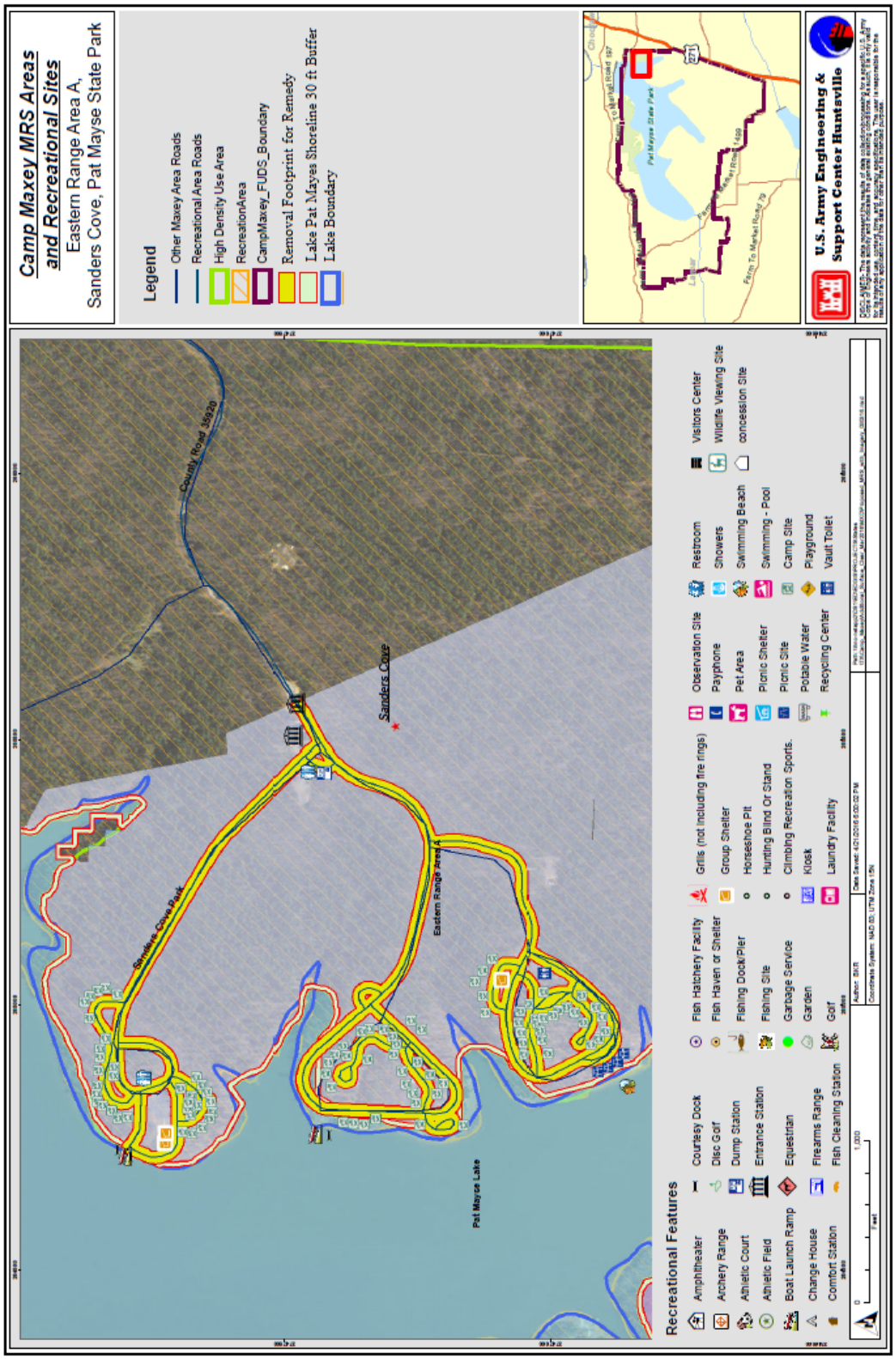


Figure 3c: Eastern Range Area A MRS Sanders Cove Area

4 DESCRIPTION OF SELECTED REMEDY

USACE has selected a combination of a focused MEC surface and subsurface clearance and land use controls (LUCs) consisting of the Army's 3Rs Program (i.e., 3Rs of Explosives Safety "Recognize, Retreat, and Report"), and long-term management (LTM). The specific components of the selected remedy are:

- Focused surface and 12-inch subsurface clearance in areas frequented by the public for recreational activities (i.e., trails, dirt roads, picnic areas, camp grounds, shorelines), including a safety buffer of 30 feet surrounding those areas (see Figures 3a, 3b, and 3c).
- Shoreline removals will extend from the Pat Mayse Lake Conservation Pool Elevation (451 feet above mean sea level) landward for 30 feet or 30 feet beyond any shoreline recreational facilities
- 3Rs Program signage on and surrounding the MRS warning potential receptors of the potential explosive safety hazards;
- 3Rs Program public education, periodic public meetings, and fact sheets; and,
- Establishment of a LTM program that includes monitoring of signs and addresses the potential for MEC to become exposed due to natural forces such as erosion along shorelines.

This selected remedy effectively reduces the MEC hazards present at the Eastern Range Area A MRS by reducing the source material (focused MEC clearance) on the ground surface and in the subsurface in frequented public use areas (i.e. trails, dirt roads, picnic areas, camp grounds, and beaches outside of previously cleared areas), thereby minimizing the direct contact threat associated with MEC. The remedy also raises public awareness of potential MEC hazards present at the Eastern Range Area A MRS and minimizes the potential for future exposure by ensuring permanent notice of actual and/or potential hazards, thereby reducing the risk of receptors encountering MEC throughout the site.

5 STATUTORY DETERMINATIONS

Based on the information currently available, the selected remedy for the Eastern Range Area A MRS is protective of human health, safety, and the environment and satisfies the statutory requirements of CERCLA §121(b) with regards to the former use of the MRS by the DoD. The selected remedy is cost-effective and utilizes permanent solutions and alternative technologies to the maximum extent practicable. The selected remedy does not meet the statutory preference for treatment; however, this is considered acceptable because no source materials constituting a principal threat waste are present at the site. Substantive portions of the Resource Conservation and Recovery Act (RCRA) Disposal Requirements (40 CFR 264.601, Subpart X) may apply as an applicable or relevant and appropriate requirement (ARAR) if, as part of a surface or subsurface clearance, munitions are consolidated for treatment, storage, or disposal.

Because this remedy will not allow for unlimited use and unrestricted exposure at the MRS, a statutory review will be conducted no less often than every five years after initiation of remedial action to ensure that the remedy continues to be protective of human health, safety, and the environment and minimizes explosive safety hazards in accordance with 40 CFR 300.430(f) (4) (ii).

6 DATA CERTIFICATION CHECKLIST

The following information is included or otherwise addressed in this Decision Document.

- A summary of the characterization of MEC hazards at the Eastern Range Area A MRS.
- Current and reasonably anticipated future land use assumptions for the site.
- Key factors that led to the selection of a combination of focused surface and subsurface clearances and LUCs for the Eastern Range Area A MRS.
- Estimated costs related to the selected remedy.
- How source materials constituting principal threats will be addressed.

The preliminary risk screening for MC identified no chemicals of concern or actionable risks to human or ecological receptors at t Eastern Range Area A MRS (EOTI, 2014).

7 AUTHORIZING SIGNATURE

This Decision Document presents the selected response action at the Eastern Range Area A MRS, Camp Maxey FUDS, Lamar County, Texas. The USACE is the lead executing agency under the DERP at the Camp Maxey FUDS, and has developed this Decision Document consistent with the CERCLA, as amended, and the NCP. This Decision Document will be incorporated into the larger Administrative Record file for the Camp Maxey FUDS, which is available for public view at Paris Public Library, 326 S. Main Street, Paris, Texas 75460. In the 2014 Feasibility Study, the total estimated cost for the selected remedy at the Eastern Range Area A MRS was $4,646,000; adjusting the cost estimate for inflation brings the current estimated cost to complete to $5,745,200. This document, presenting a selected remedy with a present worth cost estimate of $5,745,200, is approved by the undersigned, pursuant to Memorandum, CEMP-CED (200-1a), July 29, 2016, subject: *Redelegation of Assignment of Mission Execution Functions Associated with Department of Defense Lead Agent Responsibilities for the Formerly Used Defense Sites Program*, Engineer Regulation 200-3-1, *FUDS Program Policy* and to the Memorandum, CEMP (1200C PERM) February 9, 2017, subject: *Interim Guidance Document for the Formerly Used Defense Sites (FUDS) Decision Document (DD) Staffing and Approval.*

KAREN J. BAKER
Chief, Environmental Division
Directorate of Military Programs

1 Oct 18
DATE

PART 2 - DECISION SUMMARY

1 SITE NAME, LOCATION, AND BRIEF DESCRIPTION

The site addressed in this Decision Document is the Eastern Range Area A MRS at Camp Maxey in Lamar County, Texas. The Federal Facility Identifier (FFID) for Camp Maxey is TX69799F668600 and the FUDS project number is K06TX030507. USACE is the lead executing agency for investigating, reporting, making remedial decisions, and taking remedial actions at Camp Maxey. TCEQ is the lead regulatory agency. Funding for implementing the selected remedy at the MRS will be appropriated through DERP.

Camp Maxey is a former military facility located nine miles north of Paris, Texas in Lamar County and approximately three miles south of the Texas-Oklahoma border. United States (U.S.) Highway 271 forms part of the eastern border of Camp Maxey and the former installation is within 105 miles of Dallas and Fort Worth, Texas; and 155 miles of Shreveport, Louisiana.

