



FINAL

**Finding of Suitability to Transfer
(FOST) Reports**

including

- ♦ **Parcel 1A**
- ♦ **Parcel 1B**
- ♦ **Addendum to Parcel 1A**

**Former Naval Air Facility
Adak Island, Alaska**

**May 28, 2003
Revision 0**

Prepared by
**Department of the Navy Engineering Field Activity, Northwest
Naval Facilities Engineering Command
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Prepared under
**Navy Remedial Action Contract 3
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FINAL

**FINDING OF SUITABILITY TO
TRANSFER (FOST) PARCEL 1A**

**Adak Naval Complex
Adak Island, Alaska**

April 2002

**Engineering Field Activity Northwest
Naval Facilities Engineering Command
19917 – Seventh Avenue NE
Poulsbo, WA 98370-7404**

DOCUMENT IDENTIFICATION

Document Title: Finding of Suitability to Transfer for Parcel 1A (Rev. 3)

Site Name and Location: Adak Naval Complex
Adak Island, Alaska

Report Coverage: This report presents Finding of Suitability to Transfer (FOST) that supports base realignment and closure activities at the Adak Naval Complex, Adak, Alaska. This document was performed in accordance with DOD policy, BRAC guidance, and 40 CFR Part 373.

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LIST OF ACRONYMS AND ABBREVIATIONS

AAC	Alaska Administrative Code
AAR	After Action Report
ACBM	Asbestos-Containing Building Materials
ACM	Asbestos Containing Material
ADEC	Alaska Department of Environmental Conservation
ADCRA	Alaska Department of Community and Regional Affairs
AHRS	Alaska Heritage Resources Survey
ANCSA	Alaska Native Claims Settlement Act
ARC	Adak Reuse Corporation
BLM	Bureau of Land Management
BRAC	Base Realignment and Closure Act
CAD	Cartridge Actuated Device
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CERFA	Community Environmental Response Facilitation Act
CFR	Code of Federal Regulations
DDESB	Department of Defense Explosives Safety Board
DoD	Department of Defense
DOI	Department of Interior
EBS	Environmental Baseline Survey
ECP	Environmental Condition of the Property
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
FOST	Finding of Suitability to Transfer
FR	Federal Register
FS	Feasibility Study
HE	High Explosive
HPA	Historical Preservation Act
HARP	Historic and Archaeological Resource Protection
HUD	Housing and Urban Development
IC	Institutional Controls
ICMP	Institutional Control Management Plan
LBP	Lead Based Paint
LRA	Local Reuse Authority
LTA	Land Transfer Agreement
MAUW	Modified Advanced Underwater Weapons
MOU	Memorandum of Understanding
NAVFAC	Naval Facility
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
NOFA	No Further Action
NOSSA	Naval Ordnance Safety and Security Activity
NPL	National Priorities List
OE/UXO	Ordnance and Explosives/Unexploded Ordnance
OPS	Operating Properly and Successfully
OU	Operable Unit

LIST OF ACRONYMS AND ABBREVIATIONS (continued)

PCB	Polychlorinated Biphenyl
PL	Public Law
PLO	Public Land Order
RASO	Radiological Affairs Support Office
RI	Remedial Investigation
ROD	Record of Decision
SWMU	Solid Waste Management Unit
TAC	The Aleut Corporation

Final (10 May 2002)

FINAL

ADAK NAVAL COMPLEX, ADAK ISLAND, ALASKA

FINDING OF SUITABILITY FOR TRANSFER

for

Parcel 1A

April 2002

ENGINEERING FIELD ACTIVITY, NORTHWEST

Naval Facilities Engineering Command

19917 Seventh Avenue NE

Poulsbo, Washington 98370

FINDING OF SUITABILITY TO TRANSFER (FOST)

Parcel 1A

ADAK NAVAL COMPLEX, ADAK ISLAND, ALASKA

1.0 INTRODUCTION AND PURPOSE

1.1 Introduction

The former Naval Air Facility Adak, Alaska (hereinafter called the Adak Naval Complex), operationally closed on March 31, 1997. The Adak Naval Complex comprises approximately 76,800 acres of the northern portion of Adak Island, and is used by the Navy for military purposes, as authorized by Public Land Order (PLO) 1949. Now that its need for military use of the property has ended, the Navy plans to relinquish its public land withdrawal on Adak Island.

Adak Island (Figure 1-1) was first identified as federal property in 1867 when the United States acquired Alaska from Russia. Since 1913, Adak Island has been a federal wildlife refuge. In 1980, Adak Island was designated as a part of the Alaska Maritime National Wildlife Refuge. The Adak Naval Complex still remains a part of the wildlife refuge.

The United States, acting by and through the Department of Interior (DOI) and the Department of the Navy, has entered into an land exchange agreement with The Aleut Corporation (TAC), a Native Regional Corporation and authorized pursuant to the Alaska Native Claims Settlement Act (ANCSA), that would result in conveyance of approximately 47,150 acres of the former Adak Naval Complex property to TAC. This Finding of Suitability to Transfer (FOST) applies to Parcel 1A, comprising approximately 32,150 acres, which is a portion of the property to be conveyed to TAC under the agreement.

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) requires that each deed for property transferred by the United States include a covenant warranting that all remedial actions necessary to protect human health and the environment with respect to any hazardous substance remaining on the property were taken before the date of transfer and any additional remedial action found necessary after the date of such transfer (as a result of Department of Defense (DoD activities)) shall be conducted by the United States (CERCLA § 120(h)(3)). The Community Environmental Response Facilitation Act (CERFA) was enacted in 1992 as Public Law (PL) 102-426. This statute amends § 120 of CERCLA to direct federal agencies to evaluate all Base Realignment and Closure Act (BRAC) properties, identify uncontaminated buildings and properties, and facilitate the lease or transfer of remediated properties upon construction of the approved remedy and demonstration to U.S. Environmental Protection Agency (EPA) that the remedy is “operating properly and successfully” (OPS).

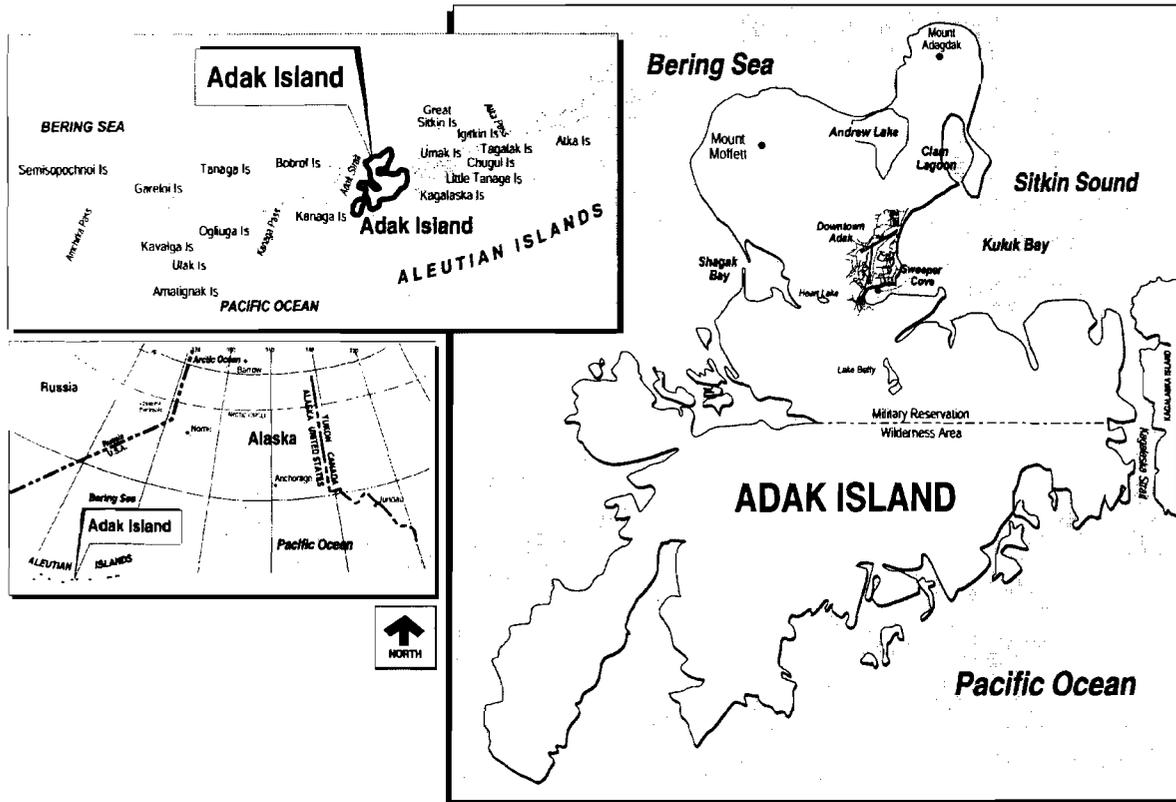


Figure 1-1. Location of Adak Island, Alaska

1.2 Purpose

DoD policy states that the Head of the DoD Component with accountability over the property, or his/her designated representative, shall assess, determine, and document when properties where release or disposal of hazardous substances or petroleum products has occurred are suitable for transfer by deed. This assessment and determination will be based on an Environmental Baseline Survey (EBS) and will be documented in a FOST. In accordance with DoD's guidance pertaining to FOST documentation, this FOST also includes: (1) a declaration that the property is suitable for transfer (Section 9), (2) any restrictions on future use (Section 6), (3) results of the analysis of the intended future use (Section 5), and a statement of the notice, covenant, and access clauses (Section 9 and Exhibit 1).

1.3 References

This FOST incorporates (by reference) information contained in the documents described in Section 10, including DoD and EPA guidance specifically addressing transfer of BRAC property subject to CERCLA.

1.4 Document Outline

The FOST is organized in the following manner:

Section 1, Introduction--provides the background information related to the site, and defines the scope, purpose, and organization of the FOST.

Section 2, Description of Parcel 1A--identifies the location and size of the real property being transferred.

Section 3, Property Disposition--describes the manner in which the real property will be conveyed and how provisions of the National Environmental Policy Act (NEPA) have been met.

Section 4, Environmental Condition of the Property--defines the environmental condition of the property (by reference) of each site encompassed by the property transfer.

Section 5, Remediation of FOST Parcel--addresses the nature and extent of contamination, analysis of intended future use, and presents a risk analysis for the property being transferred.

Section 6, Use Restrictions and Notifications--provides notifications required under CERCLA and Housing and Urban Development (HUD) Title X, as well as language suitable for incorporation in the deed conveyance documents regarding any land use restrictions and institutional controls.

Section 7, Public Comment--documents the date and venue of public notice of availability of the FOST and references comments and responses generated during the public comment period.

Section 8, Coordination with Regulators--documents notification of EPA Region 10 and Alaska Department of Environmental Conservation (ADEC) of the Intent to Transfer the Property and Issue the FOST.

Section 9, Finding of Suitability to Transfer--documents the basis for execution of the covenant under CERCLA 120 (h)(3)(A)(ii)(I).

Section 10, References--lists the CERCLA decision documents, BRAC technical support documents, and DoD and EPA guidance documents that provide the foundation for supporting the transfer of real property at the Adak Naval Complex.

2.0 DESCRIPTION OF THE PARCEL 1A

The property included in the military withdrawal on Adak Island is divided into five (5) parcels, only one of which, Parcel 1A, is the subject of the current FOST (Figure 2-1). These parcels are described below as:

- Parcel 1A comprises approximately 32,150 acres of Adak Exchange Lands in Operable Unit (OU) B-1; this parcel also encompasses 58 CERCLA sites that have been cleaned up and 128 petroleum sites that are in the process of being cleaned up under the SAERA agreement between the Navy and the State of Alaska. CERCLA and petroleum sites for which institutional controls or ongoing monitoring are required comprise approximately 4,845 acres of Parcel 1A.
- Parcel 1B comprises approximately 15,000 acres of Adak Exchange Lands in OU B-1 that require additional cleanup (as set forth in the CERCLA OU B-1 Record of Decision (ROD) and scheduled for completion in 2002);
- Parcel 2 comprises approximately 3,500 acres in the Mt. Reed Exclusion Zone;
- Parcel 3 comprises approximately 22,000 acres as the Remainder of PLO-1949; and
- Parcel 4 comprises approximately 4,150 acres as the Solid Waste Management Unit (SWMU) Exclusion Zone to be retained by the Navy pending further ordnance characterization and remediation.

See Photo Pull-Out on Next Page

Figure 2-1 FOST Parcels (acreage estimates include water bodies in excess of 50 acres)

Remediation for Ordnance and Explosives/Unexploded Ordnance (OE/UXO) contamination is not yet complete for Parcels 1B and 4. A separate FOST will be prepared to support transfer of these areas upon completion of all remedial activities required under the CERCLA program. Parcels 2 and 3 will be transferred to another federal agency and will be documented separately pursuant to Navy guidance applicable to such transfers. Parcel 4 includes areas with documented OE/UXO contamination in several sites near Lake Andrew. Parcel 4 is being retained by the Navy indefinitely and will be addressed in a separate FOST when remediation necessary to support transfer has been completed. A complete description of the FOST Parcel and facilities on this parcel is provided in the EBS (U.S. Navy 2001a). A summary table of boundary corners from the legal description of Parcel 1A is shown in Table 2-1.

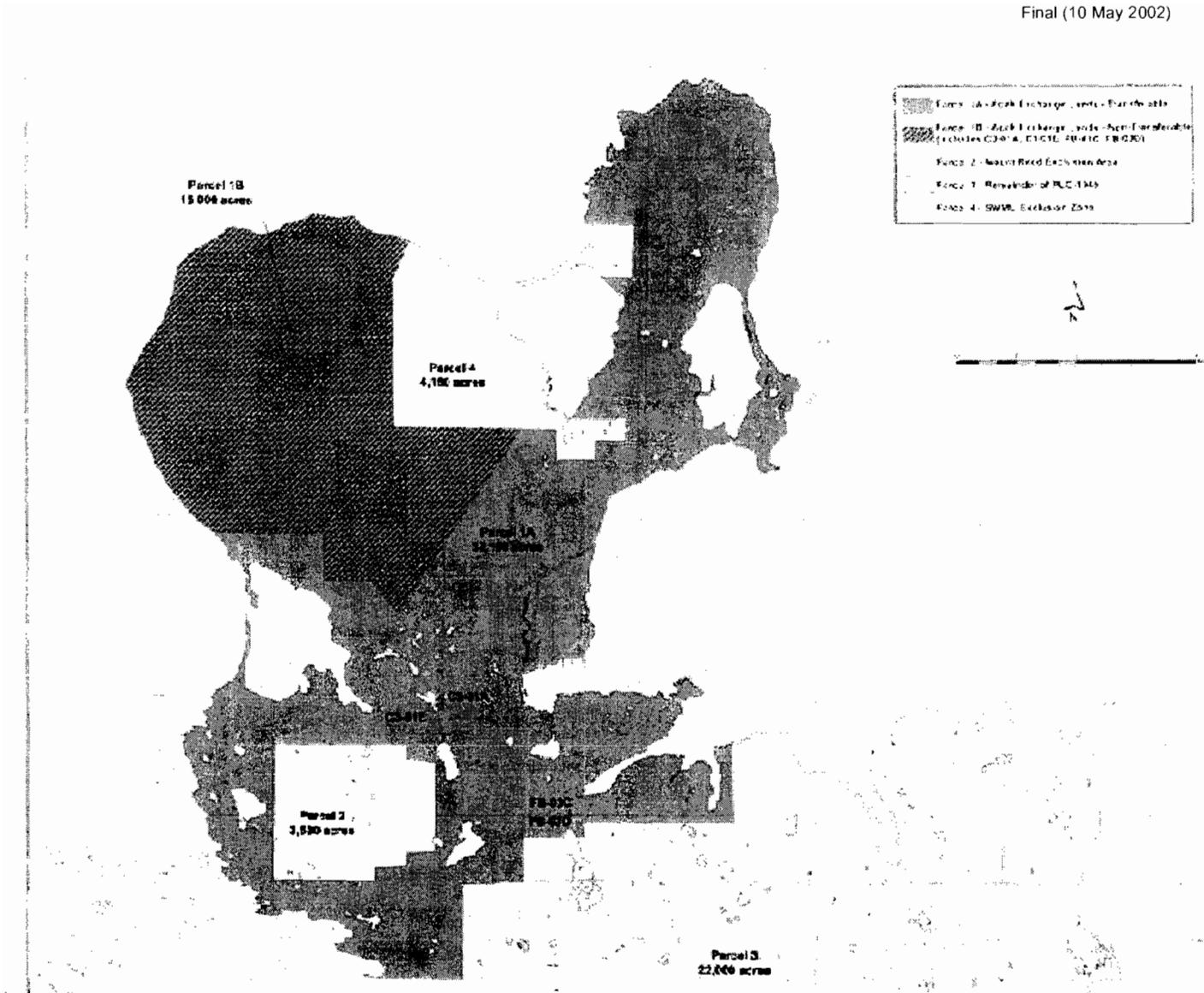


Table 2-1. Boundary Corner Summary Table from the Parcel 1A Legal Description

Boundary Corner Point ID	NORTHING (feet)	EASTING (feet)	LATITUDE 51° NORTH	LONGITUDE 176° WEST
146	326518.156	3105489.000	53' 30.50563"	46' 34.88057"
147	326402.500	3115304.750	53' 30.38112"	43' 58.41594"
150	322297.156	3115290.250	52' 49.89479"	43' 57.98013"
151	322263.313	3119504.750	52' 49.97926"	42' 50.81989"
155	319504.125	3121804.250	52' 22.99308"	42' 13.74861"
132	335649.781	3132889.500	55' 03.24826"	39' 19.48675"
133	335618.313	3136002.250	55' 03.21483"	38' 29.84115"
141	332999.063	3136042.250	54' 37.38821"	38' 28.83062"
142	332974.531	3139518.500	54' 37.44843"	37' 33.39796"
139	334549.906	3139496.750	54' 52.98239"	37' 33.96352"
140	334529.250	3142195.000	54' 53.00820"	36' 50.93251"
125	336466.094	3142227.250	55' 12.11148"	36' 50.68204"
126	336458.000	3137162.000	55' 11.59721"	38' 11.46438"
92	349284.156	3140005.750	57' 18.33074"	37' 27.88734"
99	348776.656	3140626.000	57' 13.37892"	37' 17.91737"
97	348894.813	3142580.000	57' 14.70961"	36' 46.74623"
94	349209.969	3142582.500	57' 17.81781"	36' 46.74922"
95	349209.531	3142635.000	57' 17.81790"	36' 45.91120"
90	349384.219	3142636.250	57' 19.54073"	36' 45.91501"
89	349384.656	3142584.000	57' 19.54065"	36' 46.74905"
54	354027.750	3142622.000	58' 05.33281"	36' 46.77440"
52	354088.469	3138757.750	58' 05.60214"	37' 48.47897"
252	308182.000	3151598.500	50' 33.94494"	34' 17.63667"
347	301106.500	3151692.500	49' 24.17626"	34' 15.24557"
349	301046.250	3138470.250	49' 22.49367"	37' 45.65588"
370	299792.531	3138441.500	49' 10.12756"	37' 45.93873"
373	299762.531	3133064.500	49' 09.35872"	39' 11.49614"
476	295883.344	3133066.000	48' 31.10417"	39' 10.91159"
479	295705.813	3127556.750	48' 28.85077"	40' 38.52957"
550	287350.719	3127434.500	47' 06.44593"	40' 39.22171"

¹Northings and Eastings are referenced to State Plane Coordinates, Alaska Grid 10, North American Datum (NAD) 1983

3.0 PROPERTY DISPOSITION PLAN

CERFA Parcel 1A is a portion of the property that was withdrawn from the public domain for use by the Navy for military purposes by PLO 1949, dated August 15, 1959 (24 Federal Register (FR) 6872). The Navy will submit a Notice of Intent To Relinquish PLO 1949 to the Department of the Interior, Bureau of Land Management (BLM). The BLM will then convey to TAC Parcel 1A of the Adak property in exchange for TAC's relinquishment of a similar acreage of prioritized, valid ANCSA surface and subsurface estate in accordance with § 14(h)(8) selections and associated entitlements described in the Land Transfer Agreement (LTA) (TAC,

DOI, and the Department of the Navy 2000). The Interim Conveyance will contain all of the required CERCLA transfer covenants with regard to the FOST parcel.

An environmental analysis of the relinquishment of the Navy public land withdrawal to DOI is not required under Navy regulations implementing the National Environmental Policy Act (NEPA) (OPNAVINST 5090.1B, 1999).

4.0 ENVIRONMENTAL CONDITION OF THE PROPERTY

Environmental Condition of Property (ECP) categories developed under BRAC by the DoD are assigned to FOST Parcels. The classifications are assigned both on the basis of the type of chemical releases (hazardous substances or petroleum) found at the properties and the status of the properties' cleanup activities. These ECP categories include the following ECP (DoD 1996a):

- ECP 1 Areas where no release or disposal of hazardous substances or petroleum products has occurred (including migration from adjacent areas).
- ECP 2 Areas where only the release or disposal of petroleum products has occurred.
- ECP 3 Areas where release, disposal, or migration of hazardous substances has occurred, but at concentrations that do not require removal or remedial response.
- ECP 4 Areas where release, disposal, or migration of hazardous substances has occurred, and all removal or remedial actions to protect human health and the environment have been taken.
- ECP 5 Areas where release, disposal, or migration of hazardous substances has occurred, and removal or remedial actions are underway, but all required remedial actions have not yet been taken.
- ECP 6 Areas where release, disposal, or migration of hazardous substances has occurred, but required remedial actions have not yet been implemented.
- ECP 7 Areas that are not yet evaluated or require additional evaluation.

Individual sites with ECP Classifications of 1, 2, 3, or 4 are designated as being currently suitable for transfer or lease. Those with ECP Classifications of 5, 6, or 7 are not currently suitable for transfer, but may be suitable for lease.

Locations and classifications of individual sites are included as site maps and summary tables in the EBS (U.S. Navy 2001a). All of the property outside of individually listed sites has been assigned an ECP classification of 1. Except as noted below, all sites and remaining property comprising Parcel 1A are assigned an ECP classification of 1, 2, 3, or 4. Accordingly, Parcel 1A is suitable for transfer. However, notifications are required for the potential presence of

OE/UXO, Asbestos Containing Material (ACM), and Lead Based Paint (LBP) within FOST parcels.

5.0 REMEDIATION OF FOST PARCEL

For purposes of environmental investigation and remediation, Adak has been divided into three OUs. OU A addresses soil, sediment, surface water, and groundwater contamination by CERCLA hazardous substances, pollutants, or contaminants (hereinafter, collectively referred to as hazardous substances) and by petroleum products. OU A is composed of 58 CERCLA sites and 128 petroleum sites and encompasses Parcel 1A. OU B addresses OE/UXO areas of concern. OU B has been divided geographically into OU B-1 (155 sites) and OU B-2 (37 sites).

Parcel 1A contains the OU B-1 sites, with the exception of two sites, C3-01 and FB-03. These sites lie within the boundary of Parcel 1A, but are not suitable for transfer at the present time. However, remedial activities will be completed by the time of transfer of Parcel 1A. An addendum to the FOST documenting certification of the completion of cleanup at these two sites will be included as an attachment to the Final version of the FOST. OU B-2 lies entirely outside Parcel 1A.

The Remedial Investigation (RI) and Feasibility Study (FS) have been completed and a ROD executed for OU A (U.S. Navy, EPA, and ADEC 1995, 1998, and 1999). All remedial actions for OU A that require a CERCLA 120(h) covenant have been completed. The petroleum sites that have selected remedies under OU A that are now being addressed under the State-Adak Environmental Restoration Agreement between ADEC and the Navy have not been completed. The petroleum sites do not require a CERCLA 120(h) covenant in accordance with federal guidance and the CERCLA petroleum exclusion. The RI/FS (U.S. Navy 2001d) and ROD (U.S. Navy, EPA, and ADEC 2001) have been completed for OU B-1. With the exception of two sites noted above, remedial actions stipulated under the OU B-1 ROD for sites within Parcel 1A were completed in 2001. The ROD for OU B-1 was finalized in December 2001.

In 1995, the State of Alaska, through the Alaska Department of Community and Regional Affairs (ADCRA), established a temporary Local Reuse Authority (LRA) consisting of stakeholders with potential reuse interest in Adak. The first conceptual reuse plan, prepared for the LRA in 1996 by Tryck Nyman Hayes, Inc., presented three reuse scenarios—low use, middle use, and high use (Tryck Nyman Hayes, Inc. 1996).

Thereafter, the Adak Reuse Corporation (ARC) was established to take the role of the LRA. A “revised final” plan was prepared for ARC by ASCG Consultants and released in August 1998 (ASCG 1998). This plan was further refined (ASCG, 2000) and describes the future land uses envisioned for Adak as (1) residential housing and school facilities (2) industrial and port facilities, including fishing fleet support, seafood processing, wastewater treatment, power plant operation, and domestic landfill operations (3) administration of USFWS facilities; and (4) recreational activities, including fishing, hunting, hiking, and eco-tours. Parcel 1A comprises the primary reuse property that will be transferred to TAC for residential, recreational, commercial,

and industrial purposes. It contains virtually all of the buildings, utilities, and other improvements comprising the former Adak Naval Complex.

5.1 Nature and Extent of Contamination and Other Environmental Issues

Beginning in 1986 and continuing through various environmental agreements and regulatory programs, the Navy has identified Adak sites that have been contaminated by releases of hazardous substances or petroleum (or sometimes both). Adak Naval Complex was placed on the CERCLA National Priorities List (NPL) in May 1994.

Military activities on Adak that had environmental consequences included constructing training minefields, disposal of ammunition and ordnance, fuel supply, landfills, and vehicle and aircraft maintenance and repair. Also assessed were materials necessary to support Navy operations on Adak that have been stored, used, or disposed of on the property, including potentially hazardous substances such as solvents, paints, and other chemicals.

Environmental media on Adak affected by releases of hazardous substances were surface and subsurface soils, surface water, groundwater, and freshwater and marine sediments.

Chemical and Petroleum Contamination. The nature and extent of chemical and petroleum contamination comprising OU A is described in the OU A RI/FS and supporting documents (U.S. Navy 1995a, 1995c, 1997a, 1998b, 1999b, 1999c, 1999d, 1999e, 2001d). Closure of three sites under RCRA (SWMU 13, Hazardous Waste Pile, SWMU 24, the Hazardous Waste Storage Area, and SA 77, the Small Drum Storage Area) is described in U.S. Navy (1995b).

Ordnance. Ordnance response, investigation and clearance of ordnance contamination have been conducted since 1945 in the course of several major efforts, including:

- Navy Explosive Ordnance Disposal (EOD) Incident Responses (1945-1995) (FWENC 1998a).
- EOD survey of four OE sites as part of the initial CERCLA investigation (1996).
- Downtown Adak surveys (1997-98) (FWENC 1997 and 1998b).
- Potential minefield investigations and clearance of SWMU 2 (training minefield north of Clam Lagoon 1998 and 2000) (Larson (SSPORTS) 1998, U.S. Navy 2001d).
- Remote area investigations (1999-2001) for the OU B Preliminary Assessment/Site Investigation (PA/SI) (FWENC 2000a and 2000b) and the RI/FS (U.S. Navy 2001d).
- Remedial actions for OU B-1 sites (After Action Report (AAR), ECC 2002).

During the course of these investigations and cleanup activities on Adak, a wide variety of ordnance items, from small arms ammunition (.22 through .50 caliber), anti-aircraft munitions (20-mm, 37-mm, 40-mm), grenades (both hand and rifle-fired), mortars (60-mm, 81-mm), large

caliber artillery rounds (105-mm, 155-mm), torpedoes, and bombs (incendiary, practice, and High Explosive (HE) were discovered, removed, and disposed of by the Navy and its contractors. Most, if not all, of these items were stored and managed on the island during and after WWII. Use of live ordnance on Adak was primarily limited to training ranges and their associated impact areas during the WWII era.

All plans for investigative and cleanup activities to address OE/UXO contamination in Parcel 1A have been reviewed and approved by Naval Ordnance Safety and Security Activity (NOSSA) and/or DoD Explosives Safety Board (DDESB), prior to initiation of field work. NOSSA and/or DDESB also reviewed post-investigation and cleanup reports to ensure OE/UXO clearance was conducted as required to support current and future land uses within the parcel. A summary of NOSSA and DDESB reviews and recommendations is included in Table 5-1. NOSSA/DDESB approval of the FOST for Parcel 1A with respect to OE/UXO contamination is included as Exhibit 2.

Table 5-1. Summary of Ordnance Investigation and Clearance Activities and Associated NOSSA and DDESB Approvals

Ordnance Investigation or Clearance Activity	Year	Approval Authority	Approval Action	Reference
EOD Incident Responses	1945-1995	None	NA	FWENC 1998a
EODMU Eleven Detachment Whidbey survey of 4 sites as part of OU A RI/FS	1996	None	NA	NA
Downtown OE/UXO Surveys	1997-1998	DDESB	Priority I/II areas are "safe for human habitation" allows for interim lease	DDESB Memo, dated 5/1/98
		NOSSA	Agreement with DDESB's endorsement for Priority I/II reuse	NOSSA correspondence 8020 SerN7112/327 (5/18/98)
		NOSSA	Description of conditions for approval of commercial and residential use in Priority III area	NOSSA 8020 Ser N7112/403 (4/17/00)
Superintendent of Shipbuilding, Conversion, and Repair, Portsmouth, Virginia (SSPORTS) clearance of Clam Lagoon minefield	1998	NOSSA	Approval of SWMU #2 clearance workplan	NOSSA 8020 Ser N7112/211 (4/2/98)
Site reconnaissances of potential minefields	1998-2000	NOSSA	Approval of workplans to investigate potential minefields	NOSSA 8020 Ser N7112/529 (8/10/98)
		DDESB/NOSSA	Approval for use of potential minefields for "recreational and related purposes"	DDESB correspondence (3/10/99) NOSSA 8020 Ser

Ordinance Investigation or Clearance Activity	Year	Approval Authority	Approval Action	Reference
		DDESB/ NOSSA	Approval of removal of restrictions at Clam Lagoon minefield site	N7112/197 (3/31/99) DDESB correspondence (no date) NOSSA 8020 Ser N7112/96 (2/3/00)
Remote Area Investigations	1999-2000	DDESB/ NOSSA	Review and approval of work plans	DDESB correspondance (11/4/99) NOSSA 8020 Ser N7112/174 (11/19/99)
		NOSSA	PA/SI "complies with reporting requirements of Ch.12 DOD Std 6055.9"	NOSSA 8020 Ser N7112/229 (3/8/00) and NOSSA 8020 Ser N7112/270(3/16/00)
		NOSSA	Approval of OU B RI/FS workplans	NOSSA 8020 Ser N7112/540 (5/15/00)
Remedial Action Design Workplans	2001	NOSSA	Approval of RAWP Workplans and Field Change Requests	NOSSA 8020 Ser N7112/8155 and 8153
Explosive Safety Remediation Plan (ESRP)	2001	NOSSA	Approval of ESRP	Complete, but not required
Submittal of AAR for OU B-1	2001	DDESB/ NOSSA	Approval of AAR	NOSSA 8020 Ser N7112/2058 (3/13/02)

Asbestos. Abatement of friable, damaged and accessible asbestos has occurred in all facilities. Intact, undisturbed asbestos-containing building materials (ACBMs) remain in place in less than 35 buildings, primarily unoccupied storage space and laid-away facilities (U.S. Navy 1999f and 2000a). The recommended in-place management program for the remaining ACBM is discussed in *Asbestos Management Plan for Former NAF Adak*, dated November 2000 (U.S. Navy 2000b).

The Navy removed loose asbestos debris and abated or remediated (in place) asbestos found in more than 300 buildings in 1998. In 1999, the Navy demolished abandoned residential structures at Old Roberts Housing, New Roberts Housing, and Amulet Housing. Qualified workers, in accordance with regulatory requirements, removed ACBM encountered during these demolition activities and all ACBM was disposed of in dedicated asbestos cells in Roberts Landfill (U.S. Navy 2001a). The activities summarized in this section have completed the Navy's actions on Adak and fulfilled their obligations under all applicable regulations.

Lead-Based Paint.**Residential and Other Child-Occupied Facilities**

A comprehensive lead-based paint survey of residential and other child-occupied facilities has been conducted at Adak (U.S. Navy 2002). The current Navy policy governing lead-based paint evaluations is applied by following the "Lead-Based Paint Guidelines for Disposal of Department of Defense Residential Real Property – A Field Guide" (Interim Final, December 1999). This field guide incorporates the policy elements of the DoD / EPA agreement titled "Management of Lead-based Paint in Residential and Non-Residential Areas at BRAC Properties" (8/14/98) and the DoD policy, entitled "Lead-Based Paint Policy for Disposal of Residential Real Property."

"Target housing" is housing constructed before 1978 in which a child age six (6) years or younger is expected to reside. This includes facilities that would accommodate children less than six (6) years of age for extended periods of time, such as day care and schools. Nonresidential structures identified for reuse are not considered target housing. The housing at Adak known as Eagle Bay and Sandy Cove was constructed after 1978, and would not be considered "target housing."

When properly managed and maintained, lead-based paint poses little risk. If improperly managed, the deteriorating paint poses adverse health effects to those exposed, especially children under 6 years of age. It is important to maintain the paint in good condition and to repair and stabilize damaged paint.

Results of the LBP survey are summarized in URS (2002) and U.S. Navy (2002).

Non-Residential Facilities

There are structures located within the Parcel that have not been identified for use after transfer for residential or other child occupied facilities (e.g., day care centers, preschools, and kindergarten classrooms visited regularly by children under 6 years of age). These structures were erected prior to 1978 when lead-based paint was commonly used throughout the United States, including at military installations. The age of the structures on this Parcel suggest the likelihood that lead-based paint may be present on some of these nonresidential structures. This in turn creates the possibility that through the action of normal weathering and maintenance (e.g., scraping and repainting) there is lead from lead-based paint in the soil surrounding these structures.

In light of the above, the Navy will notify DOI to include in its conveyance documents notification that there is a possibility there is lead from lead-based paint in the soil surrounding structures on the Property. If EPA develops and implements generally applicable standards that require abatement of lead in soil from lead-based paint at other than residential or other child-occupied facilities, then the Navy will ensure that any additional abatement found to be

necessary with respect to lead in soil from lead-based paint present during the custody of the property by the Navy will be performed. The Navy disclaims any responsibility for any evaluation or abatement with respect to lead in soil from lead-based paint found to be necessary due to any change in the use of areas identified in the FOST.

Hazardous Materials/Waste Management. Comprehensive surveys were conducted in 1997 and 2001 (U.S. Navy 1999a and 2001f) to identify and remove Navy hazardous materials and hazardous wastes that remained in Adak buildings after operational closure. Reuse activities are occurring on Parcel 1A, pursuant to a Lease between Navy and the ARC. Under the terms of that lease, ARC is responsible for properly managing and disposing of all hazardous materials used and hazardous wastes generated by such reuse activities.

Radon. Housing units were screened for radon in 1991. All sampling detected levels of radon well below allowable limits (Martin Marietta 1994). Adak Island does not have the types of geologic terrane that typically generate radon (Coats 1956, <http://www.epa.gov/iaq/radon/zonemap.html>, visited 2/14/02).

Radionuclides. The Navy's Radiological Affairs Support Office (RASO) conducted a radiological survey of Adak during the summer of 1997 (RASO 1998). No radiological sources of concern were identified in this comprehensive report.

PCBs. Sites with Polychlorinated Biphenyl (PCB) contamination were investigated and remediated under CERCLA and SAERA regulatory authorities. All remediation of these sites, pursuant to the ROD for OU A has been completed. Specific site summaries are described in Exhibit 3. The location of records relevant to removal of PCB equipment on Adak is:

Federal Record Center
Pacific Alaska Region (Seattle)
6125 Sandpoint Way, NE
Seattle, WA 98115

Endangered Species. There are no known plant or wildlife species designated under the federal Endangered Species Act (ESA) present within Parcel 1A.

Archaeological Resources. Eight of nine prehistoric sites investigated in 1999 were found to be eligible for listing on the National Register of Historic Places (National Register). During the 1999 survey, an additional 18 sites were discovered and investigated on the eastern side of the island (USFWS 2000b). These sites are potentially eligible for inclusion on the National Register. The sites encompass middens, fire pits, house foundations, and a burial site. The Navy has entered into a Memorandum of Understanding (MOU) that documents consultation pursuant to Section 106 of the Historical Preservation Act (HPA).

Historic Resources. The *Historic and Archaeological Resources Protection (HARP) Plan* (U.S. Navy 1996b) identified three National Register resources from World War II and four sites

where Cold War mission functions were conducted and potentially eligible for the National Register. These are:

- Adak Army Base and Adak Naval Operating Base National Historical Landmark (listed on the National Register).
- The Old Chapel, sometimes referred to as the Bering Chapel. This chapel is Navy Facility T-4182 and has been assigned Alaska Heritage Resources Survey (AHRS) number ADK-155. This building is eligible for the National Register, but has not been formally listed.
- Adak World War II Cultural Landscape Historic District is eligible for the National Register, but has not been formally listed.
- The Circular Disposed Antenna Array, the Mt. Moffett Antenna Complex, the Naval Facility (NAVFAC) Compound, and the Modified Advanced Underwater Weapons (MAUW) Compound were considered to have sufficient integrity by the Alaska SHPO to be eligible for the National Register.

5.2 Analysis of Intended Future Use.

Parcel 1A currently contains undeveloped remote areas and residential, commercial and industrial developed land. Land use following transfer to TAC is expected to remain fundamentally the same as the Navy use, except at significantly reduced levels (ASCG 2000). TAC's current development plans for commercial and industrial uses include the use of the existing airfield, administrative buildings, and the existing port facilities at Sweeper Cove (including the seafood processing plant in the Blue Shed).

5.3 Risk Analysis.

All CERCLA sites within Parcel 1A have acceptable levels of risk under the current and future reuse scenarios, which comprise residential, recreational or industrial land uses. Details are included in the RI/FS for chemical and petroleum release sites (OU A) (U.S. Navy 1997a), the OU B-1 RI/FS (U.S. Navy 2001d), and an AAR by ECC (2002).

5.4 Demonstration of the Remedial Actions' "Operating Properly and Successfully"

CERCLA §120(h)(3) allows federal agencies to provide the requisite deed covenant once a remedial action is completely constructed and installed, but prior to achieving cleanup objectives, *if* the agency can demonstrate to the EPA (Regional) Administrator that the remedial action is "operating properly and successfully" (OPS) (EPA 1996). This term has been interpreted by EPA to mean that the remedial action is functioning in such a manner that it is expected to adequately protect human health and the environment when completed.

As described in the Final 5-Year Review for Adak (U.S. Navy 2001c), removal and remedial actions *have* been completed at the CERCLA sites and at the majority of petroleum release and ordnance sites (Exhibit 2). These actions have consisted of the following:

- Removal of underground storage tanks.
- Removal of contaminated soil and sediment.
- Treatment of contaminated soil and sediment by biopiles or thermal desorption.
- Pumping and treatment of groundwater at sites within Parcel 1A.
- Landfill capping.
- Monitoring of surface water and groundwater quality.
- A prohibition on the domestic use of groundwater in the “downtown” area.
- Installation of fish consumption advisory signs.
- Excavation restrictions.
- Clearance of identified OE.
- Development and administration of an island-wide ordnance awareness educational program.