2 SITE HISTORY AND ENFORCEMENT ACTIVITIES

2.1 Site History

From 1942 to 1947, Camp Maxey was a 41,128-acre U.S. Army post in the northeast corner of Texas utilized for training infantry. Camp Maxey was activated as an infantry basic training camp in July, 1942, shortly after the U.S. declared war on Japan in December 1941. In October 1944, the camp was designated an infantry Advance Replacement Training Center. Infantry were trained in live fire of weapons including pistols, carbines, rifles, tommy guns, automatic rifles, machine guns, mortars, bazookas, anti-tank guns, and artillery. The camp was deactivated in October 1945, after World War II had ended, and the camp was declared surplus in May 1947. During 1948 and 1949, certificates of decontamination, which included restrictions on land for any purpose and for surface use only, were issued by the USACE. Land was conveyed to the State of Texas and sold to private owners. Later, some of the land was returned to the ownership of the federal government for construction of a dam on Sanders Creek. Today, there are three significant groups of property owners within the Camp Maxey FUDS: the federal government, the State of Texas, and private owners. The federal government owns the largest amount of the former camp, including Pat Mayse Lake and the surrounding land. A large portion of the federally-owned property has been leased to the Texas Parks and Wildlife Department (TPWD) for use as a Wildlife Management Area (WMA). Most of the Western Range Area is located within the WMA. The State of Texas owns acreage where the current Camp Maxey Texas National Guard installation is located. Much of the southern portions of the East Range Area are located within this current Texas National Guard installation. The remaining land is privately owned. Privately-owned property is generally used for residential, farming, and ranching purposes, and the majority of privately owned land is in the southern portion of the former camp in areas not used for ordnance training and outside of the FUDS project footprint. The majority of the ranges were located in what is today federally-owned property.

The Camp Maxey FUDS eligible Munitions Response Area (MRA) consists of 14,356 acres which was delineated into 13 FUDS eligible MRSs as shown in Figure 2 and described in the Executive Summary. The Eastern Range Area A MRS consists of 1,124-acres located along the north and east shore of Pat Mayse Lake within the Pat Mayse Lake recreational area. The land use is primarily recreational, but also includes the dam area. The Eastern Range Area A MRS, which this decision document addresses, is within the Pat Mayse Lake recreational area which is owned by the federal government and managed by the USACE.

2.2 Investigations Conducted to Date

Between 1965 and 2010, numerous removal actions, historical records reviews, and studies have been completed to remove MEC and identify past activities at the Camp Maxey FUDS which potentially resulted in contamination, and where those activities were conducted:

- Archive Search Report (USACE, 1994)
- Final Removal Report, Ordnance and Explosives Time Critical Removal Action (Human Factors Applications, Inc., 1997)
- Final Sampling Report, Ordnance and Explosives Survey and Sampling (UXB International, Inc., 1998)
- Engineering Evaluation/Cost Analysis (Parsons Engineering Science, Inc., 2000)
- Final Removal Report, Ordnance and Explosive Removal Action (UXB International, Inc., 2001)
- Archive Search Report Supplement (USACE, 2004)
- Final Report, Munition Constituents Sampling, Analysis, and Evaluation of Formerly Used Defense Sites (Parsons, 2006)
- Final Site Specific Final Report, Site Management, Ordnance Investigation and Removal (Tetra Tech EC, Inc., 2007)
- Site Specific Final Report, Non-Time Critical Removal Action (USA Environmental, Inc., 2010)

MEC was identified and removed in some areas identified as having the highest potential for interaction with UXO primarily in the Eastern Range Area. A Time Critical Removal Action (TCRA) was conducted in 1997 on 381 acres in the historic rocket and grenade impact area on the north shore of Pat Mayse Lake within the Eastern Range Area A MRS. The scope of the project included a surface and subsurface MEC clearance to a depth of two feet. During this effort 2,170 2.36-inch rockets and 10 M-9 rifle grenades were recovered. The precise location and boundaries of the TCRA footprint including precise depth, location, and munitions type related to each specific MEC item is not available.

An Archive Search Report Supplement, released in 2004, identified and described 14 MRSs based on previous studies, and summarized the ordnance items recorded or suspected for each MRS. In 2008, based on the anticipated response, the 14 MRSs at Camp Maxey were realigned into a single MRS (Camp Maxey Range Complex).

A Non-Time Critical Removal Action (NTCRA) action was completed in 2010 to remove and dispose of explosive hazards within selected areas of the Eastern Range Area A MRS in accordance with the signed Action Memorandum. During the field operations, 1,485 grids/341.5 acres were investigated throughout

13 historic ranges. A total of 170 MEC items, including 2.36-inch rockets, M9 rifle grenades, and MKII hand grenades, were located and disposed of through explosive disposal operations. Depths at which MEC and MD items were located are not available. The locations of the MEC and MD removed during the NTCRA are shown on Map 1-3 included in the Final RI/FS Report for former Camp Maxey (EOTI, 2014).

Although MEC removal actions had already been completed in specific areas within the Camp Maxey FUDS, USACE conducted an RI/FS between 2013 and 2014. The RI/FS was conducted in accordance with CERCLA to confirm the presence of MEC and/or MC, characterize the nature and extent of contamination, and present an analysis of remediation alternatives (EOTI, 2014). During the RI, the single MRS at Camp Maxey was delineated into 13 FUDS eligible MRSs, as shown in Figure 2. Eight MRSs were evaluated during the FS; of which, all eight were recommended to assess possible response actions for MEC. A RI will be performed on the five remaining MRSs, Western Range Area A, Western Range Area E, Cave Training Area, Bivouac Area, and Pat Mayse Lake in the future.

This Decision Document addresses one MRS, the Eastern Range Area A MRS. The other seven MRSs fully investigated during the RI/FS are addressed in separate Decision Documents.

2.3 CERCLA Enforcement Actions

To date there have been no CERCLA-related enforcement activities at the project site.

3 COMMUNITY PARTICIPATION

Community participation in the process leading to this Decision Document falls into three categories: 1) dissemination of information to the community; 2) stakeholder involvement in the technical project planning (TPP) process; and 3) formal public comment period. These three areas are described in more detail below.

3.1 Information Dissemination

The following activities were conducted to disseminate information to the community in the vicinity of Camp Maxey:

- An Administrative Record file was established at Paris Public Library, which currently contains past investigation reports, the *Final RI/FS Report for Former Camp Maxey* (EOTI, 2014) , and the *Proposed Plan for Former Camp Maxey* (EOTI, 2014b).
- Based on the consensus reached by the project planning team, a Proposed Plan was prepared for public review and comment. A newspaper announcement was published on 17 June 2014 in *The Paris News* to solicit public comment on the Proposed Plan for Former Camp Maxey (Attachment 1).
- A public meeting to discuss the Proposed Plan was held at the Holiday Inn Express in Paris, Texas on 24 June 2014.

3.2 Technical Project Planning

The following activities were conducted during the TPP process for Camp Maxey:

- Representatives of USACE and state and federal regulatory authorities were invited to participate in the TPP process for the investigation of Camp Maxey. The initial TPP meeting was held on 12 June 2008 and, during this meeting, the TPP participants (stakeholders) were provided with an overview of the TPP process and the site history. The participants then worked with the USACE contractor to identify concerns related to ordnance activities at Camp Maxey, to agree upon a general approach to further investigation(s), and to reach a consensus on a site closeout statement.
- Further communication with the stakeholders took place during development of the RI/FS work plan. A second TPP meeting was held on 4 September 2008.
- Further communication with the stakeholders took place during development of the RI/FS work plan. A third TPP meeting was held on 4 December 2008.
- A fourth TPP meeting was conducted with the stakeholders on 26 July 2012 to finalize project data quality objectives (DQOs) and the work plan.
- A fifth TPP meeting was conducted on 25 November 2013 to review the results and conclusions of the RI and to discuss the implications of right-of-entry (ROE) refusal in several areas of Camp Maxey and the 13 delineated MRSs.

The details of the TPP meetings are recorded in TPP Memorandums. All TPP Memoranda are available in the Administrative Record file at the Paris Public Library as an Appendix to the *Final RI/FS Report for former Camp Maxey* (EOTI, 2014).

3.3 Formal Public Comment Period

The USACE made the *Proposed Plan for Former Camp Maxey* (EOTI, 2014b) available for public comment between 17 June 2014 and 17 July 2014. This public comment period was announced through a notice placed in *The Paris News* newspaper (Attachment 1). In addition, a public meeting was held on 24 June 2014 at the Holiday Inn Express in Paris, Texas. At the public meeting, the results of the RI were summarized, the alternatives considered were described, and the alternative preferred by USACE was presented.

4 SCOPE AND ROLE OF OPERABLE UNIT OR RESPONSE ACTION

The contamination to be addressed at Camp Maxey is related to the potential MEC hazards present in and around the former range complexes. Based on the findings of the RI, the Camp Maxey MRA was delineated (subdivided) into the 13 FUDS eligible MRSs shown in Figure 2. The delineation was based on the potential presence of MEC, differences in land ownership, and current and reasonably anticipated future land use. Of these 13 MRSs, remedial alternatives were developed and evaluated for eight MRSs. These eight MRS were evaluated in the FS and included in the Proposed Plan. The remaining five MRSs require additional investigation to adequately characterize the nature and extent of MEC potentially at each site. The five MRSs requiring additional information are Western Range Area A, Western Range Area E, Cave Training Area, Bivouac Area, and Pat Mayse Lake. This Decision Document only addresses the 1,124-acre Eastern Range Area A MRS. The overall remedial strategy for the Eastern Range Area A MRS reflects USACE's desire to mitigate the potential risks posed from exposure to potential MEC hazards at the sites.

Consequently, the Selected Remedy for this MRS is designed to reduce the potential for unacceptable exposures to MEC through the surface and subsurface clearances and the use of LUCs.

The Selected Remedy for the Eastern Range Area A MRS is protective of human health and the environment, minimizes explosive safety hazards, and satisfies the statutory requirements of CERCLA §121(b) with regards to the former DoD use of the MRS. The lead executing agency will develop a remedial design/response action plan that details how the Selected Remedy will be conducted. Following the completion of the remedial design/response action plan, the remedial action will be implemented.