Based on communication between EPA Region 10 and the Navy (see Exhibit 4), there are no sites on Adak that require an OPS determination. EPA also recently approved the Adak 5-Year Review Report which documents completion of remedial actions at OU A sites. EPA has received and commented on the OU B-1 After Action Report (AAR) and recently received the draft final with comment responses and revisions. EPA views the data, QA/QC, and results of the OU B-1 remedial actions as being of high quality and meeting the requirements of the OU B-1 ROD for all sites that have been completed.

6.0 USE RESTRICTIONS AND NOTIFICATIONS

The RODs for OU A and OU B-1 selected various use restrictions or institutional controls that ensure that the intended use of the property is consistent with protection of human health and the environment. The ROD establishes Institutional Controls (ICs) as an element of the selected remedy. Implementation of the land use and institutional controls is set forth in the Final Adak Island Institutional Control Management Plan (ICMP) (U.S. Navy 2001e). Table 6-1 lists Institutional Control and their associated restrictions.

Table 6-1. Institutional Control Sites

Institutional Control Sites	Land Use Restrictions	Equitable Servitude	Groundwater Restrictions	Soil Excavation Restrictions	Inspections and Reporting	Fishing Advisory	Education	Sign Inspection	Soil Cover Inspections
Petroleum Monitored Natural Attenuation									
Amulet Housing, Well AMW-706 Area	•	•	•	•	•				
Amulet Housing, Well AMW-709 Area	•	•	•	•	•				
Antenna Field, USTs ANT-1, ANT-2, ANT-3, and ANT-4	•	•	•	•	•				

	Land Use Restrictions	Equitable Servitude	Groundwater Restrictions	Soil Excavation Restrictions	Inspections and Reporting	Fishing Advisory	Education	Sign Inspection	Soil Cover Inspections
Institutional Control Sites									
Former Power Plant, Building T-1451	•	•	•	•	•				
ROICC Contractor's Area (UST ROICC 8)	•	•	•	•	•				
Runway 5-23 Avgas Valve Pit	•	•	•	•	•				
SWMU 14, Old Pesticide Disposal Area*	•	•	•	•	•				
SWMU 15, Future Jobs/DRMO*		•	•	•	•				
SWMU 60, Tank Farm A	•	•		•	•				
SWMU 61, Tank Farm B	•	•		•	•				
Petroleum Free-Product									
Downtown Exchange Area Groundwater*	•	•	•	•	•				
Housing Area (Arctic Acres)	•	•	•	•	•				
GCI Compound, UST GCI-1	•	•	•	•	•				
NMCB Building Area, T-1416 Expanded Area	•	•	•	•	•				
NORPAC Hill Seep Area	•	•	•	•	•				
SA 73/SWMU 58, Heating Plant 6	•	•	•	•	•				
SA 78, Old Transportation Building USTs	•	•	•	•	•				
SA 80, Steam Plant 4, USTs 27089 and 27090	•	•	•	•	•				
SA 82, P-80/P81 Buildings	•	•	•	•	•				
SA 88, P-70 Energy Generator, UST 10578	•	•	•	•	•				
SWMU 17, Power Plant 3 Area*	•	•	•	•	•				
SWMU 62, New Housing Fuel Leak	•	•	•	•	•				
South of Runway 18-36 Area	•	•	•	•	•				
Tanker Shed, UST 42494	•	•	•	•	•				
Yakutat Hangar, UST T-2039-A	•	•	•	•	•				
CERCLA Sites									
SWMU 10, Old Baler Building	•	•		•	•				
SWMU 14, Old Pesticide Disposal Area*	•	•	•	•	•				
SWMU 15, Future Jobs/DRMO*	•	•	•	•	•				
SWMU 16, Former Firefighting Training Area	•	•		•	•				
SWMU 17, Power Plant 3 Area*	•	•	•	•	•				
SWMU 20, White Alice/Trout Creek Disposal Area	•	•		•	•				
SWMU 21 A, White Alice Upper Quarry	•	•		•	•				
SWMU 23, Heart Lake Drum Disposal Area	•	•		•	•				
SWMUs 52, 53, 59, Former Loran Station	•	•		•	•				
SWMU 55, Public Works Transportation Department Waste Storage Area	•	•		•	•				
SWMU 67, White Alice PCB Spill Site	•	•		•	•				•
SA 76, Old Line Shed Building	•	•		•	•				
Landfill Sites									
SWMU 2, Causeway Landfill**	•	•		•	•				•
SWMU 4, South Davis Road Landfill**	•	•		•	•				•
SWMU 11, Palisades Landfill**	•	•		•	•				•
SWMU 13, Metals Landfill**	•	•	•	•	•				•

	Land Use Restrictions	Equitable Servitude	Groundwater Restrictions	Soil Excavation Restrictions	Inspections and Reporting	Fishing Advisory	Education	Sign Inspection	Soil Cover Inspections
Institutional Control Sites									
SWMU 18, South Sector Drum Disposal Area (White Alice Landfill) and SWMU 19, Quarry Metal Disposal Area (White Alice Landfill)**	•	•		•	•				•
SWMU 25, Roberts Landfill	•	•	•	•	•				•
SWMU 29, Finger Bay Landfill**	•	•		•	•				•
Fishing Advisory Areas									
Sweeper Cove					•	•	•	•	
Kuluk Bay					•	•	•	•	
RCRA Sites									
Hazardous Waste Storage Facility	•	•		•	•				
Small Drum Storage Area	•	•		•	•				
CERCLA Ordnance Sites									
Ordnance Areas***					•		•	•	

*CERCLA and Petroleum Institutional Controls Apply

**CERCLA Landfill Closures

*** At this time, no ordnance sites have been identified for Parcel 1 A (OU B-1) that may require land use restrictions. The Navy has committed to administer the Ordnance Education Awareness Program and the maintenance of warning signs.

ROICC = Resident Officer in Charge of Construction

SA = Source Area

Covenants required by CERCLA will be included in the Interim Conveyance documents. Such covenants include, but are not limited to, prohibiting activities that could disrupt any remediation activities or jeopardize the operation of remedies in place. The Interim Conveyance documentation will reserve non-exclusive access easements to allow continued access for the Navy to monitor the effectiveness of cleanup, or take additional remedial or removal actions as may be necessary. Use conditions will also be included in the Interim Conveyance documentation.

6.1 Land Use Restrictions

CERCLA, RCRA, and Alaska's Oil and Hazardous Substances Pollution Control 18 Alaska Administrative Code (AAC) Chapter 75 require cleanup of hazardous substances that have been released into the environment to a degree that is determined to be protective of human health and the environment. The purpose of ICs is to ensure compliance with land use assumptions used in establishing cleanup levels. The investigations conducted by the Navy, in cooperation with the ADEC or EPA (or both), resulted in certain restrictions on the land, based on reasonable land-use considerations. Those land-use restrictions include areas restricted to industrial or outdoor recreational uses. Applicable land-use restrictions will be noted through equitable servitudes on the title of the sites where the restrictions apply.

6.1.1 Deeds

There are two types of ICs involving land transfer documents or deeds.

Notices. 40 Code of Federal Regulations (CFR) Part 373 implementing Section 120(h) of the CERCLA requires notice of any hazardous substance that was stored for one (1) year or more, known to be released or disposed of in any contract for the sale or transfer of property.

Restrictive Covenants. Navy policy regarding land-use controls requires that the United States insure that ICs 'run with the land' such that the immediate transferee and subsequent transferees are required to abide by the ICs. State real property laws determine the form of the restrictive covenant. ADEC draft guidance suggests that the restrictive covenant should take the form of an 'equitable servitude.'

Deed notices provide information to future purchasers of property by being contained in the title records of the property to inform future prospective purchasers. An equitable servitude is included in a deed (or, in the case of Adak, in the Interim Conveyance) by the grantor (seller) that transfers ownership of real property to the grantee (buyer). Such covenants or servitudes indicate that the grantor is not giving the grantee every possible right of ownership that could be given. Rather, the grantor reserves certain rights, and the grantee takes the property subject to the reserved rights of the grantor. As discussed in the ICMP, the deed or deeds that transfer parcels of property that have land-use restrictions will contain restrictive covenants or equitable servitudes that reserve those rights and uses. The grantor has the authority to enforce those equitable servitudes (reserved uses) against future owners. By this mechanism, the restrictions will be part of the title of the real property and will run with the land. Consequently, all future owners of the parcels will not be given the rights that are reserved. An example of an equitable servitude addressing the ICs is included in Exhibit 1.

6.1.2 Soil Excavation Restrictions

There are two types of soil excavation restrictions included in the ICMP.

IC Excavation Permits Requirements. The excavation permits are required for each proposed excavation at each of the institutional controls sites. The permits will be evaluated to determine whether a proposed project at an institutional control site is consistent with the land use restrictions.

Absolute Excavation Prohibitions. At some sites such as former landfills (or where the remedy in place is a protective cover) excavation by non-Navy personnel is absolutely prohibited, although recreational land uses that add additional cover (e.g. ball field, golf course) may be permissible. Navy personnel will be allowed to excavate for the purposes of repairing caps, installing signs, etc. Additionally, excavation for the purpose of digging a domestic use well in the downtown area is

prohibited. Excavation is also prohibited in areas where it is necessary to protect the integrity of the ongoing petroleum cleanups. Such prohibited use will be reflected in the equitable servitude on the title of the sites that have this restriction.

6.1.3 Downtown Groundwater Use Prohibition

Domestic use of groundwater in the downtown area is restricted due to the potential presence of petroleum products and other chemicals in the groundwater (see map of groundwater restriction area in Final ICMP, U.S. Navy 2001e). Domestic groundwater use is defined as that used by households or transients for human and animal consumption, cooking, bathing, showering, gardening, irrigation, or use on consumable food products, watering animals and any other domestic use. Visual inspections will be performed in the downtown area to detect the presence of unauthorized wells in the restricted area. The groundwater use restriction will be noted through an equitable servitude on the title of sites that have this restriction.

6.1.4 Inspections and Reporting

The institutional controls identified in this plan will be inspected and reported on an annual basis, or as necessary. The reports will assess the need for additional, or a reduction in, inspection requirements, as well as determine whether the institutional controls in place are effective. The annual reports will be the basis for evaluating the institutional controls effectiveness as part of the CERCLA 5-year review process. Due to the presence of chemicals that do not allow for unlimited access and unrestricted use, the former Adak Naval Complex will continue to be subject to 5-year reviews pursuant to §300.430(f)(4)(ii) of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP).

6.1.5 Fishing Advisory and Ordnance Hazard Signs

Fishing advisories signs have been posted for subsistence fishers because of low levels of PCBs detected in bottom fish and blue mussels of Sweeper Cove and Kuluk Bay. The advisory sign will state that it is recommended that the people limit their meals of rock sole and blue mussels to two, 8-ounce, servings per week. Such signs have been placed along the shorelines of the affected water bodies. The Adak Elementary School has developed icons concepts for the signs as part of the ordnance safety awareness education plan.

Ordnance hazard signs are in place on the island for sites that are not being transferred (i.e. those within Parcel 4). When required, they will be replaced with signs containing the icon concept developed by the Adak Elementary School. Fences and gates are also in place at areas in OU B-2 that will be retained by the Navy.

6.1.6 Ordnance Education Program

The Ordnance Education Program is intended to familiarize on-island residents and visitors about the need for ordnance awareness on Adak. The ordnance awareness program is in place

and it familiarizes personnel with: 1) the history of ordnance use, storage, handling and disposal on Adak Island; 2) basic characteristics of OE/UXO items on Adak; and 3) the procedures that should be followed if a suspected OE/UXO item is encountered.

6.2 Parcel 1A Notifications

6.2.1 Hazardous Substances Notification

CERCLA § 120(h)(3) requires that whenever federal property on which hazardous substances were stored, released or disposed of is transferred, each deed entered into for the transfer of such property shall include a notice of the type and quantity of such hazardous substances and of the time at which such storage, release, or disposal took place.

Notifications: The CERCLA § 120(h)(3) notification will be included in the interim conveyance documents.

6.2.2 Lead-Based Paint

Residential Areas

A lead-based Paint (LBP) evaluation was conducted for target residential housing on Adak to determine where LBP might be located on a surface-by-surface basis (US Navy 2002 and URS2002). LBP is defined as paint containing 0.5% or more lead, or paint coatings that have a concentration of 1.0 micrograms or more lead, per EPA regulations. The day care centers, preschools and kindergarten classrooms were also evaluated, even though they are not old enough to be within the target parameters set forth by EPA regulations. The results of these surveys will be provided to the re-user of the property and identify the locations of LBP and it will also identify the locations of LBP hazards. The re-user will be provided an EPA lead hazard information pamphlet.

Notifications: LBP is present primarily on exterior doors, thresholds and trims of the housing structures that were built before 1978. Lead hazards were identified principally in the Kuluk Housing living room and bathroom floor dust and deteriorated LBP on entries (doors, jambs, and trim). No part of the buildings, facilities or other improvements will be used (or permitted to be used) for residential use or be occupied by children under the age of six years of age, until the lead hazards are properly abated, in accordance with the lead hazard risk assessment directions. Abatement must occur within 12 months of the completed risk assessment, according to EPA regulations.

Non-Residential Areas

If EPA develops and implements generally applicable standards that require abatement of lead in soil from lead containing paint at other than residential or other child-occupied facilities, then the Navy will ensure that any additional abatement found to be necessary with respect to lead in soil

from lead containing paint present during custody of the property by the Navy will be performed. The Navy disclaims any responsibility for any evaluation or abatement with respect to lead in soil from lead containing paint found to be necessary due to any change in the use of areas identified in the FOST.

6.2.3 Asbestos-Containing Building Materials

Currently, ACBMs remain in place in less than 35 buildings that are presently in use. These areas are used primarily as unoccupied storage space. ACBM also remains in some laid-away facilities. The majority of ACBM present is non-friable. Intact, undisturbed and appropriately maintained ACBM does not pose a significant health risk.

Asbestos surveys have been conducted by the Navy, and the results of these surveys have been provided to TAC (U.S. Navy 1999f and 2000a). The recommended in-place management program for the remaining ACBM is discussed in the *Asbestos Management Plan for Former NAF Adak*, dated November 2000 (U.S. Navy 2000b). This document was provided to TAC.

Notifications: ACBM exists on Adak. TAC shall, in its use and occupancy of the FOST Parcels, manage any asbestos in compliance with all federal, state, and local laws.

6.2.4 Ordnance and Explosives

Ordnance on Adak is regulated under several programs, including CERCLA, DDESB, and Navy Military Operations policies. Documentation of ordnance from historical archives, EOD incident reports, and ordnance surveys are described in the RI/FS for Operable Unit B-1 (U.S. Navy 2000d). Remedial alternatives and final selected remedies are documented in the OU B-1 ROD (U.S. Navy 2001h).

Notifications: Except as noted for sites C3-01 and FB-03, OE within Parcel 1A has been characterized and cleared, as required under the terms of the OU B-1 ROD. Remedial activities will be completed at sites C3-01 and FB-03 prior to the transfer of Parcel 1A. An addendum to the FOST for Parcel 1A certifying the cleanup of these two sites will be included with the final version of the FOST. OE may still exist on the Adak Naval Complex, regardless of the level and extent of previous ordnance surveys and clearance. No part of the Navy-retained Parcel 4 (the SWMU Exclusion Zone) will be used (or permitted for use) for residential or commercial use. Use is limited to trained EOD technicians or other individuals authorized for entry by the Navy.

6.2.5 Radon

Housing units were screened for radon in 1991. All sampling detected levels of radon well below allowable limits (Martin Marietta 1994). Adak Island does not have the types of geologic terrane that typically generate radon.

Notifications: None.

6.2.6 Radionuclides

The Navy's Radiological Affairs Support Office (RASO) conducted a radiological survey of Adak during the summer of 1997 (RASO 1998). No radiological sources of concern were identified in this comprehensive report.

Notifications: None.

6.2.7 PCBs

PCB-containing equipment has been removed from the island. Remediation at sites with PCB contamination has been completed under the CERCLA program. The location of records relevant to removal of PCB equipment on Adak is:

Federal Record Center
Pacific Alaska Region (Seattle)
6125 Sandpoint Way, NE
Seattle, WA 98115

Notifications: None.

6.2.8 Endangered Species

There are no known plant or wildlife species designated under the federal ESA present within Parcel 1A.

Notifications: None.

6.2.9 Archaeological Resources

Archaeological surveys have identified pre-historic sites ranging from middens to fire pits and house foundations. Eight of nine prehistoric sites investigated in 1999 were found to be eligible for listing on the National Register of Historic Places (National Register). During the 1999 survey, an additional 21 sites were discovered and investigated on the eastern side of the island. These sites are potentially eligible for inclusion on the National Register. Some of these sites are contained within Parcel 1A.

Notifications: In compliance with regulations (36 CFR Part 800.05) implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470) a Memorandum of Agreement (MOA) was executed in February 1998 among Navy, US Fish and Wildlife Service, the Alaska State Historic Preservation Officer, and the Advisory Council on Historic Preservation. The MOA was amended in September 2001 to include information from the 1999 archaeological investigation. The MOA includes a provision requiring archaeologically sensitive areas to be identified on a map to be included in the land transfer documents. The Adak Land Transfer Agreement incorporates the MOA as an appendix.

6.2.10 Historic Resources

The *Historic and Archaeological Resources Protection (HARP) Plan* (U.S. Navy 1996b), and subsequent consultations with the Alaska State Historic Preservation Officer resulted in identification of certain properties and structures within Parcel 1A considered as contributing to the Adak Army Base and the Adak Naval Operating Base National Historic Landmark Site already on the National Register, and a historic district known as Adak Island Cultural Landscape Historic District plus one individually eligible historic building (the Old Bering Chapel) located outside the Cultural Landscape Historic District, determined eligible for listing on the National Register. Additionally, certain sites and facilities related to Cold War mission operations were determined eligible for listing on the National Register.

Notifications: In compliance with regulations (36 CFR Part 800.05) implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470) a Memorandum of Agreement (MOA) was executed in February 1998 among Navy, US Fish and Wildlife Service, the Alaska State Historic Preservation Officer, and the Advisory Council on Historic Preservation. The MOA contains a provision stipulating that Navy will provide an opportunity for representatives of the National Park Service and State Historic Preservation Officer to meet on site with representatives of US Fish and Wildlife Service and TAC prior to property conveyance so that the values that make the property eligible for the National Register can be discussed and explained, and to give TAC the opportunity to execute a non-binding agreement to consider these values in their future use and development of the property. The Adak Land Transfer Agreement incorporates the MOA as an appendix. The Adak Land Transfer Agreement also contains a provision in which TAC agreed to grant a conservation easement in the Old Bering Chapel to the State of Alaska.

7.0 PUBLIC COMMENTS

On March 5, 2002, public notice of the proposed finding of suitability for transfer of Parcel 1A to TAC was provided by publication in the Anchorage Daily News Legal Notice section, and the notice was posted on Adak (see Exhibit 5). Comments were received from 4 commenters (see Exhibit 6). All comments were addressed. See the Responsiveness Summary at Exhibit 7.

8.0 COORDINATION WITH REGULATORS

The State of Alaska and U.S. EPA Region 10 were notified of the initiation of the FOST on March 5, 2002, and invited to participate in reviewing the Draft FOST. For purposes of this document, the term "State of Alaska" shall mean ADEC, and such other agency or instrumentality of the State of Alaska as may have or as may acquire, by operation of law, regulatory jurisdiction concerning response actions. The State of Alaska and U.S. EPA also were provided a 30-day formal comment period on the Draft FOST, starting March 5, 2002.

9.0 FINDING OF SUITABILITY FOR TRANSFER

Parcel 1A has been assessed and evaluated for (a) the presence of hazardous substances and contamination and (b) the adequacy of ICs, use restrictions, contract provisions, and notifications to ensure that the intended use of this parcel is consistent with the protection of human health and the environment. This assessment and evaluation has adequately demonstrated that the proposed use of Parcel 1A by TAC is consistent with the protection of human health and the environment.

CERCLA § 120(h)(3)(A)(ii)(I)

CERCLA § 120(h)(3)(A)(ii)(I) requires a covenant warranting that all remedial action necessary to protect human health and the environment with respect to any hazardous substances remaining on property has been taken prior to property transfer. All remedial actions have been completed on Parcel 1A. These actions are documented in Sections 5 and 6 and Exhibit 4 of this FOST.

CERCLA § 120(h)(3)(A)(ii)(II)

The covenant required by CERCLA § 120(h)(3)(A)(ii)(II) will be included in the Interim Conveyance to ensure that additional response actions found to be necessary after the date of transfer (as a result of DOD activities) will be accomplished by the Navy.

CERCLA § 120(h)(3)(A)(iii)

A clause also will be included in the Interim Conveyance granting the United States access to the Parcel 1A, in any case upon reasonable notice where a remedial action, response action, or corrective action is found to be necessary after transfer as a result of DoD activities.

As required under CERCLA § 120(h) and DOD FOST guidance, notification of hazardous substance and petroleum product activities shall be provided in the conveyance documents.

Furthermore, adequate public notice of this proposed transfer has been provided, as documented in Section 7 of this FOST.

Parcel 1A, therefore, is suitable and eligible under CERCLA for transfer.

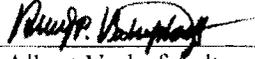
Based upon the above information, I conclude that Department of Defense requirements to reach a finding of suitability to transfer the subject property have been met (with the exceptions noted

Final (10 May 2002)

N42672-99-D-1800, C TO 0002
Adak, Alaska

Final Finding of Suitability to Transfer
22 April 2002

for C3-01A, C3-01E, and FB-03), subject to the terms and conditions set forth in the attached equitable servitude (Exhibit 1).



Dated: 26 April 2002

Captain Albert Verhofstadt
Civil Engineer Corps, USN
Commanding Officer
Engineering Field Activity, Northwest
Naval Facilities Engineering Command

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EXHIBIT 1
FEDERAL EQUITABLE SERVITUDE, EASEMENT, AND RIGHT OF ENTRY
TO BE INCLUDED IN LAND CONVEYANCE DOCUMENTS

Superseded by
Revised Equitable Servitude, Easement, and Right of Entry
dated May 2003 (see Exhibits to Parcel 1B FOST)

EQUITABLE SERVITUDE, EASEMENT, AND RIGHT OF ENTRY LANGUAGE

WHEREAS, limited portions of the Property that are more particularly described in Exhibit A attached hereto are subject to use restrictions;

WHEREAS, the Property is a portion of a site listed on the National Priorities List and remediated pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (hereinafter "CERCLA"), the Defense Environmental Restoration Program, 10 U.S.C. section 2701 et seq. and 18 Alaska Administrative Code Chapter 75. Under CERCLA, the environmental cleanups were divided into three operable units: Operable Unit A (CERCLA chemical and petroleum sites); Operable Unit B-1 (CERCLA ordnance sites on land proposed as suitable for transfer); and Operable Unit B-2 (CERCLA ordnance sites on land to be retained by the United States and ordnance sites that will be available for transfer after 2002). The Department of the Navy of the United States of America (hereinafter "Navy") circulated the Record of Decision (hereinafter, along with the Record of Decision for Operable Unit B-1 referenced below, the "ROD") for Operable Unit A for public review and comment. The Operable Unit A ROD was agreed upon and signed by the Navy and the United States Environmental Protection Agency (hereinafter "US EPA"), and concurred with by the Alaska Department of Environmental Conservation (hereinafter, with its successors in administrative function "ADEC") in April 2000. The Operable Unit B-1 ROD was agreed upon and signed by the Navy and the US EPA, and concurred in by the ADEC, in December 2001;

WHEREAS the Records of Decision for OUA and OUB-1 are available for inspection in Bureau of Land Management Case File No. [insert number after legislation passed];

WHEREAS, the major components of the selected remedy for the Operable Unit A CERCLA sites included excavation and treatment by thermal desorption of contaminated sediments and soils and recycling of treated sediment and soils as cover material at the on-island Roberts Landfill; placement of a soil cover on one site; monitoring groundwater for petroleum compounds, semivolatile compounds, and volatile compounds; and implementing institutional controls on property to prohibit potential exposure to hazardous substances left on site;

WHEREAS, the major components of the selected remedy for the Operable Unit A petroleum sites included removal and treatment of petroleum-contaminated soils to meet State of Alaska cleanup requirements; recycling of treated soils as cover material at the on-island Roberts Landfill; monitored natural attenuation of petroleum chemicals in soil and groundwater; free-product recovery to the maximum extent practicable as an interim remedial measure, followed by final remediation to achieve cleanup levels under State of Alaska requirements for soils and groundwater; and implementing institutional controls to minimize the potential for direct contact, to restrict groundwater use, and/or to restrict excavation until remedial objectives have been met;

WHEREAS, the major components of the selected remedy for the Operable Unit B-1 ordnance sites are no further action with unlimited land use and maintenance of an educational awareness program for on-island residents and visitors;

WHEREAS, the Property does not encompass any area within OUB-2;

WHEREAS, the requirements, rights, covenants, conditions, prohibitions and restrictions herein (hereinafter "Provisions") are intended to protect human health and the environment.

THEREFORE, pursuant to the laws of Alaska and the common law, the United States does hereby reserve forever, subject to conditions, restrictions and limitations of record, an equitable servitude, easement, and right of entry (hereinafter equitable servitude) over the Property of the nature and character and to the extent set forth below.

PROHIBITED ACTIVITIES:

1. Downtown Area.

Unless otherwise specifically authorized in writing by the Department of the Navy the activities listed below are prohibited by any person or entity in the Downtown Area:

- (a) Any domestic use of Groundwater (the term "Groundwater" shall mean water beneath the surface of the ground), by extraction through wells or other means. Domestic use is defined as that used by households or transients for human and animal consumption, cooking, bathing, showering, gardening, irrigation, or use on consumable food products, watering animals and any other domestic use.
- (b) The injection or release of any fluids that may affect the flow direction of a chemical plume [in areas with chemically affected Groundwater].
- (c) Any action at or use of the Downtown Area, including, without limitation, subsurface utility repairs, construction or excavation activities, that results in or is reasonably likely to interfere with or impair the integrity of Groundwater monitoring wells or recovery systems or other structures, systems, procedures or devices constructed or implemented at the Property for cleanup.

A map generally depicting the Downtown Area is attached hereto as Exhibit B.

2. **Solid Waste Management Units 10, 14, 15, 16, 17, 24, 55, 60, 61 and 67, Source Areas 73, 77, 78, 80, 82, and 88; Antenna Field, USTs ANT-1, ANT-2, ANT-3, and ANT-4; Former Power Plant, Building T-1451; ROICC Contractor's Area (UST ROICC 8); Runway 5-23 Avgas Valve Pit; GCI Compound, UST GCI-1; NMCB Building Area; UST, T-1416 Expanded Area; NORPAC Hill Seep Area; UST 10578, South of Runway 18-36 Area; Tanker Shed, UST 42494, and Yakutat Hangar, UST T-2039-A.**

Unless specifically authorized in writing by the Department of the Navy, the activity listed below is prohibited by any person or entity, in the Solid Waste Management Units 10, 14, 15, 16, 17, 24, 55, 60, 61 and 67, Source Areas 73, 77, 78, 80, 82, and 88, Antenna Field, USTs ANT-1, ANT-2, ANT-3, and ANT-4, Former Power Plant, Building T-1451, ROICC Contractor's Area (UST ROICC 8), Runway 5-23 Avgas Valve Pit, GCI Compound, UST GCI-1, NMCB Building Area, Underground Storage Tank, T-1416 Expanded Area, NORPAC Hill Seep Area, UST 10578, South of Runway 18-36 Area, Tanker Shed, UST 42494, and Yakutat Hangar, UST T-2039-A:

Residential Land Use (the term "Residential Land Use" shall include permanent or temporary living accommodations, child care facilities, schools, playgrounds, and hospitals).

3. **Solid Waste Management Units 18, 19, and 25 (White Alice and Roberts Landfills, respectively).**

Unless specifically authorized in writing by the Department of the Navy, the activities listed below are prohibited by any person or entity, except Department of the Navy personnel or their authorized representative:

- (a) excavation of soils or other materials; and
- (b) any activity that disturbs the ground surface of the landfill caps or its drainage system.

A map generally depicting the areas identified in Paragraphs 2 and 3 is attached hereto as Exhibit C.

RIGHT OF ENTRY

The United States shall have reasonable right of entry and access to the Property for inspection, monitoring, and other activities consistent with the purposes of this Equitable Servitude, CERCLA 42 U.S.C. Section 9620(h)(3)(A)(iii) and in accordance with the *Agreement Concerning the Conveyance of Property at the Adak Naval Complex, Adak, Alaska, dated September 20, 2000, between the United States acting through the Secretary of Interior and the Secretary of the Navy, and The Aleut Corporation.*

GENERAL PROVISIONS

a. The equitable servitude is for the benefit of the United States and includes the perpetual right to enforce and implement the Provisions herein. Nothing herein shall be deemed to create in any third party the right to enforce this Instrument.

b. All real estate, lots, parcels, or portions thereof located within or on the Property, and any lease, conveyance, or transfer covering or describing any part thereof or interest therein, shall be subject to the Provisions herein. By acceptance of such conveyance or transfer, each lessee, transferee or grantee and each of their heirs, successors, transferees or assigns agree to be bound by the Provisions herein.

c. The Provisions herein shall run with the land in perpetuity and shall be binding upon all successors, and assigns and all future transferees and holders of an interest in the Property or any parcel, portion, or subdivision thereof.

d. To the maximum extent permitted by law, the Provisions herein shall not be subject to waiver or abandonment due to non-enforcement or violation of any of the Provisions herein on all or any portion of the Property. No waiver of the breach of any of the Provisions herein shall constitute a waiver of a subsequent breach of the same Provision or any other Provision. No right of action shall accrue for or on account of the failure of any person to exercise any right created by this equitable servitude nor for imposing any Provision, which may be unenforceable.

e. This equitable servitude may be enforced by the United States on behalf of the United States Navy and/or the U.S. Environmental Protection Agency in a court of law. The interpretation and performance of this equitable servitude shall be governed by the laws of Alaska.

f. Upon violation of any of the Provisions herein, the United States may seek any available legal or equitable remedy to enforce this Instrument and shall be entitled to recover damages for violations of the Provisions herein under applicable federal or state law.

g. Any notice, demand, request, consent, approval, or communication that a party desires or is required to give another shall be in writing and shall either be served personally or sent by first class mail, postage prepaid, addressed as follows:

To The United States:
[Name and Address]

h. The determination that any Provision herein, or its application to any person or circumstance, is invalid shall not affect any other Provision herein or its application and the other Provisions herein shall remain in full force and effect.

i. Any general rule of construction to the contrary notwithstanding, this equitable servitude and the provisions herein shall be construed so as to effect the purpose for which it was reserved by the United States. Any ambiguities shall be resolved in a manner that best accomplishes the purpose of this equitable servitude.

j. All future transferees and holders of an interest in the Property shall include in any instrument conveying any interest in any portion of the Property a notice that is in substantially the following form:

NOTICE: The interest conveyed hereby is subject to an Equitable Servitude, Easement, and Right of Entry dated _____, 2002, recorded on ___ date at (AM/PM) by Serial No. _____, the Aleutian Islands Recording District, Third Judicial District, State of Alaska, in favor of, and enforceable by, the United States.

TERMINATION

This equitable servitude shall be vacated and shall be of no further force and effect upon the recordation in the Aleutian Islands Recording District, Third Judicial District, State of Alaska by the United States of a Notice of Vacation of Equitable Servitude, Easement and Right of Entry. The United States shall execute and record a Notice of Vacation of Equitable Servitude, Easement, and Right of Entry at such time as it determines with the concurrence of state and federal regulators that the prohibited activities and other provisions of this Instrument are no longer necessary for the protection of human health and the environment. The Notice of Termination of Equitable Servitude, Easement, and Right of Entry shall be executed by the United States and state that the United States has determined that the prohibited and required activities and other provisions of the Equitable Servitude, Easement, and Right of Entry are no longer necessary for the protection of human health and the environment and further state that the Equitable Servitude, Easement, and Right of Entry is hereby vacated. The current owner of the property may request the United States to amend the Records of Decision and vacate this Equitable Servitude, Easement, and Right of Entry as to all of the Property, or as to a parcel or portion thereof. The United States, through the Department of the Navy and/or the U.S. Environmental Protection Agency, in their sole discretion, shall determine whether to grant the request or deny it. Nothing herein affects the Navy's or EPA's authority to select and perform additional response actions for the Site in accordance with CERCLA and the National Contingency Plan, 40 CFR Part 300.

Final (10 May 2002)

EXHIBIT 2
NOSSA/DDESB LETTER OF CONCURRENCE WITH FOST FOR
ORDNANCE-RELATED ISSUES



DEPARTMENT OF THE NAVY
NAVAL ORDNANCE SAFETY & SECURITY ACTIVITY
FARRAGUT HALL BLDG D-323
23 STRAUSS AVENUE
INDIAN HEAD MD 20640-6556

Final (10 May 2002)

8020
Ser N7112/2096
23 Apr 02

From: Commanding Officer, Naval Ordnance Safety and Security Activity
To: Commanding Officer, Engineering Field Activity Northwest, Naval Facilities Engineering Command (Code 05ER)
Subj: REVIEW AND CONCURRENCE WITH TRANSFER OF PARCELS 1A, 2, AND 3 AT THE FORMER NAVAL AIR FACILITY, ADAK ISLAND, ALASKA [N60462/K-151]
Ref: (a) ENGFLDACT NW ltr 5090-ADAK Ser 05ER.22MM/0891 of 27 Mar 02
(b) DoD 6055.9-STD

1. In reply to reference (a), Naval Ordnance Safety and Security Activity (NOSSA) concurs that the explosives investigation and removal actions for Parcels 1A, 2, and 3 at the former Naval Air Facility (NAF), Adak Island, Alaska, have been satisfactorily reported and meet all of the explosives safety remediation requirements of reference (b), with the exception of three sites in Parcel 1A and one site in Parcel 3. As indicated in reference (a), paragraph 4, it is expected that explosives remediation of these remaining sites will be completed this Summer.

2. Naval Ordnance Safety and Security Activity concurrence with transfer of Parcels 1A, 2, and 3 is contingent upon:

a. Inclusion of provisions in the deeds that alert the transferee that a response action was taken to address the presence of ordnance on these parcels.

b. Inclusion of provisions in the deeds transferring these parcels that alert the transferees of the availability of the Navy to respond to any additional discoveries of ordnance that might occur in the future.

c. Inclusion of provisions in the deeds transferring these parcels of an access right for the Navy to perform any additional cleanup actions that might be required.

d. Inclusion of provisions in the Record of Decision for Operable Unit B-1, the Finding of Suitability to Transfer Parcel 1A, and the deeds transferring these parcels, to establish an ordnance awareness education program;

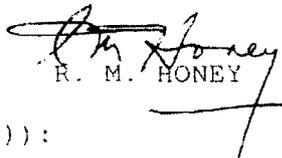
Final (10 May 2002)

Subj: REVIEW AND CONCURRENCE WITH TRANSFER OF PARCELS 1A, 2, AND
3 AT THE FORMER NAVAL AIR FACILITY, ADAK ISLAND, ALASKA
[N60462/K-151]

c. Maintenance of the ordnance awareness education program and performance of five-year compliance reviews, as specified in the Record of Decision for Operable Unit B-1.

1. Release of the four remaining sites in Parcels 1A and 3 on Adak Island (discussed in paragraph 1 above) is contingent upon implementation of the approved explosives remediation plans, and submission of site-specific reports of explosives investigation and removal actions for each of these sites to NOSSA, for review and concurrence, prior to their transfer.

3. All documents related to explosives decontamination and remediation of the former NAF Adak Island must be retained in the permanent Navy remediation files. Naval Ordnance Safety and Security Activity point of contact for explosives safety issues is Mr. Edward Klinghoffer, P.E., N7112, at DSN: 354-4966, commercial: (301) 744-4966, or E-Mail: klinghofferem@navsea.navy.mil; NOSSA point of contact for ordnance environmental issues is Mr. John Dow, N51, at DSN: 354-4450/4906, commercial: (301) 744-4450/4906, or email: dowjp@ih.navy.mil.


R. M. HONEY

Copy to (w/ref (a) (w/o encls)):
DDESB (DDESB-KO)
CNO (N411, N45)
COMNAVSEASYS COM (SEA 00T)
COMNAVFACENGCOM (EN, ENC, BRAC)
NOSSA ESSCPAC (N7P)

EXHIBIT 3
ENVIRONMENTAL CONDITION CLASS OF CHEMICAL, PETROLEUM,
ORDNANCE SITES, AND TEMPORARY ACCUMULATION POINTS (TAPS)

**Environmental Condition of Chemical, Petroleum, and Ordnance Sites
and TAP Sites on Adak in CERFA Parcel 1A**

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name*	Regulatory Process	Type of Contaminant	Current Status	Environ. Condition Class
PARCEL 1A, ADAK EXCHANGE LANDS LOCATED IN OU B-1- ORDNANCE SITES						
AP-01	5-4	WWII Ammunition Pier - Land-based Area	CERCLA	o	Historical ordnance transfer area. No OE/UXO found during Priority I and II Area Investigation. NOFA selected in OU B1 ROD.	1
AP-02	5-4	WWII Ammunition Pier - Area beneath the former pier	CERCLA	o	Historical ordnance transfer area. RI/FS complete.	1
BC-04 ^e	NS	Blind Cove/Campers Cove Range Safety Fan #1	CERCLA	o	Historical range safety fan for 155-mm gun. Area overlies LEPs 1 and 3. NOFA selected in the OU B1 ROD.	1
BC-07 ^e	5-4	Blind Cove/Campers Cove Firing Point #2	CERCLA	o	Historical firing point for 155-mm gun. RI complete. No OE/UXO found. NOFA selected in OU B1 ROD.	1
BC-08 ^e	NS ^f	Blind Cove/Campers Cove Range Safety Fan #2	CERCLA	o	Historical range safety fan for 155-mm gun. Area overlies LEPs 1 and 3. NOFA selected in the OU B1 ROD.	1
B1-02 ^e	NS	Bay of Islands Impact Area - Range Safety Fan	CERCLA	o	Historical range safety fan for 155-mm gun. Area overlies LEPs 1A, 1B and 2. NOFA selected in OU B1 ROD.	1
CWS-01	5-4	Chemical Warfare Materials Warehouses	CERCLA	o	Historical storage site for CWM. Preliminary Source Evaluation completed during OU A investigations. No evidence of residuals or impact found. NOFA selected in OU B1 ROD.	1
C3-01A	5-4	Combat Range #3 - Eastern Disposal Site	CERCLA	o	Site located within historical maneuver area. Disposal area found during site investigation. OE/UXO removed. RI/FS and remedial action not complete.	7 ⁺
C3-01B	5-4	Combat Range #3 - Single Mortar #1 in C3-01	CERCLA	o	Site located within historical maneuver area. Single mortar found and removed during site investigation. RI/FS complete.	4
C3-01C	5-4	Combat Range #3 - Single Mortar #2 in C3-01	CERCLA	o	Site located within historical maneuver area. Single mortar found and removed during site investigation. RI/FS complete.	4
C3-01D	5-4	Combat Range #3 - Single Mortar #3 in C3-01	CERCLA	o	Site located within historical maneuver area. Single mortar found and removed during site investigation. RI/FS complete.	4
C3-01E	5-4	Combat Range #3 - Single	CERCLA	o	Site located within historical maneuver area. Single	7 ⁺