5 PROJECT SITE CHARACTERISTICS

5.1 Site Overview

The Camp Maxey MRA consists of 14,356 acres which was delineated into 13 FUDS eligible MRSs as shown in Figure 2 and described in the Executive Summary. The Camp Maxey MRA contains 10,073 acres of land and 4,283 acres of water (14,356 total MRA acres) and was part of a 41,128-acre U.S. Army post in the northeast corner of the state utilized for training infantry during World War II. Camp Maxey was activated as an infantry basic training camp in July, 1942, shortly after the U.S. declared war on Japan in December 1941. In October 1944, the camp was designated an infantry Advance Replacement Training Center. Infantry were trained in live fire of weapons including pistols, carbines, rifles, tommy guns, automatic rifles, machine guns, mortars, bazookas, anti-tank guns, and artillery. The Eastern Range Area A MRS consists of 1,124-acres located along the north and east shore of Pat Mayse Lake within the Eastern Range Area within the Pat Mayse State Park (Figure 2). The MRS contains firing points and portions of numerous range fans associated with the Eastern Range Area. MEC contamination has historically been reported on the ground surface and in the subsurface.

The camp was declared surplus in May 1947 and conveyed to the State of Texas and sold to private landowners. Later, some of the land was returned to the ownership of the federal government for construction of a dam on Sanders Creek. Today, the former camp is divided into federal, state, and privately owned properties. The federal government owns Pat Mayse Lake and the surrounding land used for management of the lake. The State of Texas owns the Camp Maxey Texas National Guard Military Reservation which is within portions of the Camp Maxey FUDS, but was determined to be ineligible for the FUDS program and was therefore not investigated as part of the RI. The Eastern Range Area A MRS, which this Decision Document addresses, is completely within the Pat Mayse Lake recreational area which is owned by the federal government and managed by the USACE.

The Camp Maxey FUDS lies within the Gulf Coastal Plain which is generally a gently undulating plain characterized by uplands of low relief and broad river valleys. The majority of the vegetative cover consists of deciduous forest or woodland. The surficial geology of Lamar County reflects outcrops of primarily moderate to very slowly permeable loamy and/or clayey soils. The majority of the Camp Maxey FUDS area lies within the Sanders Creek watershed and drainage basin. The Pat Mayse Dam was built in 1967 on Sanders Creek, a tributary of the Red River, and forms the Pat Mayse Lake which covers large portions of former range fans. The area generally drains to the northeast.

The Camp Maxey FUDS area has a low probability of archeological and historical significance. No known significant Native American activities occurred in the area and military buildings and sites of historic significance from World War II have been lost through deactivation, inattention and redevelopment. In addition, no items of apparent historical or cultural significance were encountered during the RI fieldwork.

Several threatened and endangered species have been identified in Lamar County, Texas; however, the habitat requirements for most of the listed species does not exist at the Camp Maxey FUDS and no protected species have been observed at the Camp Maxey FUDS.

5.2 Investigation of Munitions and Explosives of Concern

The following activities were performed to assess the presence of MEC at Camp Maxey and to define the nature and extent of potential MEC hazards:

- Historical document review: re-evaluation of site documents (e.g., Archive Search Report and Supplement, Removal Action Reports, Engineering Evaluation/Cost Analysis Report etc.) to assess the potential MEC presence at each MRS.
- Digital Geophysical Mapping (DGM) surveys: detection and mapping of subsurface metallic "anomalies" using digital instruments. The precise locations of anomalies detected using DGM were recorded using global positioning system (GPS) units or other methods.
- Intrusive excavation: a representative portion of the subsurface metallic anomalies detected during DGM or analog surveys were selected for excavation to characterize whether or not the anomalies were MEC-related

MEC has been reported to have been found in the Eastern Range Area A MRS on the ground surface and in the subsurface. During the RI fieldwork in 2013, no MEC items were encountered in the five investigated grids; numerous UXO and munitions debris related to a broad range of munitions (i.e., M62A high explosive anti-tank [HEAT] rounds, M9A1 rifle grenades, and 37mm APHE projectiles) have been encountered and removed from the MRS during previous investigations and removal actions prior to the RI. None of the investigations or removals completed prior to the Remedial Investigation encompassed the entire MRS footprint and details concerning the precise location, depth, and types of many of the munitions found are not available. Low concentrations of munitions debris related to small arms ammunition were identified in the five grids investigated during the RI. More details of the MEC investigation conducted at Camp Maxey are presented in the *Final RI/FS Report for former Camp Maxey* (EOTI, 2014).

5.3 Investigation of Munitions Constituents

To assess the presence as well as characterize the nature and extent of MC contamination at the Camp Maxey FUDS MRA, surface and subsurface soil samples were collected and analyzed at locations where MEC was known or suspected to be present throughout the Camp Maxey FUDS. In total, forty-four (44) surface soil samples were collected from all the MRSs at the Camp Maxey FUDS where MEC was found during the RI or from RI grids designated as having medium/high munitions debris density. Because of the previous activities conducted at the MRS, no samples were collected from investigative grids within the

Eastern Range Area A MRS because no grids met the criteria established for sample collection (i.e., confirmed MEC or medium/high MD density). Three surface soil samples were collected from the Eastern Range Area A MRS at historical locations where prior MEC investigations and removals occurred but no previous MC sampling was performed. Following the surface soil sampling and analysis, a total of 120 subsurface soil samples were collected from all of the MRSs at the Camp Maxey FUDS and analyzed for lead from locations where surface soil sample results exceeded established screening levels for lead. Although limited MC samples were collected from the Eastern Range Area A MRS because MEC was not found during the RI, the sampling that was conducted of the remainder of the Camp Maxey FUDS (where MEC was found) was sufficient to determine there were no chemicals of concern for MC and therefore, no actionable MC risk to human or ecological receptors for the entire Camp Maxey FUDS.

The results of the surface and subsurface soil sample analyses were compared to preliminary screening values, which were developed using Camp Maxey site-specific background soil concentrations and selected applicable human health and ecological screening values. The results of the preliminary risk assessment completed as part of the RI demonstrate that adverse health effects from human and ecological exposure to MC in soil at the Camp Maxey FUDS are not expected; therefore, contamination is not expected to be present in other environmental media such as surface water, sediment, or groundwater. Based on these results, no further investigation on the basis of potential human health or ecological risk is warranted and MC contamination will not be discussed further in this section. More detailed information concerning the MC sampling and analysis conducted at the Eastern Range Area A MRS are presented in the *Final RI/FS Report for former Camp Maxey* (EOTI, 2014).

5.4 Types of Contamination and Affected Media

Based on the results of the prior historical investigations and the RI, potential MEC hazards in the form of UXO remain at the Eastern Range Area A MRS. The presence of MEC has historically been confirmed on the surface and in the subsurface at the MRS; however, no MEC was found during the RI. The general level of site accessibility and the existence of potentially complete MEC exposure pathways at the surface and in the subsurface, confirms the potential for MEC hazards at this MRS.

5.5 Location of Contamination

As described above, numerous MEC items have been found within the Eastern Range Area A MRS. While there have been removal actions conducted in the Eastern Range Area A, there are large portions of the MRS where clearance activities have not been conducted or cannot be confirmed. The focused surface and subsurface clearance included in the Selected Remedy for the Eastern Range Area A MRS is intended focus on areas frequented by the public for recreational activities (i.e., trails, dirt roads, picnic areas, camp grounds, shorelines), including a safety buffer of 30 feet surrounding those areas as shown in Figures 3a, 3b, and 3c. The shoreline removals will extend from the Pat Mayse Lake Conservation Pool Elevation (451 feet above mean sea level) landward for 30 feet or 30 feet beyond any shoreline recreational facilities

5.6 Migration and Exposure Routes

As described above, the potential for MEC exposure exists at the Eastern Range Area A MRS. For this

reason, there is a potential for site workers (e.g., forestry personnel and utility workers) and recreational users (e.g., campers and hunters) to come into contact with surface or subsurface MEC.

5.7 Potential Receptors Present

The primary receptors at the Eastern Range Area A MRS are anticipated to be site workers (e.g., forestry personnel and utility workers) and recreational users (e.g., campers and hunters).

5.8 Potential MEC Exposure Pathways

Potential exposure to MEC could occur via direct contact of receptors to MEC contamination present in surface or subsurface soil. As described above, potential receptors that could interact with these pathways include site workers (e.g., forestry personnel and utility workers) and recreational users (e.g., campers and hunters). These receptors would most typically be in contact with soil on the ground surface and within the first foot (12 inches) bgs. MEC in soil could also migrate via natural processes (i.e., erosion) to the surface.

5.9 Conceptual Site Model

A conceptual site model (CSM) is a representation of a site and its environment that is used to facilitate understanding of the site and the potential contaminant exposure pathways that might be present. The CSM describes potential contamination sources and their known or suspected locations, human and/or ecological receptors present, and the possible interactions between the two. The CSM summarizes which potential receptor "exposure pathways" for MEC and MC are (or may be) "complete" and/or "potentially complete" and which are (and are likely to remain) "incomplete." An exposure pathway is considered incomplete unless all of the following elements are present: (a) MEC or MC contamination; (b) a receptor that might be affected by that contamination; and (c) a method for the receptor to be exposed to (i.e., come into contact with) the contamination. If all of these elements are present, an exposure pathway is considered complete. If no MEC or MC has been confirmed at the MRS, the pathway is considered "potentially complete" if 1) significant MD is present indicating the potential for either MEC or MC to exist and 2) both receptors and an exposure method are present.

Following completion of the RI and the evaluations of contamination and potential exposure pathways described above, the initial CSM for the Eastern Range Area A MRS was updated to reflect the status of MEC and MC exposure pathways using the results of the investigation. Because the preliminary risk screening completed as part of the RI demonstrated that adverse health effects from human and ecological exposure to MC in soil at the Camp Maxey FUDS are not expected, all MC exposure pathways in the CSM are considered to be incomplete for the Eastern Range Area A. No MEC was observed at the Eastern Range Area A MRS during the RI; however, MD was found during the RI and numerous UXO have been identified within the MRS in removal footprints which cannot be fully defined. Therefore, pathways are considered potentially complete for all receptors. The updated CSM is included as Figures 3 and 4.