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name ^a	Regulatory Process ^b	Type of Contaminant	Current Status	Environ. Condition Class ^c
		Mortar #4 in C3-01			mortar found and removed during site investigation. RI/FS not complete.	
C3-01F	5-4	Combat Range #3 - Remainder of C3-01	CERCLA	o	Historical maneuver area. RI complete. No OE/UXO found. NOFA selected in OU B1 ROD.	1
C3-02	5-4	Combat Range #3 - Mortar Site	CERCLA	o	Site located within historical maneuver area. Single mortar found and removed during site investigation. RI complete.	4
C3-04A	5-4	Combat Range #3 - Bomb Booster Site	CERCLA	o	Site located within historical maneuver area. Bomb booster found and removed during site investigation. RI/FS complete.	4
C3-04B ^c	5-4	Combat Range #3 - Remainder	CERCLA	o	Historical maneuver area. RI complete. No OE/UXO found. NOFA selected in OU B1 ROD.	1
C6-01A	5-4	Combat Range #6 - Mortar Impact Area	CERCLA	o	Site located within historical maneuver area. Mortars found and removed during site investigation. RI/FS and remedial action complete.	4
C6-01B ^c	5-4	Combat Range #6 - Area Within the Military Reservation	CERCLA	o	Historical maneuver area. RI complete. Single rifle grenade found and removed during RI. NOFA selected in OU B1 ROD.	1
MM-12 ^c	5-4	Mt. Moffett Impact Area - Range Safety Fan #1	CERCLA	o	Historical range safety fan for 155-mm gun. Area overlies LEPs 1B and 4. NOFA selected in the OU B1 ROD.	1
MM-13 ^c	5-4	Mt. Moffett Impact Area - Range Safety Fan #2	CERCLA	o	Historical range safety fan for 90-mm gun. Area overlies LEPs 1A & B and 4. NOFA selected in the OU B1 ROD.	1
MM-15 ^c	5-4	Mt. Moffett Impact Area - Range Safety Fan #3	CERCLA	o	Historical range safety fan for 90-mm gun. Area overlies LEPs 1A & B and 4. NOFA selected in the OU B1 ROD.	1
MM-16 ^c	5-4	Mt. Moffett Impact Area - Range Safety Fan #4	CERCLA	o	Historical range safety fan for 90-mm gun. Area overlies LEPs 1A & B and 4. NOFA selected in the OU B1 ROD.	1
MM-18 ^c	5-4	Mt. Moffett Impact Area - Range Safety Fan #5	CERCLA	o	Historical range safety fan for 90-mm gun. Area overlies LEPs 1A & B and 4. NOFA selected in the OU B1 ROD.	1
MM-19 ^c	5-4	Mt. Moffett Impact Area - Range Safety Fan #6	CERCLA	o	Historical range safety fan for 90-mm gun. Area overlies LEPs 1A & B and 4. NOFA selected in the OU B1 ROD.	1
MM-21 ^c	5-4	Mt. Moffett Impact Area - Range Safety Fan #7	CERCLA	o	Historical range safety fan for 155-mm gun. Area overlies LEPs 1A & B and 4. NOFA selected in the OU B1 ROD.	1
DL-01	5-4	Davis Lake Ordnance Warehouses	CERCLA	o	Warehouses historically assigned to Davis Lake Ordnance Group. No OE/UXO found during preliminary site	1

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name	Regulatory Process	Type of Contaminant	Current Status	Environ. Condition Class
					investigation or Priority Area I & II Investigation. NOFA selected in OU B1 ROD.	
DM-01	5-4	Lake De Marie Impact Area - Mortar Impact Area	CERCLA	o	Site located within historical 90-mm target area. RI complete. No OE/UXO found. NOFA selected in OU B1 ROD.	1
DM-03	5-4	Lake De Marie Impact Area - Firing Point #1	CERCLA	o	RI complete. No OE/UXO found. NOFA selected in OU B1 ROD.	1
DM-04 ^c	NS	Lake De Marie Impact Area - Range Safety Fan #1	CERCLA	o	Historical range safety fan for 90-mm gun. Area overlies LEP 1. NOFA selected in the OU B1 ROD.	1
DM-05	5-4	Lake De Marie Impact Area - Firing Point #2	CERCLA	o	RI complete. No OE/UXO found. NOFA selected in OU B1 ROD.	1
DM-06B ^c	5-4	Lake De Marie Impact Area - Remainder	CERCLA	o	RI complete. No OE/UXO found. NOFA selected in OU B1 ROD.	1
FBAP-01	5-4	Finger Bay Ammunition Pier - Land-based Area	CERCLA	o	Historical ordnance transfer point. No OE/UXO found during site investigation. NOFA selected in OU B1 ROD.	1
FBAP-02	5-4	Finger Bay Ammunition Pier - Area beneath the former pier	CERCLA	o	Historical ordnance transfer point. RI/FS complete.	1
FBDS-01	5-4	Finger Bay Dynamite Storage Area	CERCLA	o	No OE/UXO found during site investigation. NOFA selected in OU B1 ROD.	1
FB-01	5-4	Finger Bay Impact Area - Mortar Firing Site	CERCLA	o	RI/FS complete.	1
FB-02	5-4	Finger Bay Impact Area - Mortar Range Safety Fan	CERCLA	o	Historical range safety fan for mortar target area. NOFA selected in OU B1 ROD.	1
FB-03	5-4	Finger Bay Impact Area - Mortar Impact Area	CERCLA	o	RI not complete.	7 ⁺
FB-04	5-4	Finger Bay Impact Area - Projectile Firing Site	CERCLA	o	RI/FS complete.	1
FB-05	5-4	Finger Bay Impact Area - Projectile Range Safety Fan	CERCLA	o	Historical range safety fan for projectile target area. NOFA selected in OU B1 ROD.	1
FB-06	5-4	Finger Bay Impact Area - Projectile Impact Area	CERCLA	o	RI complete. No OE/UXO found. NOFA selected in OU B1 ROD.	1
FB-07	5-4	Finger Bay Impact Area - Abandoned Mortar Site	CERCLA	o	RI complete. Three OE items found and removed during site investigation. NOFA selected in OU B1 ROD.	4

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name ^a	Regulatory Process ^b	Type of Contaminant	Current Status	Environ. Condition Class ^c
FB-08	5-4	Finger Bay Impact Area - Flare Disposal Site	CERCLA	o	RI complete. Partially burned flares found and removed during investigation. NOFA selected in OU B1 ROD.	4
FB-09	5-4	Finger Bay Impact Area - Rifle Grenade Site	CERCLA	o	RI complete. Single rifle grenade found and removed during site investigation. NOFA selected in OU B1 ROD.	4
GUN-01 ^e	5-4	20-mm Gun Emplacements	CERCLA	o	RI/FS complete (Parcel 1 locations only).	1
GUN-02 ^e	5-4	37-mm Gun Emplacements	CERCLA	o	RI/FS complete (Parcel 1 locations only).	1
GUN-03 ^e	5-4	40-mm Gun Emplacements	CERCLA	o	RI/FS complete (Parcel 1 locations only).	1
HH-01	5-4	Hammer Head Cove - Remainder	CERCLA	O	No documented historical ordnance use. NOFA selected in OU B1 ROD.	1
HH-02	5-4	Hammer Head Cove - Impact Area	CERCLA	O	Historical target area for .50-caliber weapons. NOFA selected in OU B1 ROD.	1
HL-01	5-4	Haven Lake Ammunition Storage Area - HE Hand Grenade Site	CERCLA	O	Site located within historical ordnance storage area. Single HE Hand Grenade found and removed during site investigation. RI complete. NOFA selected in OU B1 ROD.	4
HL-02	5-4	Haven Lake Ammunition Storage Area - 60-mm PD Fuze Site	CERCLA	O	Site located within historical ordnance storage area. Single point detonating fuze found and removed during site investigation. RI complete. NOFA selected in OU B1 ROD.	4
HL-03	5-4	Haven Lake Ammunition Storage Area - Remainder	CERCLA	O	Historical ordnance storage area. No OE/UXO found during site investigation. NOFA selected in OU B1 ROD.	1
HP-01	5-4	Husky Pass Training Area	CERCLA	O	Historical maneuver area. RI/FS complete.	4
MC-01	5-4	Mobile Advanced Underwater Weapons (MAUW) Complex	CERCLA	O	Abandoned ordnance found near site during OU A investigation. No OE/UXO found during Priority I & II Investigation. NOFA selected in OU B1 ROD.	1
MF-04 to MF 28	5-4	All Potential Minefield Locations Outside of Parcel 4	CERCLA	O	No OE/UXO found during Minefield Investigation. NOFA selected in OU B1 ROD. (25 sites)	1
ML-01A	5-4	Mitt Lake Impact Area - Mortar Impact Area	CERCLA	O	Mortars found and removed during RI. RI/FS and remedial action complete.	4
ML-01B	5-4	Mitt Lake Impact Area - Single Mortar Site	CERCLA	O	Single mortar found and removed during site investigation. RI/FS complete.	4
ML-01C	5-4	Mitt Lake Impact Area - Remainder of ML-01	CERCLA	O	RI complete. No OE/UXO found. NOFA selected in OU B1 ROD.	3

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name ^a	Regulatory Process ^b	Type of Contaminant	Current Status	Environ. Condition Class
ML-02A	5-4	Mitt Lake Impact Area - Single Mortar	CERCLA	O	Single 20-mm projectile found and removed during RI. RI/FS complete.	4
ML-02B	5-4	Mitt Lake Impact Area - 20/40-mm Impact Area	CERCLA	O	Numerous single 20-mm projectiles found and removed during RI. RI/FS complete.	4
ML-03	5-4	Mitt Lake Impact Area - Mortar Fuze Casing Area	CERCLA	O	Single mortar fuze casing found and removed during site investigation. RI complete. NOFA selected in OU B1 ROD.	4
ML-04	5-4	Mitt Lake Impact Area - 20-mm Outlier	CERCLA	O	Single 20-mm projectile found and removed during site investigation. RI complete. NOFA selected in OU B1 ROD.	4
ML-05	5-4	Mitt Lake Impact Area-Bivouac 20 mm	CERCLA	O	Single 20-mm projectile found and removed during site investigation. RI complete. NOFA selected in OU B1 ROD.	4
ML-06	5-4	Mitt Lake Impact Area-Suspected Maneuver Area	CERCLA	O	Single ammo clip of blanks found and removed during site investigation. NOFA selected in OU B1 ROD.	4
ML-07	5-4	Mitt Lake Impact Area-Range Safety Fan	CERCLA	O	No OE/UXO found during site investigation. NOFA selected in OU B1 ROD.	1
NM-02	5-4	NAF/Lake De Marie Magazine - Multiple CAD Site	CERCLA	O	Located within historical ordnance storage area. CADs found and removed during site investigation. RI complete. NOFA selected in OU B1 ROD.	4
NM-03	5-4	NAF/Lake De Marie Magazine - Single CAD Site	CERCLA	O	Located within historical ordnance storage area. Single CAD found and removed during site investigation. RI complete. NOFA selected in OU B1 ROD.	4
NM-04	5-4	NAF/Lake De Marie Magazine - Hand Grenade Site	CERCLA	O	Located within historical ordnance storage area. Single hand grenade found and removed during site investigation. RI complete. NOFA selected in OU B1 ROD.	4
NM-05	5-4	NAF/Lake De Marie Magazine - Remainder	CERCLA	O	Historical ordnance storage area. No OE/UXO found during site investigation. NOFA selected in OU B1 ROD.	1
NSGA-01	5-4	Naval Security Group Activity Magazine	CERCLA	O	Historical ordnance storage area. No OE/UXO found during site investigation. NOFA selected in OU B1 ROD.	1
SB-02 ^c	NS	Scabbard Bay Impact Area - Range Safety Fan #1	CERCLA	O	Historical range safety fan for 90-mm gun. Area overlies LEPs 1 and 3. NOFA selected in the OU B1 ROD.	1

Site Designation	Figure Reference (In Final EBS-U.S. Navy 2001a)	Site Name	Regulatory Process	Type of Contaminant	Current Status	Environ. Condition Class
SB-03 ^e	NS	Scabard Bay Impact Area - Range Safety Fan #1	CERCLA	O	Historical range safety fan for 90-mm gun. Area overlies LEPs 1 and 3. NOFA selected in the OU B1 ROD.	1
SB-04 ^e	NS	Scabard Bay Impact Area - Range Safety Fan #1	CERCLA	O	Historical range safety fan for 90-mm gun. Area overlies LEPs 1 and 3. NOFA selected in the OU B1 ROD.	1
SH-01	5-4	Shagak Bay Gun Emplacement	CERCLA	O	RI/FS complete.	1
SAR-06 through SAR-15	5-4	All Small Arms Ranges Outside of Parcel 4	CERCLA	O	Investigated during the OU A work. NOFA selected in the OU B1 ROD.	1
SA92-01	5-4	Source Area #92 - Finn Field Bomb Burn Site	CERCLA	O	Investigated and remediated during OU A work. NOFA selected in OU B1 ROD.	3
UA-01	5-4	Urban Area - Flare Site	CERCLA	O	OE found and removed during site investigation. RI complete. NOFA selected in OU B1 ROD.	4
UA-02	5-4	Urban Area - Incendiary Bomblet Area	CERCLA	O	OE found and removed during site investigation. RI complete. NOFA selected in OU B1 ROD.	4
UA-03	5-4	Urban Area - Priority Areas I and II Remainder	CERCLA	O	OE/UXO found and removed during Priority Area I and II Investigation. NOFA selected in OU B1 ROD.	4
UA-04	5-4	Urban Area - Priority Area III Remainder	CERCLA	O	OE/UXO found and removed during Priority Area III Investigation. NOFA selected in OU B1 ROD.	4
RW-01	5-4	WWII Runway Ordnance Handling Area - Practice Bomb Site	CERCLA	O	Single practice bomb found and removed during Priority Area III Investigation. RI/FS complete. NOFA selected in OU B1 ROD.	4
RW-02	5-4	WWII Runway Ordnance Handling Area - Remainder	CERCLA	O	No OE/UXO found during priority area investigations. NOFA selected in OU B1 ROD.	1
TBS-01	5-4	WWII Temporary Bomb Storage	CERCLA	O	No OE/UXO or evidence of impact found during Priority Area I and II Investigation. NOFA selected in OU B1 ROD.	1
ZP-01	5-4	Zeto Point Impact Area	CERCLA	O	RI complete. No OE/UXO found. NOFA selected in OU B1 ROD.	1

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name	Regulatory Process	Type of Contaminant	Current Status	Environ. Condition Class
PARCEL 1A, ADAK EXCHANGE LANDS LOCATED IN OU B-1 - CHEMICAL SITES						
SWMU 2	5-1	SWMU 2, Causeway Landfill and Minefield	CERCLA	PCBs, PAHs, m	Landfill was investigated under CERCLA. Minefield area was cleared of ordnance by the Navy in 1998. Institutional controls selected for landfill in OU A ROD.	4
SWMU 3	5-1	SWMU 3, Clam Lagoon Landfill	CERCLA	—	Not a landfill. No COPCs detected in soils. NOFA selected in OU A ROD.	1
SWMU 4	5-1	SWMU 4, South Davis Road Landfill	CERCLA	PCBs, PAHs, m	This landfill received construction debris from Mitchell Airfield. Area has been covered and contoured. COPCs in subsurface soils were determined to pose excessive risk to ecological receptors. Institutional controls were selected in OU A ROD.	4
SWMU 5	5-1	SWMU 5, North Davis Road Landfill	CERCLA	—	This site is not a landfill; it was misidentified. No COPCs noted. NOFA selected in OU A ROD.	1
SWMU 10	5-1	SWMU 10, Old Baler Building	CERCLA	PCBs, m, PAHs	Refuse baler; demolished in 1992. COPCs in soils. Institutional controls selected in OU A ROD.	4
SWMU 11	5-1	SWMU 11, Palisades Landfill	CERCLA	Ms	Landfill closed in 1970. Interim remedial action completed. Institutional controls and monitoring selected in OU A.	4
SWMU 13	5-1	SWMU 13, Metals Landfill	CERCLA	M	Landfill active until 1993. Remedial action under RCRA completed early in 1997 by capping, re-contouring, and re-vegetating the landfill. Shoreline stabilization has been implemented during the 2000 field season. Institutional controls and monitoring selected in OU A ROD.	4
SWMU 16	5-1	SWMU 16, Former Firefighting Training Area	CERCLA	PCBs, PAHs, s	Burn pits for firefighting training used 1970-1989. As part of interim remedial action, burn pit soils were removed and treated in 1996, and PCB-contaminated soil was disposed of off site in 1997. Institutional controls were selected in the OU A ROD.	4

Site Designation	Figure Reference (In Final EBS-U.S. Navy 2001a)	Site Name ¹	Regulatory Process ²	Type of Contaminant	Current Status	Environ. Condition Class ³
SWMU 16A	5-1	SWMU 16A, PCB Stockpile Area (subarea of SWMU 16)	CERCLA	PCBs	A limited soil removal was performed during 1996. Institutional controls were selected for SWMU 16A in the OU A ROD.	4
SWMU 18	5-1	SWMU 18, South Sector Drum Disposal Area	CERCLA	Ms	In 1992, 20 empty drums were removed to Roberts Landfill. Institutional controls and monitoring selected in OU A ROD.	4
SWMU 19	5-1	SWMU 19, Quarry Metal Disposal Area	CERCLA	Ms	Site was a permitted landfill now located within the current White Alice Landfill. Groundwater monitoring in progress. Institutional controls and monitoring selected in OU A ROD.	4
SWMU 20	5-1	SWMU 20, White Alice/Trout Creek Disposal Area	CERCLA	PAHs	Approximately 100 55-gallon drums and about 7 cubic yards of soils containing PCBs removed in 1992. PCBs, cPAHs, and lead are COPCs in soils. Institutional controls selected in OU A ROD.	4
SWMU 21A	5-1	SWMU 21A, White Alice Upper Quarry	CERCLA	PCBs	The site was a quarry and location where drums of PCB-containing oil were disposed of. PCB-contaminated soil was removed and cover was set in place in 1992. Institutional controls selected in OU A ROD.	4
SWMU 21B	5-1	SWMU 21B, White Alice Lower Quarry	CERCLA	Ms	Drum and debris site. Removal action completed in 1993. NOFA selected in OU A ROD.	4
SWMU 21C	5-1	SWMU 21C, White Alice East Disposal Area	CERCLA	PAHs	Construction, asphaltic debris deposited. No inorganics exceeded background values. NOFA selected in OU A ROD.	4
SWMU 23	5-1	SWMU 23, Heart Lake Drum Disposal Area	CERCLA	PCBs, m, PAHs	20 drums and a tank were removed in 1994. Very low levels of COPCs in soil. Institutional controls selected in OU A ROD.	4
SWMU 25	5-1	SWMU 25, Roberts Landfill	CERCLA	Ms	Landfill has been used since 1950. The entire landfill will be closed under Alaska DEC solid waste regulations. Institutional controls selected in OU A ROD. Groundwater monitoring in progress.	4