6 CURRENT AND POTENTIAL FUTURE LAND USES

The land uses within the Camp Maxey FUDS are predominantly ranching, farming, rural residential, and

recreational. The majority of the lands within the MRSs at Camp Maxey FUDS are used for parks, wildlife management, and flood control for Pat Mayse Lake. At the Eastern Range Area A MRS, all of the MRS acreage is within the Pat Mayse Lake recreational area which is owned by the federal government and managed by the USACE. Based on discussions with landowners and stakeholders, these current land uses are projected to remain the same for the foreseeable future. The land uses identified at Camp Maxey are discussed in detail in the *Final RI/FS Report for the former Camp Maxey* (EOTI, 2014).

Figure 4: Exposure Pathway Analysis for MEC – Eastern Range Area A

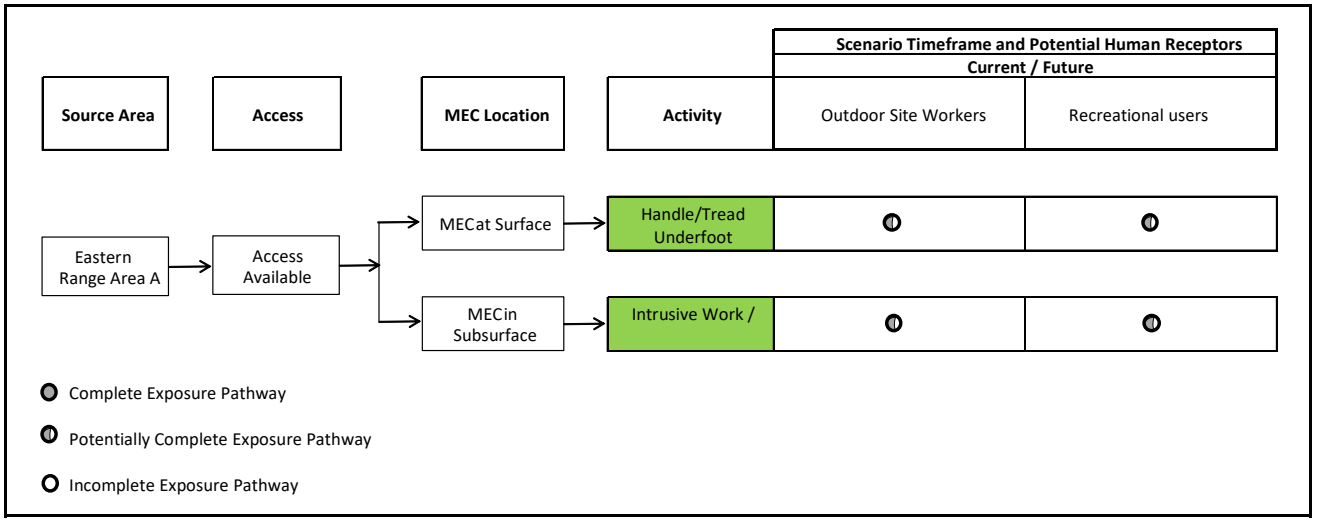
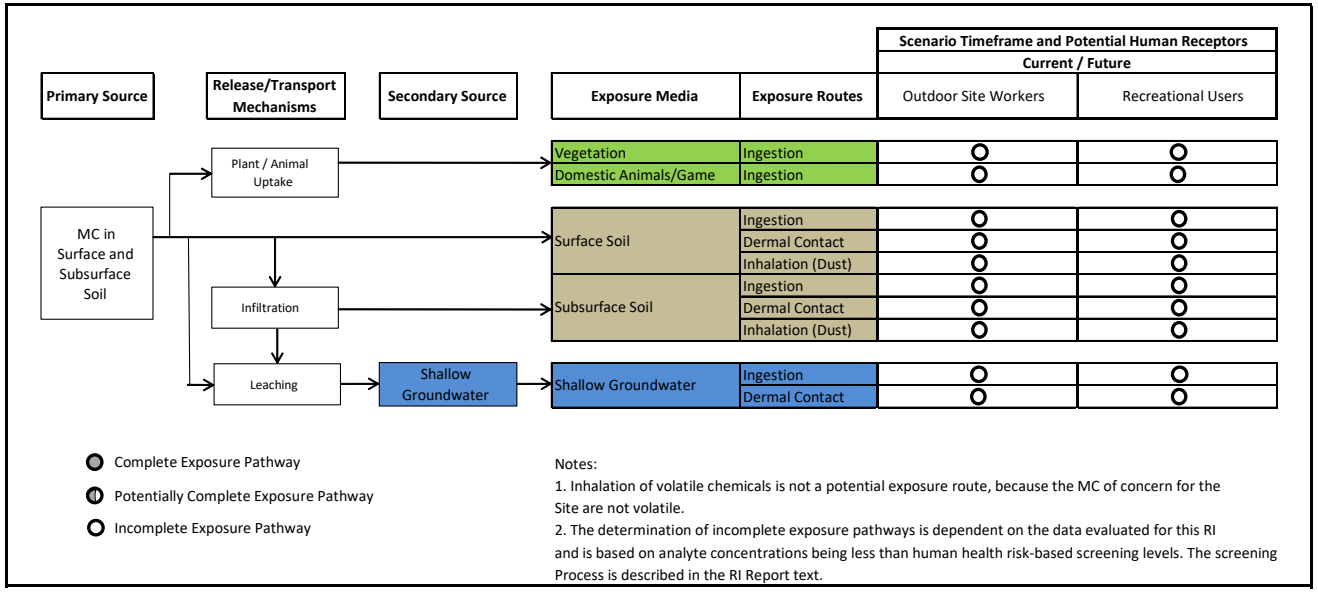


Figure 5: Exposure Pathway Analysis for MC – Eastern Range Area A



7 SUMMARY OF PROJECT SITE RISKS

7.1 Human Health Risks

Potential receptors of MEC hazards present at the Eastern Range Area A MRS are anticipated to be site workers (e.g., forestry personnel and utility workers) and recreational users (e.g., hunters and campers). Based on the findings at the Eastern Range Area A MRS, MEC hazard assessments (HAs) were performed to qualitatively characterize the potential MEC hazards at select MRSs. The MEC HA method generates a score and a corresponding "Hazard Level" ranging from 1 (highest) to 4 (lowest) that provides a qualitative indication of the MEC hazard in an area (these are not quantitative measures of explosive hazard). Based on the information available from the RI and other previous investigations, the MEC HA "Hazard Level" for the Eastern Range Area A MRS is 1. Additionally, a qualitative risk evaluation completed during the RI considered all elements of risk and concluded there is moderate to high risk related to MEC at the Eastern Range Area A MRS (EOTI, 2014).

As discussed previously, no MC contamination was detected in the historic soil sample locations within the Eastern Range Area A MRS during the RI. Based on these results, combined with all the RI surface and subsurface soil sampling completed at the Camp Maxey FUDS, the MC risk assessment conducted as part of the RI concluded that there was no unacceptable human health risk posed by exposure to MC at the Eastern Range Area A MRS.

7.2 Ecological Risks

Ecological receptors are not considered in the evaluation of MEC hazards. As discussed previously, no MC contamination was detected in the historic soil sample locations within the Eastern Range Area A MRS during the RI (EOTI, 2014). Based on these results, the MC risk assessment conducted as part of the RI concluded that there was no unacceptable ecological risk posed by exposure to MC at the Eastern Range Area A MRS.

7.3 Basis for Response Action

Based on the results of previous investigations, the RI, and the assessments of MC hazards summarized above, no MC risks are anticipated for the current or future human or ecological receptors at the Eastern Range Area A MRS. However, based on MEC and MD observed during the RI and previous removal actions at the Eastern Range Area A and adjacent MRSs, there is a potential MEC hazard to site workers (forestry personnel and utility workers), and recreational receptors at the Eastern Range Area A MRS. Consequently, an FS was completed to assess possible remedial action alternatives for addressing MEC hazards at the Eastern Range Area A MRS.

8 REMEDIAL ACTION OBJECTIVES

The general Remedial Action Objective (RAO) at Camp Maxey is to limit exposure to potential hazards/risks for site workers, residents, recreational users, site visitors, and ecological receptors resulting from exposure to MEC and MC at the site. However, no unacceptable risk posed by exposure to MC was identified at the Camp Maxey FUDS, so no specific RAOs are required for MC at the Eastern

Range Area A MRS. The specific RAO for the Eastern Range Area A MRS is to minimize direct contact with MEC during recreational activities (e.g., hunting, camping, equestrian, fishing, hiking, wildlife viewing, and lake boat access) on the ground surface and to a maximum anticipated receptor contact depth of 12 inches.

9 DESCRIPTION OF ALTERNATIVES

A range of general response actions were identified, evaluated, and screened to develop a list of possible remedial alternatives for the Camp Maxey MRSs. These general response actions were (a) no action, (b) LUCs (e.g., public education, signage, etc.), and (c) surface and subsurface MEC removals. Various technology options for these general response actions were evaluated based on screening criteria that included effectiveness, implementability, and cost. Methods deemed to be viable were combined into possible remedial alternatives for the Eastern Range Area A MRS. A No Action alternative was also evaluated. The No Action alternative refers to a remedy where no active remediation or LUCs are implemented. Under CERCLA, evaluation of a No Action alternative is required to provide a baseline for comparison of other remedial technologies and alternatives. A detailed description of the alternative development process is provided in the FS for former Camp Maxey (EOTI, 2014). Four remedial alternatives were developed during the FS for the Eastern Range Area A MRS, each extending over a time frame of 30 years. The actual length of time for long-term management is not defined. For the purpose of estimating future costs, it is assumed five-year reviews and associated operational costs will continue for 30 years. This is allowed by EPA for estimation purposes when the actual length of the remedial activity is unknown

9.1 Remedy Components

The major components of each alternative are described below:

9.1.1 Alternative 1: No Action

The No Action alternative (also referred to as No Further Action under CERCLA) has no major components because it means that a remedy will not be implemented to reduce the potential safety risk posed by MEC interaction with human receptors.