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name	Regulatory Process	Type of Contaminant	Current Status	Environ. Condition Class
SWMU 26	5-1	SWMU 26, Mitt Lake Drum Disposal Area	CERCLA	M	Empty drums removed 1980-1982; original contents (if any at time of disposal) unknown. Copper detected; limited removal of stained soil conducted. NOFA selected in OU A ROD.	3
SWMU 27	5-1	SWMU 27, Lake Leone Drum Disposal Area	CERCLA	Ms	Approximately 100 drums were deposited in pond in late 1970s to early 1980s. Drums were removed in 1997 and sediments were covered. NOFA selected in OU A ROD.	4
SWMU 28	5-1	SWMU 28, Lake Betty Drum Disposal Area	CERCLA	Ms	30-gal drums of bleach and debris removed in 1994. NOFA selected in OU A ROD.	4
SWMU 29	5-1	SWMU 29, Finger Bay Landfill	CERCLA	PCBs, m, PAHs	Landfill used for refuse disposal. Drums removed in 1996. Very low levels of COPCs detected in soil and groundwater. Groundwater monitoring in progress. Institutional controls selected in OU A ROD.	3
SWMU 30	5-1	SWMU 30, Magazine 4 Landfill	CERCLA	Ms	Site is not a landfill; it was misidentified. Additional sediment sampling completed. NOFA selected in OU A ROD.	3
SWMU 42	5-1	SWMU 42, GSE Steam Clean Oil/Water Separator	CERCLA	P	Oil/water separator showed no leaks. No further work warranted if unit is no longer in use; otherwise, normal maintenance required. NOFA selected in OU A ROD.	2
SWMU 43	5-1	SWMU 43, AIMD Acid Battery Storage Area	CERCLA	M	Drained batteries stored outside on concrete; neutralized and stored in drum. Batteries removed. NOFA selected in OU A ROD.	3
SWMU 51	5-1	SWMU 51, NSGA Transportation Building 10354 Waste Storage Area	CERCLA	m and p	Damaged batteries within building removed. Petroleum hydrocarbons detected in earlier investigations. No COPCs noted. NOFA selected in OU A ROD.	3
SWMU 52, 53, 59	5-1	SWMUs 52, 53, and 59, Former Loran Station	CERCLA	PCBs, m, PAHs	Potentially hazardous debris and USTs in abandoned buildings were removed in 1990 and 1991. Institutional controls selected in OU A ROD.	4
SWMU 54	5-1	SWMU 54, NMCB Battery Storage Area	CERCLA	M	In 1991, a few batteries stored on ground were flipped over, with soil staining. In 1993, no batteries or staining observed. NOFA selected in OU A ROD.	3
SWMU 65	5-1	SWMU 65, Contractor's Camp Fire/Demolition Site	CERCLA	Ms	This location has been burned and burned/twisted rubble are present. No source identified. No staining observed in	3

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name	Regulatory Process	Type of Contaminant	Current Status	Environ. Condition Class
					1993. No COPCs identified. NOFA selected in OU A ROD.	
SWMU 66	5-1	SWMU 66, Palisades Lake PCB Spill	CERCLA	PCBs	Stained soil noted at the site but records indicate no PCBs in transformers. Sampling in 1986 and 1988 showed no PCBs. NOFA selected in OU A ROD.	3
SWMU 67	5-1	SWMU 67, White Alice PCB Spill Site	CERCLA	PCBs, PAHs	A PCB spill occurred in 1982. The PCB spill area was capped. Institutional controls selected in OU A ROD.	4
SWMU 68	5-1	SWMU 68, New Pesticide Storage Area	CERCLA	Pesticides	Pesticide storage since 1987. NOFA selected in OU A ROD.	3
SWMU 69	5-1	SWMU 69, Ski Lodge Waste Pile	CERCLA	Ms	Timbers, metal, empty drums. NOFA selected in OU A ROD.	3
SWMU 70	5-1	SWMU 70, Davis Road Asphalt Drums	CERCLA	PAHs	Several asphalt drums removed in 1991. NOFA selected in OU A ROD.	3
SWMU 71	5-1	SWMU 71, NSGA Fueling Facility	CERCLA	—	Drums of linseed oil removed. No COPCs identified. NOFA selected in OU A ROD.	1
SWMU 72	5-1	SWMU 72, NSGA Transportation Building 10354	CERCLA	Ms	Batteries and debris removed. NOFA selected in OU A ROD.	2
SA 75	5-1	SA 75, Asphalt Storage Area	CERCLA	PAHs	Mogas ASTs gone. Very low levels of COPCs in soil. NOFA selected in OU A ROD.	3
SA 76	5-1	SA 76, Old Line Shed Building	CERCLA	PCBs, PAHs, m	Former storage area. Very low levels of COPCs in soil and groundwater. Institutional controls selected in OU A ROD.	3
SA 83	5-1	SA 83, Former Chiefs Club Station	CERCLA	—	AST removed. No petroleum-affected soils present. NOFA selected in OU A ROD.	1
SA 90	5-1	SA 90, Husky Road Landfill	CERCLA	—	Construction debris temporarily stored here, then moved to Metals Landfill. NOFA selected in OU A ROD.	1

Site Designation	Figure Reference (In Final EBS-U.S. Navy 2001a)	Site Name ^a	Regulatory Process ^b	Type of Contaminant	Current Status	Environ. Condition Class ^c
SA 91	5-1	SA 91, Airplane Crash Sites	CERCLA	Ms	Crash sites from 1940s. Little debris present in 1993. NOFA selected in OU A ROD.	3
SA 92	5-1	SA 92, Waste Ordnance Pile (Fin Field)	CERCLA	P	Ordnance, including napalm and burster tubes, cleared from the site in 1995 by the Navy. Petroleum in soil and groundwater investigated under CERCLA. NOFA selected in OU A ROD and OU B1 ROD.	4
SA 94	5-1	SA 94, Chemical Weapons Disposal Areas	CERCLA	Ms	Six areas (Area 1, Finger Bay Ammunition Pier; Area 2, Unnatural Mounds; Area 3, Naval Magazine; Area 4, Bomb Burn Site [SA 92]; Area 5, Haven Lake and Lake Jean; and Area 6, Chemical Warfare Service Warehouse) investigated during RI/FS to identify evidence of storage, handling, or disposal of chemical weapons, munitions, or ordnance items. NOFA has been selected in the OU A ROD. These areas were addressed separately in OU B for ordnance issues.	3
SA 95	5-1	SA 95, Transformer Disposal Area	CERCLA	PCBs	Transformers removed in early 1990s. Limited soil removal in 1995. NOFA selected in OU A ROD.	4
SSC	5-1	South Sweeper Creek	CERCLA	PCBs, PAHs	PCBs and total organics in fish tissue and sediment. A sediment removal action was completed in 1999. Institutional controls were selected in the OU A ROD.	4
SC KB	5-1	Sweeper Cove, Kuluk Bay	CERCLA	PCBs, m	PCBs and total organics in fish tissue and sediment. Institutional controls selected in OU A ROD.	4
See Site Name	NS	Andrew Lake (Aquatic)	CERCLA	PCBs, m	Investigated under CERCLA. Human health and ecological risk evaluated in RI/FS not high enough to require removal or remediation. NOFA selected in OU A ROD.	3
See Site Name	NS	Clam Lagoon (Aquatic)	CERCLA	PCBs, m	Investigated under CERCLA. Human health and ecological risk evaluated in RI/FS. NOFA selected in OU A ROD.	3

Site Designation	Figure Reference (In Final EBS-U.S. Navy 2001a)	Site Name ^a	Regulatory Process ^b	Type of Contaminant	Current Status	Environ. Condition Class ^c
SWMU 12	5-2; No. 61	SWMU 12, Quartermaster Road Debris Disposal Area (a.k.a. Quartermaster Site)	CERCLA/SAERA	p and m	Metal and other nonhazardous debris removed. USTs removed. Petroleum in soils. NOFA under SAERA selected in OU A ROD based on 18 AAC 75 Method 4 criteria.	3
SWMU 14	5-2; No. 62	SWMU 14, Old Pesticide Disposal Area	CERCLA/SAERA	p and m	Building 1471 used as a pesticide handling and motor vehicle filling station. Pesticide rinse water discharged to downfield 1980-1984. Polyaromatic hydrocarbons (PAHs) and polychlorinated bi-phenols (PCBs) detected but not above carcinogenic, noncarcinogenic risk levels. COPCs in soils and groundwater; no pesticides detected. Investigated under CERCLA and SAERA. Institutional controls selected under CERCLA in the OU A ROD. Monitored natural attenuation and institutional controls selected for petroleum under SAERA in OU A ROD.	4
SWMU 15	5-2; No. 63	SWMU 15, Future Jobs/DRMO (Former Hazardous Waste Storage)	CERCLA/SAERA	PCBs, PAHs, s, p	Former hazardous waste storage area. Soils with PCBs removed in 1992. Relatively low levels of COPCs in soils and groundwater. Investigated under CERCLA and SAERA. Institutional controls selected in OU A ROD. Monitored natural attenuation and institutional controls selected for petroleum under SAERA in OU A ROD.	4
SWMU 17	5-2; No. 64	SWMU 17, Power Plant 3 Area	CERCLA/SAERA	PCBs, p, PAHs, m	COPCs and petroleum in soil and groundwater from tanks, oil/water separators, and drums. Surface water cleanup action completed in 1992. Presence of COPCs in various media investigated under CERCLA. Removal of contaminated sediments was completed 1999. Source control and institutional controls were selected under CERCLA in the OU A ROD. Petroleum release occurred in 1995. Petroleum contamination investigated under SAERA. Aesthetic remedy completed in 1998. Free-product recovery system in operation under SAERA and was the remedy selected under SAERA in the OU A ROD.	4
SWMU 22	5-2; No. 1	SWMU 22, Drum Storage	CERCLA/	p and ms	Empty drums removed in 1991. NOFA selected under	3

Site Designation	Figure Reference (In Final EBS-U.S. Navy 2001a)	Site Name ^a	Regulatory Process ^b	Type of Contaminant	Current Status	Environ. Condition Class ^c
		South of Tank Farm A (a.k.a. Avgas Drum Storage Area South of Tank Farm A)	SAERA		SAERA in OU A ROD.	
SWMU 24	5-2; No. 65	SWMU 24, Hazardous Waste Container Storage Facility (a.k.a. Hazardous Waste Storage Facility)	CERCLA/SAERA	PCBs, p	Former interim status hazardous waste storage. RCRA closure completed by reducing PCB concentrations on concrete, asphalt. Investigated under SAERA. NOFA selected under SAERA in OU A ROD.	4
SWMU 31	5-2; No. 2	SWMU 31, Runway 18-36 Avgas Drum Disposal	CERCLA/SAERA	P	Geophysical survey in 1989 found no drums. NOFA selected under SAERA in OU A ROD.	2
SWMU 34	5-2; No. 3	SWMU 34, Steam Plant 4 Used Oil Storage Area (a.k.a. Steam Plant 4 Used Oil AST)	CERCLA/SAERA	P	Oil AST and drum removed. NOFA selected under SAERA in OU A ROD.	2
SWMU 35	5-2; No. 16	SWMU 35, GSE Used Oil Tank (a.k.a. Ground Support Equipment Building)	CERCLA/SAERA	P	Investigated under SAERA. NOFA selected under SAERA in OU A ROD.	2
SWMU 41	5-2; No. 4	SWMU 41, GSE Used Oil Storage Area (a.k.a. Ground Support Equipment Used-Oil Storage Area)	CERCLA/SAERA	P	Oil storage rack removed. NOFA selected under SAERA in OU A ROD.	2
SWMU 44	5-2; No. 5	SWMU 44, AIMD Used Oil Storage Area	CERCLA/SAERA	p and ms	Three drums rested on concrete; oil no longer stored. No releases reported. NOFA selected under SAERA in OU A ROD.	3
SWMU 45	5-2; No. 6	SWMU 45, Sewage Treatment Plant (inc. SWMUs 46, 47, 48, 49, and 50) (a.k.a. Sewage Treatment Plant Petroleum Contamination)	CERCLA/SAERA	p and ms	Petroleum in oxidation ditch in 1988. No subsequent petroleum observed. NOFA selected under SAERA in OU A ROD.	3
SWMU 55	5-2; No. 17	SWMU 55, Public Works Transportation Department Waste Storage Area	CERCLA/SAERA	PCBs, s, p	PCBs and PAHs in sediments; PCE and petroleum in surface soils. Institutional controls selected under CERCLA in OU A ROD; NOFA selected under SAERA in OU A ROD.	3

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name ^a	Regulatory Process ^b	Type of Contaminant	Current Status	Environ. Condition Class ^c
SWMU 56	5-2; No. 18	SWMU 56, Public Works Transportation Department Storage Tank	CERCLA/SAERA	P	UST T-1441-A removed in 1993. NOFA selected under SAERA in OU A ROD.	2
SWMU 57	5-2; No. 19	SWMU 57, Refueling Dock Oil/Water Separator (a.k.a. Fuels Facility Refueling Dock)	CERCLA/SAERA	P	UST 10418-A removed in 1993; AST 10418-B removed in 1994. NOFA selected under SAERA in OU A ROD.	2
SWMU 58	5-2; Nos. 49/66	SWMU 58, NSGA 10348 JP-5 Tank (a.k.a. Heating Plant 6)	CERCLA/SAERA	P	USTs removed in 1994 and 1995. A release occurred in 1998. Aesthetic remedy completed in 1998. Free-product recovery has been determined to be no longer necessary. Institutional controls selected under SAERA in OU A ROD.	2
SWMU 60	5-2; No. 67	SWMU 60, Tank Farm A	CERCLA/SAERA	P	ASTs removed in 1958 and 1993. Release investigation in 1993 showed petroleum at two locations. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
SWMU 61	5-2; No. 68	SWMU 61, Tank Farm B	CERCLA/SAERA	P	Release investigation conducted in 1992. 30 USTs removed in 1993. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
SWMU 62	5-2; No. 69	SWMU 62, Housing Area Fuel Leak (a.k.a. New Housing Fuel Leak)	CERCLA/SAERA	P	Leaks of JP-5 fuel occurred in 1988. Free-product recovery has been determined to be no longer necessary. Institutional controls selected under SAERA in OU A ROD.	2
SWMU 64	5-2; No. 70	SWMU 64, Tank Farm D	CERCLA/SAERA	P	The site was used to store avgas and JP-5. A limited release investigation was conducted in 1992 at oldest tanks. NOFA selected under SAERA in OU A ROD based on 18 AAC 75 criteria.	2

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name ^a	Regulatory Process ^b	Type of Contaminant	Current Status	Environ. Condition Class
SWMU 74	5-2; No. 20	SWMU 74, Old Batch Facility	CERCLA/SAERA	PAHs, p	Asphalt produced in 1950s to 1960s. COPCs detected in soil and groundwater, but below cancer and noncancer risk levels. Investigated under CERCLA and SAERA. Aesthetic remedy and removal action completed in 1998. NOFA selected in OU A ROD under CERCLA and SAERA.	3
SA 73	5-2; Nos. 49/66	SA 73, NSGA Oil/Water Separator (a.k.a. Heating Plant 6)	CERCLA/SAERA	P	UST removed in 1994. Free-product recovery and institutional controls selected under SAERA in OU A ROD. Free-product recovery has been determined to be no longer necessary.	2
SA 77	5-2; No. 50	SA 77, Fuel Division Area Drum Storage (a.k.a. Fuels Facility Refueling Dock, Small Drum Storage Area)	CERCLA/SAERA	p and ms	Drums containing petroleum residuals and rags. RCRA closure completed; NOFA selected in OU A ROD. Petroleum issues investigated under SAERA. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	4
SA 78	5-2; No. 51	SA 78, NSGA Transportation USTs (a.k.a. Old Transportation Building)	CERCLA/SAERA	P	UST 10583 removed in 1993; UST 10584 not found. Site paved with asphalt. No free product observed since October 1997, and none has been recoverable. Free-product recovery, institutional controls, and monitored natural attenuation selected under SAERA in OU A ROD.	2
SA 79	5-2; No. 52	SA 79, Main Road Pipeline (a.k.a. Main Road Pipeline, North End [MRP-MW15] and South End)	CERCLA/SAERA	P	Petroleum in soil. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
SA 80	5-2; No. 53	SA 80, Steam Plant 4 USTs (a.k.a. Steam Plant No. 4)	CERCLA/SAERA	P	UST 27090 removed in 1993. Free-product recovery has been determined to be no longer necessary. Institutional controls selected under SAERA in OU A ROD.	2
SA 81	5-2; No. 12	SA 81, NSGA Gun Turret Hill USTs (a.k.a. Gun Turret Hill)	CERCLA/SAERA	P	USTs removed in 1993. NOFA selected under SAERA in OU A ROD.	2
SA 82	5-2; No. 54	SA 82, NSGA P80, P81 USTs (a.k.a. P-80/P-81 Buildings)	CERCLA/SAERA	P	USTs removed. Free-product recovery has been determined to be no longer necessary. Institutional controls, and monitored natural attenuation selected under SAERA in OU A ROD.	2

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name	Regulatory Process	Type of Contaminant	Current Status	Environ. Condition Class
SA 84	5-2; No. 13	SA 84, Sand Shed	CERCLA/ SAERA	P	Building demolished and removed. NOFA selected under SAERA in OU A ROD.	2
SA 85	5-2; No. 14	SA 85, New Baler Building	CERCLA/ SAERA	P	Petroleum in soil and groundwater. NOFA selected under SAERA in OU A ROD.	2
SA 86	5-2; No. 55	SA 86, Old Happy Valley Child Care Center	CERCLA/ SAERA	P	AST was on site. NOFA selected under SAERA in OU A ROD.	2
SA 87	5-2; No. 56	SA 87, Old Zeto Point Wizard Station USTs	CERCLA/ SAERA	P	USTs 10517-A, 10588, 10592, 10518-A, and 10582 removed in 1993 and 1994. NOFA selected under SAERA in OU A ROD.	2
SA 88	5-2; No. 57	SA 88, NSGA P70 Energy Generator UST (a.k.a. P-70 Energy Generator)	CERCLA/ SAERA	P	UST 10578 removed in 1993. Petroleum in soils. Free-product recovery and institutional controls selected under SAERA in OU A ROD. Free-product recovery has been determined to be no longer necessary.	2
SA 89	5-2; No. 58	SA 89, Tank Farm C	CERCLA/ SAERA	P	ASTs crushed in place in 1985. NOFA selected under SAERA in OU A ROD.	2
SA 96	5-2; No. 15	SA 96, NORPAC Hill Debris Site	CERCLA/ SAERA	P	Debris contaminated with diesel-range organics and transformers removed in 1994. NOFA selected under SAERA in OU A ROD.	2
SA 97	5-2; No. 59	SA 97, Generator Debris Site	CERCLA/ SAERA	P	Debris removed in 1994. Petroleum in soils. NOFA selected under SAERA in OU A ROD.	2
PARCEL 1A, ADAK EXCHANGE LANDS LOCATED IN OUB-1 - PETROLEUM SITES						
See Site Name	5-2; No. 21	Administration Building UST 30004-A	SAERA	P	JP-5 UST removed in 1995. AST removed. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 71	Amulet Housing, Well AMW-706 Area	SAERA	P	Petroleum contamination, source unknown. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 72	Amulet Housing, Well AMW-709 Area	SAERA	P	Petroleum contamination, source unknown. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 73	Antenna Field, USTs ANT-1 through ANT-4	SAERA	P	JP-5 USTs removed in 1993. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site	5-2; No. 22	Armory UST 10311-A	SAERA	P	JP-5 UST removed in 1994. AST in place. NOFA	2