9.1.2 Alternative 2: Land Use Controls; 100 Percent Surface Clearance

Alternative 2 employs the use of LUCs and a 100 percent surface clearance to reduce and prevent explosive hazard exposure to potential human receptors. For this alternative, 100 percent of the acreage of the MRS (1,124 acres) would be subject to a MEC surface clearance. The completion of the remedial action over 100 percent of the MRS would result in a significant reduction in MEC hazards; however, no MEC would be removed from the subsurface and some munitions may remain under existing structures such as roads, buildings, sidewalks, and paved areas. Planning for the surface clearance should consider potential impacts to the environment in the MRS, and will involve coordination with the TPWD and may require endangered species surveys; however, based on current listings, affects to endangered species and their habitat is not anticipated as a result of the remedial action. LUCs for MEC generally include physical and/or administrative/legal mechanisms that minimize

the potential for exposure by increasing awareness and limiting land use. This process does not prevent exposure to MEC in all cases; however, it can effectively prevent exposure by increasing awareness and/or restricting access to areas where MEC may potentially be present. The LUCs for Alternative 2 include the following:

- **Signage:** Signage on and surrounding the MRS warning potential receptors of the potential explosive safety hazards and instructing them in the appropriate response in the event potential MEC is encountered (i.e., 3Rs of Explosives Safety "Recognize, Retreat, and Report")
- **Public Education:** Public education would consist of periodic 3Rs educational awareness meetings, and fact sheets. A 3Rs program would focus on providing information on the areas containing the MEC hazards and the appropriate response if MEC is encountered. These preventive measures would include annual 3Rs educational public meetings and fact sheets that have the goal of reducing the risk of exposure and reducing the potential impact if exposure occurs. Fact sheets and 3Rs educational materials can be distributed through the community as posted notices or handouts. In addition, letters and fact sheets would be sent to landowners and residents on parcels in areas identified as having MEC hazards as a result of the RI, and a Community Relations Plan (CRP) would be updated every five years.

A LTM program will be established as a component of this remedy that includes monitoring of signs and addresses the potential for MEC to become exposed due to natural forces such as erosion along shorelines.

9.1.3 Alternative 3: Land Use Controls; Focused Surface Clearance and 12-inch Subsurface Clearance

For this alternative, a focused surface clearance and subsurface clearance to a depth of 12 inches would be completed in frequented public use areas of the MRS (e.g., trails, dirt roads, picnic areas, camp grounds, shorelines). The completion of the focused surface and subsurface clearances of approximately 400 acres total, would result in a significant reduction in MEC hazards; however, no MEC would be removed from either the surface or the subsurface outside of the clearance footprint and some munitions may remain under existing structures such as roads, buildings, sidewalks, and paved areas within the clearance footprint. Planning for the clearances should consider potential impacts to the environment in the MRS, and will involve coordination with the TPWD and may require endangered species surveys; however, based on current listings, affects to endangered species and their habitat is not anticipated as a result of the remedial action. This alternative would also include LUCs and LTM discussed under Alternative 2.

9.1.4 Alternative 4: 100 Percent Surface and Subsurface Clearance (Unlimited Use/Unrestricted Exposure)

This alternative consists of conducting a surface and subsurface clearance over the entire MRS (100 percent) allowing unlimited use and access for the property. The subsurface clearance will be completed to a specified depth outside of areas that can be confirmed to have been cleared in previous removal

actions to ensure the property is acceptable for unlimited use and access. The specific subsurface clearance depth for the Eastern Range Area A MRS is 24 inches bgs. The majority of MD was found on or within 12 inches of the ground surface, with the exception of two items found at depths of 13 inches (unidentifiable frag) and 24 inches (empty 155mm illumination round). The maximum intrusive activity is expected to be 12 inches. Utilizing a 24-inch clearance depth ensures the site is acceptable for unlimited use and unrestricted exposure as a recreational facility. The completion of the remedial action over 100 percent of the MRS would result in a significant reduction in MEC hazards. Planning for the surface clearance should consider the significant impacts to receptors and the environment in the MRS, will involve coordination with the TPWD, and may require endangered species surveys. While no endangered species have been encountered at the Camp Maxey FUDS and the habitat necessary to support most of Lamar County's federal or state protected species does not exist at the Camp Maxey FUDS, any comparable habitat would be destroyed as a result of Alternative 4.

LUCs and five-year reviews are not required as part of this alternative as it is designed to provide for unlimited use and unrestricted exposure for the entire MRS.

9.2 Five-Year Reviews

Remedial Alternative 1, Alternative 2, and Alternative 3 do not allow for unlimited use/unrestricted exposure (UU/UE). In accordance with 40 Code of Federal Regulations (CFR) 300.430(f)(4)(ii); therefore, five-year reviews will be performed in addition to the remedial actions included in each of the three alternatives identified to ensure that the remedy remains protective of human health and the environment. Five-year reviews are a requirement for all alternatives not allowing for UU/UE in accordance with 40 CFR 300.430(f)(4)(ii). A Five-Year Review Report will document the information collected and evaluated, and present the findings of the evaluation of the continued protectiveness of LUCs at the Eastern Range Area A MRS. The report will document whether the selected remedy continues to minimize explosive safety risks and is still protective of human health, safety, and the environment and/or recommend follow-up actions that may be warranted.

9.3 Expected Outcomes of Each Alternative

There are no socioeconomic or community revitalization impacts anticipated as a result of implementing any of the alternatives, and no environmental or ecological benefits (such as restoration of sensitive ecosystems, protection of endangered species, protection of wildlife resources, or wetlands restoration).

9.3.1 Alternative 1: No Action Alternative

No further action is conducted under this alternative to locate, remove, dispose of, or limit exposure to any potential MEC. No institutional controls (e.g., education, deed notices, construction permits, etc.) are implemented. No costs are associated with this alternative since there would be no action. Evaluation of this alternative is required and used as a baseline for comparison with other alternatives. This alternative does not meet the RAOs or effectiveness screening criteria for the Eastern Range Area A MRS because there is a potentially complete MEC pathway.

9.3.2 Alternative 2: Land Use Controls; 100 Percent Surface Clearance

This alternative consists of conducting a surface clearance over the entire MRS (100 percent). LUCs would consist of signs being installed on and around the MRS and a 3Rs educational awareness program to warn of the potential explosive hazards associated with the site. A LTM plan would be required to inspect LUCs, and provide 3Rs educational material on a periodic basis. In addition, the LTM plan will address the potential for MEC that may become exposed due to natural forces such as erosion along shorelines.

The LUCs and 100 percent surface clearance alternative would be protective of human health and the environment through education of site risks and because it removes the direct contact pathway between potential receptors and MEC on the ground surface. This alternative is effective in both the short- and long-term because it reduces the potential for human receptors to encounter MEC at the MRS. The completion of the removal action on the ground surface would result in a significant reduction of MEC hazards; however, potential MEC would remain in the subsurface.

The surface clearance is implementable using conventional surface clearance techniques and LUCs require no specialized equipment. UXO technicians will use handheld metal detectors to determine the presence of metallic anomalies and suspect UXO will be removed and blown-in-place (BIP) using proper demolition procedures. All MD will be inspected, certified, and shipped offsite for disposal. The MEC removal will be conducted by trained UXO technicians. There is a high level of environmental disturbance associated the substantial vegetation which has to be removed to complete a surface clearance over the entire MRS making implementation problematic. The MRS is on public property, making the implementation of LUCs feasible.

Due to limitations in detection technology and because 100 percent coverage will not be possible in all areas of the MRS due to existing structures and roads, it is possible that some munitions may be missed. As part of Alternative 2, a 3Rs educational awareness program will be conducted and a long term management program implemented as described under Alternative 2 in Section 9.1.2.

9.3.3 Alternative 3: Land Use Controls; Focused Surface Clearance and 12-Inch Subsurface Clearance

This alternative consists of conducting a focused surface clearance and subsurface clearance of approximately 400 acres in frequented public use areas of the MRS (e.g., trails, dirt roads, picnic areas, camp grounds, shorelines). LUCs would consist of the same 3Rs Program signage and educational program as described in Alternative 2 to protect receptors outside of the focused surface clearance footprint, and the same LTM program as described in Alternative 2 would be implemented.

Alternative 3 would be protective of human health and the environment through education of site risks and because it removes the direct contact pathway between potential receptors and MEC on the ground surface and from the subsurface in areas of the MRS most likely to be accessed by receptors. This alternative is effective in both the short- and long-term because it reduces the potential for human receptors to encounter MEC at the MRS. The completion of the removal action on the ground surface and in the subsurface would result in a significant reduction of MEC hazards; however, potential MEC would remain outside of the clearance footprint. The clearances are implementable using conventional

surface and subsurface clearance techniques. The detection and identification of anomalies attributable to MEC will be performed by specialists (geophysicists) experienced in the detection of buried munitions. These specialists will conduct DGM using a specialized metal detector that records the locations of buried metallic items and interprets the data to identify locations of subsurface MEC. Suspect UXO will be removed and BIP using proper demolition procedures. All MD will be inspected, certified, and shipped offsite for disposal. The MEC removal will be conducted by trained UXO technicians.

Implementation of this alternative is problematic due to the high level of potential environmental disturbance and substantial vegetation removal required to complete the surface and subsurface clearance. The MRS is on public property, making the implementation of LUCs feasible.

Due to limitations in detection technology and because 100 percent coverage will not be possible in all areas of the MRS, it is possible that some munitions may be missed. As part of Alternative 3, a 3Rs educational awareness program will be conducted and a LTM program implemented as described in Section 9.1.2.

9.3.4 Alternative 4: 100 Percent Surface and Subsurface Clearance (Unlimited Use/Unrestricted Exposure)

Alternative 4 consists of a subsurface clearance being conducted over the entire MRS (100 percent) in conjunction with the surface removal allowing unlimited use and unrestricted exposure for the property. The subsurface clearance will be completed to a specified depth. The majority of MD was found on or within 12 inches of the ground surface, with the exception of two items found at depths of 13 inches (unidentifiable frag) and 24 inches (empty 155mm illumination round). The maximum intrusive activity is expected to be 12 inches. Utilizing a 24-inch clearance depth ensures the site is acceptable for unlimited use and unrestricted exposure as a recreational facility.