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name ^a	Regulatory Process ^b	Type of Contaminant ^c	Current Status	Environ. Condition Class ^d
Name					selected under SAERA in OU A ROD.	
See Site Name	5-2; No. 23	Artillery Battalion, USTs ART-1 and ART-2	SAERA	P	Abandoned tanks removed in 1993. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 74	ASR-8 Facility, UST 42007-B	SAERA	P	JP-5 UST removed in 1995. AST removed. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 75	Bering Chapel, UST 42090-A	SAERA	P	JP-5 UST removed in 1995. AST in place. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 76	Boy Scout Camp, West Haven Lake, UST BS-1	SAERA	P	JP-5 UST removed in 1993. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 7	Boy Scout Camp, South Haven Lake, UST BS-2	SAERA	P	JP-5 UST removed in 1993. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 24	CDAA Complex USTs 10580 and 10654	SAERA	P	JP-5 UST removed in 1994. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 25	Clam Road Truck Fill Stand	SAERA	P	Spills or piping leaks. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 26	Cold Storage Facility AST T-1440	SAERA	P	Oils and fuels stored on site. JP-5 AST removed in 1994. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 77	Contractor's Camp Burn Pad	SAERA	P	Investigated under SAERA but not on official SAERA site list. Source reduction selected under SAERA in OU A ROD.	2
See Site Name	5-1; No. 27	Contractor's Pad (formerly known as Navy Pad) T-1706	SAERA	P	Tank removed in 1996. No free product encountered on site. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 28	Drum Disposal Area at Tank Farm D	SAERA	P	Abandoned drums. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 29	Elementary School UST 42017-A	SAERA	P	JP-5 UST removed in 1995. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 78	Finger Bay Quonset Hut UST FBQH-1	SAERA	P	UST removed in 1997. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name ^a	Regulatory Process ^b	Type of Contaminant	Current Status	Environ. Condition Class ^c
See Site Name	5-2; No. 79	Former Power Plant, Building T-1451	SAERA	P	Three ASTs removed on an unknown date. Abandoned pipelines also present at site. Aesthetic remedy completed in 1998. Soil cover with monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 80	GCI Compound, UST GCI-1	SAERA	P	UST removed in 1995. Free-product recovery and institutional controls selected under SAERA in OU A ROD. No free product observed since October 1997.	2
See Site Name	5-2; No. 81	Girl Scout Camp, UST GS-1	SAERA	P	JP-5 UST removed in 1993. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 82	Housing Area (Arctic Acres)	SAERA	P	No free product observed since October 1996. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 8	Housing Outfall Area (Sandy Cove)	SAERA	P	Outfall of petroleum contamination from Sandy Cove Housing. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 83	Kuluk Housing HST-6C	SAERA	P	Used-oil UST removed in 1995. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 84	Kuluk Recreation Center UST 30034	SAERA	P	JP-5 UST removed in 1994. AST in place. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 30	Line Crew Building UST 2776	SAERA	P	Three USTs removed in 1996. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 128	Loran Station USTs V149A, V149B, V149C	SAERA	P	USTs (including UST LS) have been removed. Petroleum in soils; debris from buildings on north and west slope. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 85	MAUW Compound UST 24000-A	SAERA	P	JP-5 UST removed in 1994. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 31	MAUW Compound UST 24032-B	SAERA	P	JP-5 UST removed in 1994. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 9	McDonalds Restaurant UST 42065-A	SAERA	P	Investigated under SAERA. NOFA selected under SAERA in OU A ROD.	2
See Site	5-2; No. 86	Medical Center UST 27088	SAERA	P	JP-5 UST removed in 1995. AST removed. NOFA	2

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name ^a	Regulatory Process ^b	Type of Contaminant	Current Status	Environ. Condition Class ^c
Name					selected under SAERA in OU A ROD.	
See Site Name	5-2; No. 89	Mt. Moffett Power Plant 5 USTs 10574, 10575, 10576, 10577	SAERA	P	JP-5 USTs removed in 1994. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 87	Mt. Moffett Power Plant 5 Used Oil AST	SAERA	P	Used-oil AST removed in 1994. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 88	Mt. Moffett Power Plant 5 Used Oil Pit	SAERA	P	Used-oil pit removed in 1994. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 90	Mt. Moffett Tower Mogas AST and Used Oil AST	SAERA	P	Used ASTs removed in 1996. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 91	NAVFAC Compound USTs 20052 and 20053	SAERA	P	JP-5 USTs removed in 1994. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 32	Navy Exchange Building UST 30026	SAERA	P	JP-5 UST removed in 1995. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 92	Navy Exchange Building UST 30027-A	SAERA	P	Used-oil UST removed in 1993. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 33	Navy Exchange Building, UST 30033	SAERA	P	Tank removed in 1997. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 93	New Roberts Housing UST HST-7C	SAERA	P	Used-oil UST removed in 1995. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 34	New Transportation Building O/W 10644	SAERA	P	Oil/water separator removed in 1994. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 35	New Transportation Building, UST 10590	SAERA	P	Used-oil UST removed in 1995. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 36	New Transportation Building, UST 10591	SAERA	P	Used-oil UST removed in 1995. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; Nos. 94/95	NMCB Building Area, UST T-1416-A	SAERA	P	UST removed. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	3
See Site	5-2; Nos.	NMCB Building Area, T-	SAERA	P	Free-product recovery in progress. Monitored natural	2

Site Designation	Figure Reference (In Final EBS-U.S. Navy 2001a)	Site Name	Regulatory Process	Type of Contaminant	Current Status	Environ. Condition Class
Name	94/95	1416 Expanded Area			attenuation and institutional controls also selected under SAERA in OU A ROD. The site is being further investigated and interim remedial measures are being evaluated.	
See Site Name	5-2; No. 96	NORPAC Hill Seep Area	SAERA	P	Petroleum contamination; source unknown. Free-product recovery in progress. Product recovery, monitored natural attenuation, and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 10	NSGA Filling Station, Mogas and JP-5 ASTs	SAERA	P	ASTs removed. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 97	Officer Hill and Amulet Housing, UST 31047-A	SAERA	P	JP-5 UST removed in 1995. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 98	Officer Hill and Amulet Housing, UST 31049-A	SAERA	P	JP-5 UST removed in 1995. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 99	Officer Hill and Amulet Housing, UST 31050-A	SAERA	P	JP-5 UST removed in 1995. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 100	Officer Hill and Amulet Housing, UST 31051-A	SAERA	P	JP-5 UST removed in 1995. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 101	Officer Hill and Amulet Housing, UST 31052-A	SAERA	P	JP-5 UST removed in 1995. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 102	Officer Hill and Amulet Housing, UST 31053-A	SAERA	P	JP-5 UST removed in 1995. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 103	Old Fuel Truck Shop UST 10520-A	SAERA	P	Used-oil UST removed in 1993. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 37	Old Fuel Truck Shop UST 10520-B	SAERA	P	JP-5 UST removed in 1993. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; no. 127	Pantograph Pad	SAERA	P	NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 104	Pumphouse 5 Area	SAERA	P	Piping or valve leaks. NOFA selected under SAERA in OU A ROD.	2

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name	Regulatory Process	Type of Contaminant	Current Status	Environ. Condition Class
See Site Name	5-2; No. 105	Quarters A UST 42200	SAERA	P	JP-5 UST removed in 1996. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 38	ROICC Contractor's Area UST ROICC-5	SAERA	P	JP-5 UST removed in 1995. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 39	ROICC Contractor's Area UST ROICC-6	SAERA	P	JP-5 UST removed in 1995. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 106	ROICC Contractor's Area UST ROICC-7	SAERA	P	JP-5 UST removed in 1995. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 107	ROICC Contractor's Area UST ROICC-8	SAERA	P	JP-5 UST removed in 1995. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 40	ROICC Warehouse UST ROICC-1	SAERA	P	JP-5 UST removed in 1995. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 108	ROICC Warehouse UST ROICC-2	SAERA	P	JP-5 UST removed in 1995. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 109	ROICC Warehouse UST ROICC-3	SAERA	P	JP-5 UST removed in 1995. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 41	ROICC Warehouse UST ROICC-4	SAERA	P	JP-5 UST removed in 1995. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 110	Runway 5-23 Avgas Valve Pit	SAERA	P	Petroleum contamination from pit. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 111	Sewage Lift Station 10 UST 42483-A	SAERA	P	JP-5 UST removed in 1995. AST in place. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 42	Sewage Lift Station 11 UST 42484-A	SAERA	P	JP-5 UST removed in 1995. AST in place. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 112	Shack O-52, UST O-52	SAERA	P	JP-5 UST removed in 1994. NOFA selected under SAERA in OU A ROD.	2
See Site	5-2; No. 43	Shack O-69, UST-B	SAERA	P	Diesel UST removed in 1994. NOFA selected under	2

Site Designation	Figure Reference (In Final EBS-U.S. Navy 2001a)	Site Name ^a	Regulatory Process ^b	Type of Contaminant	Current Status	Environ. Condition Class ^c
Name					SAERA in OU A ROD.	
See Site Name	5-2; No. 113	South Avgas Pipeline at North Sweeper Creek	SAERA	P	Pipeline leaks. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 114	South of Runway 18-36 Area	SAERA	P	Free-product recovery has been determined to be no longer necessary. Institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 118	Tank Farm B to Tank Farm C Pipeline, Area A	SAERA	P	Pipeline leaks. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 119	Tank Farm B to Tank Farm C Pipeline, Area B	SAERA	P	Pipeline leaks. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 120	Tank Farm B to Tank Farm C Pipeline, Area C	SAERA	P	Pipeline leaks. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 121	Tank Farm B to Tank Farm C Pipeline, Area D	SAERA	P	Pipeline leaks. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 44	Tank Farm B to Tank Farm C Pipeline, Area E (Truck Fill Stand)	SAERA	P	Pipeline leaks. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 45	Tank Farm B to Tank Farm C Pipeline, Area F	SAERA	P	Pipeline leaks. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 122	Tank Farm B to Tank Farm C Pipeline, Area G	SAERA	P	Pipeline leaks. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 46	Tank Farm C to NSGA Pipeline, Area A	SAERA	P	Pipeline leaks. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 123	Tank Farm C to NSGA Pipeline, Area B	SAERA	P	Pipeline leaks. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 47	Tank Farm C to NSGA Pipeline, Area C	SAERA	P	Pipeline leaks. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 48	Tank Farm C to NSGA Pipeline, Area D	SAERA	P	Pipeline leaks. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 11	Tank Farm C to NSGA Pipeline, Area E (Truck Fill Stand)	SAERA	P	Dispenser leaks. NOFA selected under SAERA in OU A ROD.	2
See Site	5-2; No. 115	Tanker Shed UST 42494	SAERA	P	JP-5 UST removed in 1995. Free-product recovery and	2

Site Designation	Figure Reference (In Final EBS-U.S. Navy 2001a)	Site Name	Regulatory Process	Type of Contaminant	Current Status	Environ. Condition Class
Name					institutional controls selected under SAERA in OU A ROD.	
See Site Name	5-2; No. 116	Telephone Exchange Building UST 10324-A	SAERA	P	JP-5 UST removed in 1994. AST in place. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 117	Telephone Substation UST T-100-B	SAERA	P	UST removed in 1993. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; No. 124	USGS (NOAA) Building USTs NOAA-A, -C, and -D	SAERA	P	USTs NOAA-A and NOAA-C removed in 1993. UST NOAA-D never located. NOFA selected under SAERA in OU A ROD.	2
See Site Name	5-2; Nos. 125/ 126	Yakutat Hangar UST T-2039-A	SAERA	P	Used-oil UST removed in 1993. Free-product recovery has been determined to be no longer necessary. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
See Site Name	5-2; Nos. 125/ 126	Yakutat Hangar USTs T-2039-B, -C	SAERA	P	JP-5 USTs removed in 1995. Aesthetic remedy completed in 1998. Monitored natural attenuation and institutional controls selected under SAERA in OU A ROD.	2
PARCEL 1A, ADAK EXCHANGE LANDS LOCATED WITHIN OU B-1 – TAPs AND OTHER ENVIRONMENTAL SITES						
E01	5-3	Administration, Bldg. 30004	BRAC	m, s, p, ms	Former print shop TAP. Lead-contaminated wastes, batteries and acid, solvent, paints, oil, and grease formerly stored or used on site.	1
E02	5-3	AIMD Hangar, Bldg. 10209	BRAC	s, p	TAP for GSE and AIMD. Various oils and solvents stored or used in building.	1
E03	5-3	Air Traffic Control Tower, Bldg. 10206 Photo Shop	BRAC	Ms	Former TAP location was darkroom. When surveyed in October 1988, no fixing or developing chemicals present.	1
E05	5-3	Armory, Bldg. 42455	BRAC	Ms	Spent ammunition cartridges, gun cleaning debris, POL, miscellaneous paint, and cleaning supplies inside the building when visited in June 1998.	1
E06	5-3	Armory, Bldg. 42457	BRAC	Ms	Storage of rifle bore cleaner (nitrobenzene-based).	1
E07	5-3	ASWOC, Bldg. 30028	BRAC	Ms	Facility used for aviation support. Electrical equipment, fluorescent light fixtures, transformers, and fire extinguishers used or stored at site.	1
E08	5-3	Auto Salvage Yard south of Old Roberts Housing	BRAC	p, ms	Used oil, fuels, and batteries and acid removed from vehicles that are stored on site.	1

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name ^a	Regulatory Process ^b	Type of Contaminant	Current Status	Environ. Condition Class ^c
E09	5-3	Barracks/Security UST 10344	BRAC	P	JP-5 UST removed in 1995.	2
E10	5-3	Bayshore Highway, UST C	BRAC	Ms	Unknown UST removed in 1994.	2
E11	5-3	Bering Galley, Bldg. 10281	BRAC	p, ms	Former mess hall; former heat shop TAP. Used oil and antifreeze stored or used on site.	1
E12	5-3	Birchwood Bachelor Enlisted Quarters, Bldg. 27050	BRAC	M	Mercury switches in each room.	1
E13	5-3	Blue Shed, Bldg. T-1446	BRAC	Ms	When visited in June 1988, north central part of Blue Shed used to store chemical products. The north area used to store gas cylinders, various chemical products, and building materials. South area was used to store refrigerators, firefighting materials. Part of the facility now houses the Adak Seafood Processing Plant.	1
E14	5-3	Boiler Shed V-71	BRAC	P	Oils and fuels stored or used on site.	1
E15	5-3	CDAA UST 10594	BRAC	P	JP-5 UST removed in 1994.	2
E16	5-3	Child Care, Bldg. 42064	BRAC	Ms	Fluorescent light fixtures, smoke detectors were noted during February 1997 site visit.	1
E17	5-3	Classified Materials Incinerator Bldg. 30031	BRAC	s, p, ms	Oils, fuels, inorganics, VOCs, and SVOCs stored or used on site. Building used for equipment storage. Two ASTs on site in February 1997; they are inactive.	1
E18	5-3	Contractor's Camp, Pad 12	BRAC	Ms	Former TAP site used by environmental restoration contractors consists of concrete pad, a small shed, and AST. Status of tank undocumented.	1
E19	5-3	CPO Club, Bldg. 35001	BRAC	Ms	Former dining hall; a 5,000-gallon AST on site, presumed empty in February 1997 survey.	1
E20	5-3	Explosive Ordnance Disposal, Bldg. 10272	BRAC	Ms	Former TAP located northwest of the building collected used oil and investigation-derived wastes. Inactive 500-gallon AST 10272-A present on site but status unknown.	1
E21	5-3	Fire and Crash Facility Bldg. 10202	BRAC	P	Oils and fuels formerly stored on site.	1
E22	5-3	Fire Station, Bldg. 10466	BRAC	P	Oils and fuels stored on site.	1
E23	5-3	Fleet Hospital Warehouse, Bldg. 42518	BRAC	Ms	Storage area for non-PCB transformers.	1
E25	5-3	Fuels Facility USTs 10252	BRAC	P	Abandoned tank 10253-A removed in 1993. Used-oil	1

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name ^a	Regulatory Process ^b	Type of Contaminant	Current Status	Environ. Condition Class ^c
		and 10253-A			UST 10252 removed in 1994. Facility is still in use.	
E24	5-3	Fuel Pier 10	BRAC	Ms	Pier is still in use.	1
E26	5-3	GCI Small Engine Repair, Bldg. 42352	BRAC	Ms	Former small engine repair TAP. Facility was clean and empty during October 1998 visit.	1
E27	5-3	Ground Electronics Maintenance Garage, Bldg. T-1451	BRAC	s, p, ms	Former TAP. Solvents, Freon, oils, and batteries and acid formerly stored on site.	1
E28	5-3	Ground Support Equipment Warehouse, Bldg. 27044	BRAC	Ms	Three or four former TAPs: north wall outside, northeast corner inside, west wall inside (never identified), and paint shed.	1
--	5-3	Hazardous Materials Storage, Bldgs. 10655 and 10656	BRAC	p, s, ms	Oils, fuels, solvents, and inorganics formerly stored at NSGA. Buildings could not be located.	1
E29	5-3	Hazardous Waste Accumulation Facility	BRAC	Ms	RCRA Subtitle C 270-day waste accumulation area (formerly known as the "less-than-90-day accumulation area").	1
E30	5-3	Laundry/Dry Cleaners, Bldg. 10203	BRAC	Ms	Former TAP. PCE (perchloroethene) formerly stored and used on site. Building has been closed.	1
E31	5-3	Line Crew, Bldg. 2776	BRAC	p, ms	Current TAP; used oil, batteries and acid, and creosote formerly or currently used or stored on site.	1
E32	5-3	Maintenance Building 10253	BRAC	s, p	Solvents and oils formerly stored or used on site. Building has been closed.	1
E33	5-3	Medical Clinic, Bldg. 27049	BRAC	m, ms	Former TAP in x-ray room, darkroom, and/or Room D-34. Wastes would have included amalgam, mercury, and silver compounds, lead backing for x-ray film, x-ray developer, fixer solutions, hydrochloric acid, and biological wastes.	1
E34	5-3	Mt. Moffett Buildings	BRAC	P	Oils, fuels, and batteries stored or used on site. Site closed.	1
E35	5-3	Museum UST 42108	BRAC	Ms	UST removed in 1995.	2
E37	5-3	Navy Exchange (NEX) Commissary and Garage, Bldg. 30027	BRAC	p, ms	Former TAP in northeast corner of garage. Fuels, oils, batteries and acids, and antifreeze used or stored on site.	1
E36	5-3	NAVFAC, Bldg. 10501	BRAC	s, ms, p	Lube oils, ethyl alcohol, paint thinner, Freon, chlorinated	1

Site Designation	Figure Reference (In Final EBS-U.S. Navy 2001a)	Site Name	Regulatory Process	Type of Contaminant	Current Status	Environ. Condition Class*
					solvents, and Stoddard solvent formerly stored or used on site. Site is closed.	
E38	5-3	New Baler, Bldg. 42602	BRAC	Ms	Solid nonhazardous waste compactor inactive. A 2,000-gallon AST is part of the baler unit. It was half full of petroleum fuel during the October 1998 site inspection and there was standing water in floor drains and the sump under the baler. Some 200 gallons of pine oil has been removed since the inspection.	1
E39	5-3	New Classic Wizard Station, Bldg. 10641	BRAC	Ms	Located in NSGA. UPS room had approximately 200 batteries; three 200-gallon ASTs on site, one for each of three diesel generators. NSGA facilities are closed.	1
E40	5-3	NMCB, Bldg. T-1416 (Heat Shop)	BRAC	Ms	Active TAP site is located inside Building T-1416. Inactive TAP within two steel boxes (or connexes) outside west wall of building.	1
E41	5-3	Officer Hill and Amulet Housing, UST 31044-A	BRAC	P	JP-5 UST removed in 1995. AST in place.	2
E42	5-3	Officer Hill and Amulet Housing, UST 31045-A	BRAC	P	JP-5 UST removed in 1995.	2
E43	5-3	Officer Hill and Amulet Housing, UST 31046-A	BRAC	P	JP-5 UST removed in 1995.	2
E44	5-3	Officer Hill and Amulet Housing, UST 31048-A	BRAC	P	JP-5 UST removed in 1995.	2
E45	5-3	Old Wizard Station, Bldg. 42007	BRAC	p and ms	One 100-gallon and one 1,100-gallon AST on site; also batteries, electrical equipment. Facility is closed.	1
E46	5-3	Paint/Oil Storage Bldg. 10254	BRAC	p, s, ms	Oils, paints, and solvents formerly stored on site. Building has been closed.	1
E47	5-3	Pat Kelly Air Terminal Bldg. 30003, UST 30003-A	BRAC	P	JP-5 UST removed in 1995. AST in place.	2
E48	5-3	Pesticide Storage, Bldg. 42088	BRAC	Ms	Pesticides formerly used and stored on site. Building closed.	1
E49	5-3	Port Operations, Bldg. 42077	BRAC	Ms	Port Operations building is still use by firefighters for materials storage.	1
E50	5-3	Power Plant 3, Bldg. 10284	BRAC	Ms	Current TAP located beside back door.	1