The unlimited use/unrestricted exposure alternative would be protective of human health and the environment because it removes the direct contact pathway between potential receptors and MEC on the ground surface and from the subsurface. This alternative is effective in both the short- and long-term because it reduces the potential for human receptors to encounter MEC at the MRS. The completion of the surface and subsurface clearances would result in a significant reduction of MEC hazards. The clearances are implementable using conventional surface and subsurface clearance techniques. The detection and identification of anomalies attributable to MEC will be performed by specialists (geophysicists) experienced in the detection of buried munitions. These specialists will conduct DGM using a specialized metal detector that records the locations of buried metallic items and interpret the data to identify locations of subsurface MEC. Suspect UXO will be removed and BIP using proper demolition procedures. All MD will be inspected, certified, and shipped offsite for disposal. The MEC removal will be conducted by trained UXO technicians. Implementation of this alternative is difficult due to the high level of environmental disturbance and significant vegetation removal required to complete a surface and subsurface clearance over the entire MRS. LUCs and five-year reviews would not be required as part of this alternative as risk associated with potential MEC would be reduced to an acceptable level.

10 COMPARATIVE ANALYSIS OF ALTERNATIVES

10.1 Evaluation Method

A detailed analysis was completed for the various remedial alternatives developed to address the potential MEC hazards at the Eastern Range Area A MRS. The purpose of this detailed analysis was to evaluate and compare the range of remedial action alternatives against the baseline condition (no action) and each other to select one preferred alternative that was considered the most suitable to address the risks present. A detailed account of this analysis is provided in the FS for Camp Maxey (EOTI, 2014). A summary of this process is provided here.

The detailed analysis involved evaluating each identified remedial alternative against nine criteria, as defined by CERCLA. These nine criteria fall into three groups: threshold criteria, primary balancing criteria, and modifying criteria. A description and purpose of the three groups of criteria follows:

- **Threshold criteria** are requirements that each alternative must meet in order to be eligible for selection and include (a) overall protectiveness of human health and the environment and (b) compliance with ARARs.
- **Primary balancing criteria** are used to weigh major trade-offs among alternatives and include (a) long-term effectiveness and permanence, (b) reduction of toxicity, mobility, or volume of contaminants through treatment, (c) short term effectiveness, (d) implementability, and (e) cost
- **Modifying criteria** include (a) state/support agency acceptance and (b) community acceptance, and require review of the remedial alternatives by stakeholders. For this reason, while these criteria may be considered to the extent that information is available during the FS, they can only be fully considered after public comment is received on the Proposed Plan. In the final balancing of trade-offs between alternatives upon which the final remedy selection is based, modifying criteria are equally important as the balancing criteria.

The details of the nine evaluation criteria are explained further in Table 1 below. A summary of the evaluation of the threshold and primary balancing criteria, applied to the alternatives applicable to the Eastern Range Area A MRS, is provided in Table 2 and the estimated costs to implement the alternatives are presented in Table 3. Further details regarding this evaluation are provided in Chapter 9 of the *Final RI/FS Report for the Former Camp Maxey* (EOTI, 2014).

Table 1: Summary of Evaluation Criteria for Remedial Alternatives

Overall Protection of Human Health and the Environment addresses whether a remedial alternative will achieve adequate protection of human health and the environment and describes how MEC at the site will be eliminated, reduced, or controlled through treatment, engineering, and/or LUCs. Because there is not an established threshold for MEC hazard, the goal is to effectively minimize or eliminate the exposure pathway between the MEC and receptor.
Compliance with ARARs addresses whether a remedial alternative meets all applicable, appropriate, or relevant selected federal and state environmental statutes and regulations. To be acceptable, an alternative shall comply with ARARs or be covered by a waiver. Based on the results of the RI, risks from concentrations of MC to human health or ecological receptors at the Camp Maxey FUDS MRSs are negligible. As such, ARARs for MC are not applicable. Substantive portions of the Resource Conservation and Recovery Act (RCRA) Disposal Requirements (40 CFR 264, Subpart X) may apply if, as part of a surface or subsurface clearance, munitions are consolidated for treatment, storage, or disposal. This ARAR would not be applicable for either the No Action Alternative or the stand-alone LUC Alternative as no munitions would be encountered during the remedial action.
Long-Term Effectiveness and Permanence addresses the ability of a remedial alternative to maintain reliable protection of human health and the environment over time. This criterion considers the magnitude of residual hazard, the adequacy of the response in limiting the hazard, and whether LUCs and long-term maintenance are required.
Reduction of Volume, or Removal, of MEC relates to the extent to which the remedial alternatives permanently reduce the volume of MEC and reduces the associated safety hazard. Factors for this criterion for MEC include the degree of permanence of the remedial action, the amount of MEC removed/demolished, and the type and quantity of MEC remaining.
Short-Term Effectiveness addresses the period of time needed to implement the remedy and any adverse impacts that may be posed to workers, the community, and the environment during implementation. MEC removal poses risks to workers and the public that are not associated with environmental contaminants that must be considered and controlled.
Implementability refers to the technical and administrative feasibility of implementing each Alternative and the availability of services and materials are addressed by this criterion. This criterion also considers the degree of coordination required by the regulatory agencies, successful implementation of the remedial action at similar sites, and research to realistically predict field implementability.
Cost addresses the capital costs, in addition to annual costs anticipated for implementation of the response action.
Regulatory Acceptance is used to evaluate the technical and administrative concerns of the regulatory community regarding the alternatives, including an assessment of the regulatory community's position and key concerns regarding the alternative, and comments on ARARs or the proposed use of waivers.
Community Acceptance includes an evaluation of the concerns of the public regarding the alternatives. It determines which component of the alternatives interested persons in the community support, have reservations about, or oppose.

Table 2: Detailed analysis of Alternatives for Eastern Range Area A MRS*

Criteria		Alternative 1: No Action
Threshold Criteria	Overall Protection of Human Health and the Environment	This alternative is not protective of human health or the environment because it does not mitigate risk associated with the potential presence of MEC.
	Compliance with ARARs	No actions are associated with this alternative; therefore, no ARARs are identified.
Primary Balancing Criteria	Short-term Effectiveness	Does not meet short-term effectiveness requirements (does not remove or reduce exposure to MEC)
	Long-term Effectiveness	Does not meet long-term effectiveness requirements (does not remove or reduce exposure to MEC)
	Reduction of Toxicity, Mobility, Volume	Does not reduce toxicity, mobility, or volume because no remediation takes place.
	Implementability	Highly implementable because no remedial action occurs.
	Cost Estimate (Net Present Value [NPV])	No cost is associated with this alternative because no action would be taken.
Modifying Criteria	Regulatory and Community Acceptance	TCEQ does not concur with Alternative 1 as no actions are associated with this alternative to address hazards at the site. As described in Part 3 of this Decision Document, no comments pertaining to any of the alternatives were received during the public comment period.
Criteria		**Alternative 2: LUCs; 100% Surface Clearance**
Threshold Criteria	Overall Protection of Human Health and the Environment	This alternative protects human health and the environment by removing MEC from 100% of the ground surface and educating potential receptors about the explosive hazards associated with MEC and by deterring unnecessary access to impacted areas.
	Compliance with ARARs	This alternative will comply with ARARs by following RCRA Subpart X requirements when consolidating shots of MEC.
Primary Balancing Criteria	Short-term Effectiveness	Offers short-term effectiveness by reducing the potential for human receptor interaction with MEC because the risk would be reduced immediately following the MEC clearance and LUC implementation. There is an increase in short-term risk to workers associated with the surface clearance.
	Long-term Effectiveness	Offers greater long-term effectiveness by removing the source on the ground surface; thereby, along with LUCs, reducing the potential for human receptor interaction with MEC at the site. Statutory five-year reviews are required to ensure the remedy remains protective of human health and the environment.
	Reduction of Toxicity, Mobility, and Volume	Effective at reducing the volume of MEC on the ground surface. LUCs reduce the subsurface exposure risk to human receptors through education and determent.
	Implementability	This alternative is implementable using conventional surface clearance techniques and services and materials are available. Specially trained personnel are required for the surface clearance. The high level of vegetation removal and environmental disturbance required for the 100% surface clearance makes implementing this alternative challenging.
	Cost Estimate (NPV)	Total cost is $3,791,000
Modifying Criteria	Regulatory and Community Acceptance	TCEQ does not concur with Alternative 2 as deed restrictions are not included as a LUC (see Section 10.3). As described in Part 3 of this Decision Document, no comments pertaining to any of the alternatives were

		received during the public comment period.
Criteria		**Alternative 3: LUCs; Focused Surface and Subsurface Clearance**
Threshold Criteria	Overall Protection of Human Health and the Environment	This alternative protects human health and the environment by removing MEC from the ground surface and subsurface in specific areas of the MRS frequently used by the public and by educating potential receptors about the explosive hazards associated with MEC and by deterring unnecessary access to impacted areas.
	Compliance with ARARs	This alternative will comply with ARARs by following RCRA Subpart X requirements when consolidating shots of MEC.
Primary Balancing Criteria	Short-term Effectiveness	Offers short-term effectiveness by reducing the potential for human receptor interaction with MEC because the risk would be reduced immediately following the MEC clearance and LUC implementation. There is an increase in short-term risk to workers associated with the surface clearance.
	Long-term Effectiveness	Offers greater long-term effectiveness by removing the source on the ground surface and from the subsurface in specific areas of the MRS; thereby, along with LUCs, reducing the potential for human receptor interaction with MEC at the site. Statutory five-year reviews are required to ensure the remedy remains protective of human health and the environment.
	Reduction of Toxicity, Mobility, and Volume	Effective at reducing the volume of MEC on the ground surface and in the subsurface. LUCs reduce the subsurface exposure risk to human receptors through education and determent.
	Implementability	This alternative is implementable using conventional surface clearance techniques and services and materials are available. Specially trained personnel are required for the surface and subsurface clearance.
	Cost Estimate (NPV)	Total cost is $4,646,000
Modifying Criteria	Regulatory and Community Acceptance	TCEQ does not concur with Alternative 3 as deed restrictions are not included as a LUC (see Section 10.3). As described in Part 3 of this Decision Document, no comments pertaining to any of the alternatives were received during the public comment period.
Criteria		**Alternative 4: 100% Surface and Subsurface Clearance (24 inches) (Unlimited Use/Unlimited Exposure)**
Threshold Criteria	Overall Protection of Human Health and the Environment	This alternative protects human health and the environment by removing MEC from the ground surface and from the subsurface over the entire MRS.
	Compliance with ARARs	This alternative will comply with ARARs by following RCRA Subpart X requirements when consolidating shots of MEC.
Primary Balancing Criteria	Short-term Effectiveness	Offers short-term effectiveness by reducing the potential for human receptor interaction with MEC because the risk would be reduced immediately following the MEC clearance. There is an increase in short-term risk to workers associated with the surface and subsurface clearances.
	Long-term Effectiveness	Offers greater long-term effectiveness by removing the source on the ground surface and from the subsurface; thereby, along with LUCs, reducing the potential for human receptor interaction with MEC at the site. This alternative is considered permanent and statutory five-year reviews are not required.
	Reduction of Toxicity, Mobility, and Volume	Effective at reducing the volume of MEC on the ground surface and from the subsurface.

	Implementability	This alternative is implementable using conventional MEC clearance techniques and services and materials are available. Specially trained personnel are required for the MEC clearance. The high level of vegetation removal and environmental disturbance required for the 100% surface and subsurface clearance makes implementing this alternative challenging.
	Cost Estimate (NPV)	Total cost is $11,948,000. This cost, while not programmatically prohibitive, is extremely high.
Modifying Criteria	Regulatory and Community Acceptance	In response to the Final RI/FS Report, the State of Texas has stated, "…detection and removal methods are not 100-percent effective, therefore TCEQ cannot support unlimited use and unrestricted exposure as part of a final remedy." As described in Part 3 of this Decision Document, no comments pertaining to any of the alternatives were received during the public comment period.

***** The presented NPV are the values as of 2014 FS

Table 3: Eastern Range Area A Cost Analysis Table

Alternative	Cost[1]
Alternative 1: No Action	No Cost
Alternative 2: LUCs; 100 Percent Surface Clearance	$3,791,000[2]
Alternative 3: LUCs; Focused Surface and 12-inch Subsurface Clearance	$4,646,000[2,3]
Alternative 4: 100 Percent Surface and Subsurface Clearance (24 inches) (Unlimited Use/Unrestricted Exposure)	$11,948,000

Notes: [1]Cost are NPV as of the 2014 FS
[2]Alternative 2 and 3 include costs for 30 years of LTM.
[3]Adjusting cost to bring it into 2018 values increases this cost to $5,745,200

10.2 Evaluation Summary

The four alternatives were evaluated in terms of the nine criteria (Table 2). Table 2 summarizes the evaluation and identifies the most practicable solution for reducing the potential MEC exposure hazard at the MRS.

Alternative 1 – Alternative 1 must be ruled out for the Eastern Range Area A MRS at Camp Maxey because it is doesn't meet the threshold criterion to protect human health. Alternative 1 provides no source reduction or reduction of future risk, and is therefore the least protective of human health and the environment. Alternative 1 provides no reduction of source area toxicity, mobility, or volume. Because no actions are required for Alternative 1, it is highly implementable, could be implemented immediately, and there would be no short-term risks associated with implementing it.

Alternative 2 – Alternative 2 is protective of human health and the environment. A combination of LUCs and a 100 percent MEC surface clearance is effective at reducing risk of MEC exposure. Both the MEC source and its toxicity, mobility, and volume will be reduced on the ground surface; however, potential MEC will remain in the subsurface. It is implementable, though trained and qualified UXO technicians and specialized equipment are required; however, these are both available. Because the MRS is currently used as a WMA, implementation of the 100 percent surface clearance will be very difficult due to the high level of environmental disturbance (i.e., vegetation removal) required. Although there are some short-term risks to workers and the environment associated with the removal, they would be mitigated by best practices. The estimated costs associated with this alternative are high given the large acreage covered by the surface clearance.

Alternative 3 – Alternative 3 is protective of human health and the environment. LUCs, combined with a focused surface clearance and a focused subsurface clearance of approximately 400 acres total in areas frequented by the public is very effective at reducing risk of MEC exposure. Both the MEC source and its toxicity, mobility, and volume will be reduced on the ground surface and in the subsurface; however,

potential MEC will remain on the surface and in the subsurface in areas outside of the clearance footprint. It is implementable, though trained and qualified UXO technicians and specialized equipment are required. Implementation of the focused surface clearance is feasible because the level of environmental disturbance (i.e., vegetation removal) required is limited because much of the publically frequented and accessible areas are by their nature free of dense vegetation. Although there are some short-term risks to workers and the environment associated with the removal, they would be mitigated by best practices. The estimated costs associated with this alternative are higher than those for Alternative 2.

Alternative 4 – Alternative 4 is also protective of human health and the environment relative to the removal of explosive hazards associated with MEC. A combination of surface and subsurface clearances throughout the entire MRS (100 percent) is very effective at reducing risk of MEC exposure. The MEC source and its toxicity, mobility, and volume will be reduced on both the surface and in the subsurface more than by any of the other three alternatives. It is implementable, though trained and qualified UXO technicians and specialized equipment are required. Although there are some short-term risks to workers and the environment associated with the removal, they would be mitigated by best practices. Similarly to Alternative 2, the level of environmental disturbance required for this alternative is extremely high as large areas of the MRS would require widespread vegetation removal. The estimated costs associated with this alternative are extremely high and TCEQ would not agree with UU/UE.

10.3 State Acceptance

The TCEQ approves the Decision Document for the Camp Maxey Eastern Range Area A and would like for the remedial actions described in the decision document to proceed with a comment that does not affect this document but will be relevant at Project Closeout.

10.4 Community Acceptance

As described in Part 3 of this Decision Document, no comments pertaining to any of the alternatives were received during the public comment period. After the Decision Document is signed, USACE shall publish a notice of the availability of the Decision Document in *The Paris News* and make the Decision Document available for public inspection and copying at the Paris Public Library, 326 S. Main Street, Paris, Texas prior to the beginning of any remedial action.

11 SELECTED REMEDY

11.1 Rationale for the Selected Remedy

Based on the comparative analysis, Alternative 3 (LUCs; Focused Surface and 12-inch Subsurface Clearance) is the selected remedy for the Eastern Range Area A MRS because it offers an acceptable solution to controlling the moderate to high MEC risk to human receptors and allows for current use of the property as a publically accessible WMA without extensive environmental disturbance. This remedy would involve a focused surface and subsurface MEC clearance to 12 inches bgs in areas frequented by the public (e.g., trails, dirt roads, picnic areas, camp grounds, and shorelines), installation of signs on public property on and surrounding the Eastern Range Area A MRS, implementation of a public education program, and establishment of a LTM program. The shoreline removals will extend from the Pat Mayse Lake Conservation Pool Elevation (451 feet above mean sea level) landward for 30 feet or 30 feet beyond any shoreline recreational facilities

The completion of the remedial action would result in a significant reduction in MEC hazards and provides benefits over other alternatives as MEC and munitions debris density is moderate to high and the Alternative 3 can be implemented without the need for extensive vegetation removal and at a lower cost. The estimated total cost for Alternative 3 at the Eastern Range Area A MRS in the 2014 Feasibility Study was $4,646,000; adjusting that estimate for inflation gives a current cost-to-complete for the remedy of $5,745,200.

11.2 Description of the Selected Remedy

As described above in Section 9.0, the selected remedy is a combination of LUCs and a focused surface and 12-inch subsurface clearance in areas frequented by the public for recreational purposes (e.g., trails, dirt roads, picnic areas, camp grounds and shorelines) in the Eastern Range Area A MRS. LUCs as part of this alternative include signage, a public 3Rs educational awareness program, and a LTM program. The shoreline removals will extend from the Pat Mayse Lake Conservation Pool Elevation (451 feet above mean sea level) landward for 30 feet or 30 feet beyond any shoreline recreational facilities. Because this remedy will not provide UU/UE at the site, five-year reviews will performed no less often than every five years after the initiation of the remedy to monitor and review the effectiveness of the alternative.

11.3 Cost Estimate for the Selected Remedy

The information in the cost estimate summary table (Table 4) is based on the best available information regarding the anticipated scope of the selected remedy. The estimated total cost for Alternative 3 at the Eastern Range Area A MRS in the 2014 Feasibility Study was $4,646,000; adjusting that estimate for inflation gives a current cost to complete for the remedy of $5,745,200. This is an order-of-magnitude cost estimate that is expected to be within +50 to -30 percent of the actual project cost. Cost savings could be realized by having one combined public education program for the entire Camp Maxey FUDS.

11.4 Expected Outcomes of the Selected Remedy

With the implementation of the selected remedy, the outcome is expected to be protective of both human health and the environment at the Eastern Range Area A MRS. The majority of MD was found on or within 12 inches of the ground surface, with the exception of two items. Exposure to potential MEC hazards and risks for site workers, recreational users, and site visitors will be minimized by the surface and subsurface clearance to a depth of 12 inches bgs and any residual risks due to potential MEC exposure outside of the surface or subsurface removal footprint will be minimized by the implementation of the LUCs 3Rs Program signage and educational materials. The implementation of a LTM Program will ensure the LUCs remain in place and monitor for changes in site conditions due to erosion or drought. The land uses at the MRS will remain the same.

There are no socioeconomic or community revitalization impacts anticipated as a result of implementing the selected remedy, nor are there any significant expected environmental or ecological benefits.

Table 4: Cost Estimate Summary for the Selected Remedy (from 2014 Feasibility Study)

Alternative 3: Land Use Controls (Signage, Public Education, and LTM); Focused Surface and 12-inch Subsurface Clearance	
Administrative Actions (Planning [Remedial Design] and Coordination) [1]	$155,000
Site Preparation, Clearance, and Signage (Mobilization/Demobilization, Land Survey, Surface and Subsurface, Clearance, Demolition and Scrap Management)[1]	$3,106,000
LTM, Monitoring, and Five-year Reviews[2]	$135,000
Implementation Costs (e.g., Administrative and Legal, Management, Reporting, etc.)[1/2]	$1,250,000
Total Estimated Cost[3]	**$4,646,000**

Notes: [1]Capital Cost
[2]Present Value of Annual Costs
[3]Adjusting cost to bring it into 2018 values increases this cost to $5,745,200

12 STATUTORY DETERMINATIONS

Based on the information currently available, the selected remedy for the Eastern Range Area A MRS (a combination of LUCs and a focused surface and 12-inch subsurface clearance) is protective of human health and the environment and satisfies the statutory requirements of CERCLA §121(b) with regards to the former use of the MRS by the Army and DoD. The selected remedy is cost-effective and utilizes permanent solutions and alternative treatment technologies to the maximum extent practicable. Substantive portions of the Resource Conservation and Recovery Act (RCRA) Disposal Requirements (40 CFR 264.601, Subpart X) may apply as an applicable or relevant and appropriate requirement (ARAR) if, as part of a surface or subsurface clearance, munitions are consolidated for treatment, storage, or disposal.

Because this remedy will not allow for unlimited use and unrestricted exposure at the MRS, a statutory review will be conducted no less often than every five years after initiation of remedial action to ensure that the remedy continues to be protective of human health, safety, and the environment and minimizes explosive safety hazards.

13 DOCUMENTATION OF SIGNIFICANT CHANGES FROM PREFERRED ALTERNATIVE OF PROPOSED PLAN

The selected remedy described in this Decision Document (a combination of LUCs and a focused surface and 12-inch subsurface clearance) is unchanged from that detailed in the *Final Proposed Plan for the Former Camp Maxey* (EOTI, 2014b).

PART 3 - RESPONSIVENESS SUMMARY

1 Stakeholder Issues and Lead Agency Responses

1.1 Regulatory Concurrence and Comment

The *RI/FS Report for Former Camp Maxey* (EOTI, 2014) and *Proposed Plan for Former Camp Maxey* (EOTI, 2014b) were submitted to TCEQ for review and comment. TCEQ made one comment regarding the general implementation of LUCs at the Camp Maxey FUDS. Their comment and response are provided below:

Comment: "Land Use Controls: In addition to signage, training, and education, the State of Texas requires "A legal instrument be placed in the property records .... which indicates the limitations on or the conditions governing use of the property which ensures protection of human health and the environment (Texas Administrative Code §350-4(a)(47) as well as §350.11(Subchapter F)).

The purpose of the controls are to provide permanent notice of actual and/ or potential hazards associated with the property and to inform potential landowners and users of conditions to ensure protective property use.

These legal instruments range from deed notices, restrictive covenants, and equivalent zoning or government ordinance that would be functionally equivalent to a deed notice. Although the munitions constituents (MC) may be controlled on site, MEC will never be 100% certain of removal. More is needed to notify the public of the potential hazards of owning and using the property."

Response: "The TAC provisions require that a legal instrument in the form of a deed notice, Voluntary Cleanup Program Certificate of Completion, or restrictive covenant be placed in the appropriate property records. Some of the property at this site is under USACE control and we will ensure appropriate LUCs are in place for that property -these LUCs would not include deed restrictions; but, would be in keeping with USACE's federal landownership responsibilities. However, other property is in private ownership and USACE has no authority to place restrictions on that property. TAC 350.111 specifically requires landowner consent for the requested property restrictions. Moreover, the statute specifically states that, "restrictive covenants shall be executed only by the landowner". While TCEQ may have the regulatory authority to override a landowner, USACE does not.

Accordingly, USACE is unable to agree to your request to include TAC §350.11[1] (Subchapter F) in the FS as a proposed ARAR."

1.2 Public Comment

The USACE also made the Proposed Plan for the Camp Maxey FUDS MRSs available for public comment between 17 June and 17 July 2014. This public comment period was announced through a notice placed in *The Paris News* newspaper (Attachment 1). No written comments were received during the public comment period.

In addition, a public meeting was held on 24 June 2014 at the Holiday Inn Express in Paris, Texas. At the public meeting, the results of the RI were summarized, the alternatives considered were described, and

the alternative preferred by USACE was presented. Three people attended the 24 June 2014 public meeting, and one question was asked during the presentation. The audio of the meeting was recorded, and a copy of the transcript is included in the Meeting Summary, which is part of the Administrative Record at the Paris Public Library, Paris, Texas.

Overview of Oral Questions at 24 June 2014 Public Meeting

Question (Assistant Police Chief): "If the Pat Mayes lake recedes a great amount around the areas that we are talking about during a drought and exposes more land around the area, are there plans to go in, if that happens, in the impact area?

Answer: There are no plans at this time for this effort. (But) If there is a need, it would be USACE Ft. Worth's call, then there could be a time critical removal action performed to remove munitions that were possibly uncovered during the drought. A time critical removal action is to be completed within six months.

REFERENCES

EOTI. 2014. Final Remedial Investigation and Feasibility Study Report, Former Camp Maxey Artillery Ranges, Lamar County, Texas. (April)

EOTI. 2014b. Final Proposed Plan, Former Camp Maxey Artillery Ranges, Lamar County, Texas. (June)

Brigance, Charles (Remediation Division, Texas Commission on Environmental Quality, Austin, Texas). Letter to Sarah Otto (Fort Worth District, United States Army Corps of Engineers, Fort Worth, Texas). 15 January 2014.

Fiehler, Scottie (Fort Worth District, United States Army of Engineers, Fort Worth, Texas). Letter to Charles Brigance (Remediation Division, Texas Commission on Environmental Quality, Austin, Texas). 19 May 2014.

Brigance, Charles (Remediation Division, Texas Commission on Environmental Quality, Austin, Texas). Letter to Sarah Otto (Fort Worth District, United States Army Corps of Engineers, Fort Worth, Texas). 5 June 2014.

ATTACHMENT 1

AGENCY RESPONSES

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 15, 2018

Ms. Suzanne M. Beauchamp, P.E.
FUDS Account Manager
Fort Worth District, Corps of Engineers
P.O. Box 17300
Fort Worth, Texas 76102

Re: Notice to Proceed with Comment
Comments to Camp Maxey Decision Documents, dated June 25, 2018
Eastern Range A Munitions Response Site
Eastern Range B Munitions Response Site
Eastern Range C Munitions Response Site
Located near Paris, Lamar County, Texas;
TCEQ Facility ID No. T1628; FUDS Project No. K06TX030501;
CN600918916; RN104662994

Dear Ms. Beauchamp:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the above referenced submittal and associated revised Decision Documents for Munition Response Sites (MRS) at Camp Maxey. The documents detail Department of Army selected remedies for the Eastern Range A, Eastern Range B, and Eastern Range C MRSs. Based on our review, the TCEQ approves the plans outlined in the Decision Documents and the U.S. Army Corps of Engineers (USACE) response to comments with some exceptions. Please proceed with the actions outlined in the Decision Documents while noting the comment below:

1. Section 10.3 of each of the Decision Documents states that "USACE has no authority to implement legal instruments at Formerly Used Defense Sites." The TCEQ's position is that the USACE is responsible for working with the private landowner to ensure notices or restrictions are put on their property (when required under state regulations). Until USACE can demonstrate that the deed notice filing has been done as per the TCEQ requirements, we are unable to concur with the project closeout request.

An original and one copy of future reports should be submitted to the TCEQ Remediation Division at the letterhead address using mail code number MC-127. An additional copy should be submitted to the TCEQ Region 5 Office in Tyler.

Please call me at (512) 239-3150 if you need additional information or wish to discuss these comments. Thank you for your cooperation in this matter.

Sincerely,

Tim Harlow, Project Manager
Team 1, VCP-CA Section
Remediation Division
Texas Commission on Environmental Quality

TJH/mdh

cc: Ms. Michelle Baetz, Waste Section Manager, TCEQ Region 5 Office, Tyler

ATTACHMENT 2

ANNOUNCEMENT OF PUBLIC NOTICE

Proof Of Publication

The Paris News • P.O. Box 1078 • Paris, Texas 75461

STATE OF TEXAS
COUNTY OF LAMAR

Before me, the undersigned authority, on this day personally appeared Relan Walker known to me, who being by me duly sworn on her oath deposes and says that she is the Business Manager of ***THE PARIS NEWS***, a newspaper published in Paris, Lamar County, Texas and that a copy of the within citation was published in said newspaper ***THE PARIS NEWS,*** such publication being on the following dates:

June 17, 2014

and a newspaper copy of this is hereto attached.

Relan Walker

Relan Walker

STATE OF TEXAS
COUNTY OF LAMAR

Before me, Cindy McGee, a notary public, on this day personally appeared Relan Walker, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for purposes and consideration therein expressed.

Given under my hand and seal of office
This 23 day of June, A.D. 2014.

Cindy McGee

Cindy McGee

CINDY McGEE
NOTARY PUBLIC
COMMISSION EXPIRES:
08-26-2017

PUBLIC MEETING:

June 24, 2014 at 7:00 PM

The U. S. Army Corps of Engineers will hold a public meeting to explain the Proposed Plan and the alternatives presented in the Feasibility Study for the Former Camp Maxey. Verbal and written comments will be accepted during the meeting. The meeting will be held at the Holiday Inn Express, 3025 NE Loop 286, Paris, Texas at 7:00 p.m.

PUBLIC COMMENT PERIOD:

June 17 - July 17 2014

USACE will accept written comments on the Proposed Plan during the comment period. Written comments may be sent to:

USACE, Fort Worth District
ATTN: Ms. Sarah Otto
819 Taylor Street, Room 3A28
Fort Worth, Texas 76102

Comments must be postmarked no later than July 17, 2014.

ADMINISTRATIVE RECORD:
For more information on the site, see the Administrative Record at the:

Paris Public Library
326 S. Main Street
Paris, Texas 75460