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name ^a	Regulatory Process ^b	Type of Contaminant	Current Status	Environ. Condition Class ^c
E51	5-3	Power Plant 3 Day Oil Vault T0284-A, -B, and -C	BRAC	P	Bunker C tanks removed in 1995.	2
E52	5-3	Public Works, Bldg. T-1470	BRAC	Ms	Former TAP sites in paint storage room and central tool room. Paint storage room currently in use.	1
E53	5-3	Public Works, Bldg. T-1474	BRAC	m, ms	When visited in June 1998, building was used to store asbestos removal supplies, insecticide sprayer, mercury inhibitor, asphaltic cement, expanding polyurethane foam, radioactive electron tubes, and personal protective equipment.	1
E54	5-3	Public Works Transportation Tire Shop, Bldg. 42354	BRAC	Ms	Former TAP. Used tires and used oil present during October 1998 site visit.	1
E55	5-3	Public Works Transportation Waste Storage, Bldg. 42081	BRAC	p, s, ms	Oils, fuels, solvents, and inorganics formerly stored on site. Building demolished. Only slab is left.	3
E56	5-3	Quality Assurance Fuels Lab, Bldg. 10255	BRAC	s, p	Solvents and fuels formerly stored on site. Facility is closed.	3
E57	5-3	Rawin Apartment, Bldg. 27080	BRAC	Ms	Housing; formerly used for weather forecasting. When surveyed in February 1997, compressed hydrogen gas and emergency lights with batteries were present.	1
E58	5-3	Red Shed, Bldg. T-1441	BRAC	Ms	Current TAP north side of building, exterior metal shed at door. When inspected in 1998, the Red Shed was in use for vehicle maintenance.	1
E04	5-3	Sandy Cove Housing 134	BRAC	P	Petroleum vapors have been reported in housing unit. Soil under crawl space was removed and replaced with clean fill in 1989.	3
E70	5-3	Sandy Cove Housing 167	BRAC	P	Petroleum vapors have been reported in housing unit. Soil under crawl space was removed and replaced with clean fill in 1989.	3
E59	5-3	Security/Veterinarian, Bldg. 42063	BRAC	Ms	Fluorescent light fixtures, electrical equipment.	1
E60	5-3	Sewage Lift Station 4 UST 40326-A	BRAC	P	JP-5 UST removed in 1995.	2

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name ^a	Regulatory Process ^b	Type of Contaminant	Current Status	Environ. Condition Class ^c
E61	5-3	Sewage Lift Station 7 UST 42479-A	BRAC	P	JP-5 UST removed in 1995. AST in place.	2
E62	5-3	Sewage Lift Station 12 UST 42486-A	BRAC	P	JP-5 UST removed in 1995. AST in place.	2
E63	5-3	Sewage Lift Station 13 UST 42488-A	BRAC	P	JP-5 UST removed in 1995. AST in place.	2
E64	5-3	Sewage Treatment Works, Bldg. 30046	BRAC	p, ms	Oils, fuels, inorganics, VOCs, and SVOCs formerly stored on site. Building has been closed.	1
E65	5-3	Steam Plant 4, Bldg. 10328	BRAC	Ms	When visited in June 1998, two 550-lb sodium hydroxide vessels (apparently empty) and various pumps, washers, tanks, boilers, and machinery present.	1
E66	5-3	Supply Pier 5 42014	BRAC	P	Fuels stored on site.	1
E67	5-3	Tanker Shed, Bldg. 42494	BRAC	p, ms	Former TAP. When visited in 1998, POL present; also miscellaneous paints, propylene glycol, welding equipment, compressors, vehicle parts, and cylinders of compressed gases. AST ESC-153 and 1,100-gallon JP-5 AST were also present.	1
E68	5-3	Telephone Exchange UST T-100-A	BRAC	P	JP-5 UST removed.	2
E69	5-3	Truck Refueler Station, Bldg. 10257	BRAC	P	Fuels stored on site.	1
E71	5-3	Vehicle Wash Rack UST 30032-A	BRAC	P	JP-5 UST removed in 1995.	2
E72	5-3	Vehicle Wash Shed, Bldg. 30032	BRAC	ms and p	Oils and fuels stored on site.	3
E73	5-3	VP Hangar, Bldg. 30000	BRAC	Ms	Former less-than-90-day accumulation area under RCRA. Former TAP used as an aerosol can puncture station. When inspected in 1998, the hangar stored Smart Ash burners (used for incinerating oiled materials such as booms and rags) and large appliances, compressors, and electrical generators or transformers.	1
E74	5-3	VP Hangar, UST 30000-A	BRAC	P	Diesel UST removed in 1994.	2
E75	5-3	White Alice AF601-A, -B	BRAC	P	JP-5 USTs removed in 1994.	2

Site Designation	Figure Reference (in Final EBS-U.S. Navy 2001a)	Site Name ^a	Regulatory Process ^b	Type of Contaminant	Current Status	Environ. Condition Class ^c
E76	5-3	White Shed, Bldg. T-1443	BRAC	Ms	Bay B was formerly used as a less-than-90-day accumulation area under RCRA. In October 1998, it contained building materials, propane tanks and cylinders, supplies, car parts, and large appliances.	I
E77	5-3	Yakutat Auto Hobby Shop T-2039	BRAC	Ms	The back (east) bay was the former TAP location.	I

^aFirst name shown is name under CERCLA; name in parenthesis (a.k.a. ____) is name under SAERA, if it is different.

^bRegulatory process: CERCLA/SAERA indicates the site was originally named under the CERCLA process but was later also investigated under SAERA. For some sites the OU A ROD provides a remedy under both SAERA and CERCLA.

^cEnvironmental condition classifications (DoD 1996a):

^dThe following abbreviations are used to indicate the type of hazardous substance present, or formerly present, on a particular site:

o = OE/UXO

c = OE/UXO chemicals

p = petroleum

m = metals

ms = miscellaneous (see current status of site)

s = solvents

^eThese areas are contained within two or more land exchange parcels. In the case of range safety fans, the areas pass over multiple exchange parcels.

^fNS = Not Shown; range safety fan overlapping multiple parcels and/or AOCs or a small caliber gun grouped with others at multiple locations.

^g These sites will be addressed in an addendum to the Parcel 1A FOST

ADEC - Alaska Department of Environmental Conservation

AIMD - Aircraft Intermediate Maintenance Detachment

AST - aboveground storage tank

avgas - aviation gasoline

BRAC - Base Realignment and Closure Act

CDAA - circular disposed antenna array

CFC - chlorofluorocarbon

CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act of 1980

CERFA - Community Environmental Response Facilitation Act

COPC - chemical of potential concern

DEC-SW - Department of Environmental Conservation solid waste management regulations

DRMO - Defense Reutilization Marketing Office

EOD - explosive ordnance disposal

FFA - Federal Facilities Agreement
FS - feasibility study
GCI - General Communications, Inc.
GSE - ground support equipment
JP-5 - jet petroleum No. 5
LEP - Land Exchange Parcel
MAUW - Modified Advanced Underwater Weapons
mogas - motor vehicle gasoline
NAF - Naval Air Facility
NAVFAC - Naval Facility
NOFA - no further action (required)
NMCB - Naval Mobile Construction Battalion
NOAA - National Oceanic and Atmospheric Administration
NORPAC - North Pacific
NSGA - Naval Security Group Activity
OE - ordnance and explosives
OU - operable unit
PAH - polyaromatic hydrocarbon
PCB - polychlorinated biphenyl
PCE - perchlorethene
POL - petroleum oil and lubricants
QA - quality assurance
RCRA - Resource Conservation and Recovery Act
RI - remedial investigation
ROD - Record of Decision
ROICC - Resident Officer in Charge of Construction
SA - source area
SAERA - State-Adak Environmental Restoration Agreement
SVOC - semivolatile organic compound
SWMU - solid waste management unit
TAP - temporary accumulation point
USGS - U.S. Geological Survey
UST - underground storage tank
UXO - unexploded ordnance
VOC - volatile organic compound
VP - fixed wing patrol squadron

EXHIBIT 4
EPA CONCURRENCE WITH OPS DETERMINATION

Final (10 May 2002)



DEPARTMENT OF THE NAVY
ENGINEERING FIELD ACTIVITY, NORTHWEST
NAVAL FACILITIES ENGINEERING COMMAND
19917 7TH AVENUE N.E.
POULSBRO, WASHINGTON 98370-7570

5090-ADAK
Ser 05ER.2MM/0720
January 15, 2002

Mr. Kevin Oates
US Environmental Protection
222 West 7th Street
Mail Stop 19
Anchorage, AK 99513

Dear Mr. Oates:

**SUBJECT: CERCLA OPERATING PROPERLY AND SUCCESSFUL
DETERMINATION**

The purpose of this letter is to confirm our discussions regarding EPA (Interim) Guidance for Evaluation of Federal Agency Demonstrations that Remedial Actions are Operating Properly and Successfully (OPS) under CERCLA Section 120 (h)(3) August 1996, and the application of this guidance to completion of the Finding of Suitability to Transfer real estate on the military reservation at Adak Island, Alaska.

In summary, based on previous discussions, the Navy and EPA are in agreement that no OPS demonstration is required for OU-A and OU-B1 on Adak because the Navy is in a position to provide the CERCLA 120 (h)(3) covenant that all necessary remedial actions have been taken. Documentation that remedies in place have achieved remedial action objectives is provided by the recently approved Five Year Review for the CERCLA site at Adak Island.

The Navy will prepare the *Finding of Suitability to Transfer for Parcel 1A* to reflect the above application of EPA's guidance relevant to demonstration of OPS. Should you have any further questions regarding this matter please contact me at (360) 396-0070.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark S. Murphy".

MARK S. MURPHY
Remedial Project Manager
By direction of the
Commanding Officer

Copy to: Elim Yoon, Alaska Dept. of Environmental Conservation

EXHIBIT 5
PUBLIC NOTICE OF DRAFT FOST

Public Notice
Draft Finding of Suitability To Transfer (FOST) for Parcel 1A
Adak Naval Complex

The Navy invites you to participate in a public comment period concerning the Intent to Sign the Finding of Suitability To Transfer (FOST) for Parcel 1A within the Adak Naval Complex. This FOST describes the proposed transfer of real property from the Navy to the Department of Interior for conveyance to The Aleut Corporation (TAC).

Public Comment Period
Tuesday, March 5, 2002 through Wednesday, April 3, 2002

AVAILABILITY TO THE PUBLIC

This FOST, and other significant documents concerning the closure and transfer of real property within the former military base on Adak Island, are available to the public at the following locations:

Bob Reeve High School
Adak Island, AK
Contact: Mark Burnham
Phone: 907-592-8170

The Library Reserve Room
University of Alaska, Anchorage
3211 Providence Drive
Anchorage, Alaska 99508
Contact: Librarian, Reserve Room
Phone: (907) 786-1871

Engineering Field Activity NW
Naval Facility Engineering Command
19917 - 7th Avenue NE
Poulsbo, WA 98370-7570
Contact: Mark Murphy
Phone: 360-396-0070

The deadline for submitting comments concerning the FOST is April 3, 2002. Send comments to: **Mark Murphy, PE, Engineering Field Activity Northwest, 19917-7th Avenue NE, Poulsbo, Washington 98370-7570, Fax: (360) 396-0857**. Electronic comments can be delivered to: murphym@efanw.navfac.navy.mil.

Public input will be considered prior to signature of the FOST. The BRAC Cleanup Team (BCT) comprising the Navy, EPA, and ADEC will review and address all comments received within the 30-day comment period.

Final (10 May 2002)

EXHIBIT 6
LIST OF COMMENTERS TO DRAFT FOST

1. The Aleut Corporation
2. U.S. Fish and Wildlife Service
3. Alaska Department of Environmental Conservation
4. U. S. Environmental Protection Agency Region 10

Final (10 May 2002)

EXHIBIT 7
RESPONSIVENESS SUMMARY

CTO		0002 Adak	Document Title DRAFT FINAL FOST FOR PARCEL 1A			
Date:		April 18, 2002	Review Organization	TAC	Reviewer	Dave Jensen
NO.	SECTION OF PAGE	LINE OF PARA.	REVIEWER'S COMMENT	RESPONSE TO COMMENT		
1	6.1.5		We object to the requirements set forth in section 6.1.5 relating to Fishing Advisory and Ordnance Hazard Signs... The Aleut Corporation would vigorously object to any effort to place such signs upon property that is subject to transfer... Absent compelling public safety or a Federal or State legal requirement, this advisory is simply not needed. We request that this FOST requirement be deleted or evidence of a compelling nature or legal requirement be cited.	The fishing advisory signs are already in place on Adak, consistent with the institutional controls set forth in the Final ICMP and with the OU A ROD.		
2	6.1.6		The Aleut Corporation agrees with an ordnance awareness program as set forth in section 6.1.6, however The Aleut Corporation requests deletion of "Blue Card" training which implies something other than an awareness program and it suggests an onerous requirement.	The Blue Card briefing is the Adak Ordnance Awareness Program that has been in place for several years. However, the specific wording "Blue Card" briefing will be deleted from the section.		

CTO: 0002 Adak		Document Title DRAFT FINAL FOST FOR PARCEL 1A		
Date: April 12, 2002		Review Organization USFWS		Reviewer Jordan Stout
NO.	SECTION OF PAGE	LINE OF PARA.	REVIEWER'S COMMENT	RESPONSE TO COMMENT
1		Page 4 line 112	Although the Parcel 1A descriptions may all be accurate, they are confusing. Here Parcel 1A is defined as comprising 31,590 acres in Operable Unit (OU) B-1 whereas on page 8 it is described as being encompassed by OU A and yet also containing OU B-1 sites, excepting two. Please clarify.	Both descriptions are correct. Parcel 1A includes both chemical (OU A) and ordnance-contaminated (OU B) sites.
2		Page 8 line 205	This sentence suggests that all 155 OU B-1 sites are within Parcel 1A and that 153 of them have been completed and are now suitable to transfer. Such an implication appears to be inconsistent with the Draft Final After Action Report (March 21, 2002), which lists 11 incomplete OU B-1 sites. Please clarify.	The 11 incomplete sites referred to in the Final AAR include those in Parcel 1A and Parcel 1B
3		Page 3, lin 397	This paragraph discusses 20 sites found in 1999, which is inconsistent with page 22 (line 641) discussing 21 sites. This paragraph is also inconsistent with USFWS 2000, which documented only 18 previously unknown sites. Furthermore, USFWS 2000 is not listed in the References section (see below).	The number of sites will be revised to comport with the recent USFWS reference.
4		Page 5, lin 468	Remove the extra period.	The extra punctuation mark will be removed.
5		Page 8, lin 928	Add "USFWS. 2000. Lutrell, M. and D. Corbett. Archeological Investigations on Northeast Adak Island, Alaska – July 1999."	The USFWS citation will be added to the references section.

CTO: 0002 Adak		Document Title DRAFT FINAL FOST FOR PARCEL 1A		
Date: April 11, 2002		Review Organization ADEC		Reviewer Elim Yoon
NO.	SECTION OF PAGE	LINE OF PARA.	REVIEWER'S COMMENT	RESPONSE TO COMMENT
1	Exhibit A to the Equitable servitude		The State and the Navy's counsel are conferring on the structure of the Federal Equitable Servitude (ES) and the form of the legal descriptions in Exhibit A to the ES. The sample of the ES that is attached to the FOST should reflect the outcome of those discussions.	Comment noted.
2	General		The text of the FOST should note that the State of Alaska is to receive an ES at closing that will give it inspection and enforcement rights regarding the institutional controls parallel to those being retained by the United States. Suggested text: "As a condition of concurring in this transfer, the State of Alaska has required that the Aleut Corporation agree to convey to the State at closing an equitable servitude that will give the state inspection and enforcement rights regarding the institutional controls parallel to those being retained by the United States."	The United States has no authority to grant the State of Alaska an equitable servitude in the property. The Navy would be willing to participate in discussions between the State and TAC regarding an equitable servitude to the State.
3	p. 4	118	Parcel 1B comprises approximately 15,560 acres of Adak Exchange Lands in OU B-2, not OU B-1.	Parcel 1B <i>does</i> include OU B-1 sites; see section 13 of the OU B-1 ROD.
4	5.0, p.8		Please verify site accounting with the OU B-1 Record of Decision (ROD). The ROD states there are 131 OU B-1 sites, not 155, and 61 OU B2 sites, not 37.	The ordnance site accounting reflects transfers of original B-2 sites to B-1 sites, as described in Section 13 of the Final ROD.

CTO: 0002 Adak		Document Title DRAFT FINAL FOST FOR PARCEL 1A		
Date: April 15, 2002		Review Organization EPA Region 10		Reviewer Kevin Oates
No.	SECTION OF PAGE	LINE OF PARA.	REVIEWER'S COMMENT	RESPONSE TO COMMENT
1	General		<p>The FOST is brief as to specifics of how it has complied with the various environmental laws and other regulatory requirements. This approach is acceptable as long as there is a complete and comprehensive record supporting the statements contained in the FOST and all documents are referenced in Section 10. As we discussed, EPA has recently received the Navy's responses to comments on the Draft Environmental Baseline Survey (EBS) Version 4, March 7, 2002. Since the FOST reference information contained in the EBS, it would be beneficial to have a final comment resolution discussion on the EBS to ensure the agencies comments and recommendations are adequately addressed in the revised document.</p>	Comment noted.

CTO: 0002 Adak		Document Title DRAFT FINAL FOST FOR PARCEL 1A		
Date: April 15, 2002		Review Organization EPA Region 10		Reviewer Kevin Oates
No.	SECTION OF PAGE	LINE OF PARA.	REVIEWER'S COMMENT	RESPONSE TO COMMENT
2		Pages 3, 23, and 24	The text here concerning section 9 discusses the CERCLA 120(h) covenants that " <i>all remedial actions necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before the date of the transfer</i> ". The text on Page 24, indicates that this is demonstrated in Sections 5 and 6, and attachment 4 of the FOST. EPA supports this with the exception of the remaining sites in Operable Unit B-1 that will be completed this summer. As noted in the FOST, the Navy intends to issue an addendum to the FOST when that work is completed. These activities need to be completed prior to transfer.	The Navy agrees with the EPA comment.
3		Page 4 line 112	The text states that Parcel 1A comprises approximately 31,560 acres of Adak Exchange Lands in OU-B1. The text should also indicate the status and acreage of OU-A lands.	OU A sites have been cleaned up and are included within Parcel 1A. Comment noted.

CTO: 0002 Adak		Document Title DRAFT FINAL FOST FOR PARCEL 1A		
Date: April 15, 2002		Review Organization EPA Region 10		Reviewer Kevin Oates
No.	SECTION OF PAGE	LINE OF PARA.	REVIEWER'S COMMENT	RESPONSE TO COMMENT
4		page 8 lines 212- 213	The text states that..."All remedial actions selected for OU-A have been completed." It would be more accurate to state that all remedial actions for OU-A that require a CERCLA 120(h)covenant have been completed. The petroleum sites that have selected remedies under OU-A that are now being addressed under the State-Adak Environmental Restoration Agreement between ADEC and the Navy have not been completed. However, as discussed by EPA, the Navy, ADEC and other members of the Adak Base Cleanup Team, the petroleum sites do not require a CERCLA 120(h) covenant due in accordance with federal guidance and the CERCLA petroleum exclusion.	The recommended text revision will be incorporated.
5	Section 5.1 and 6.22		The FOST indicates that the results of the LBP survey is still in progress. The LBP survey should be finalized and in the record for this FOST and referenced in Section 10. EPA previously provided copies of the model language for LBP.	Updated citations for the LBP survey will be included in the Final FOST. Model language concerning LBP will be incorporated into the Final FOST.
6	Section 5.1		Compliance with RCRA permitting/closures requirements should be addressed in this section and supporting references in Section 10 for the three areas on Adak Island that were discussed under RCRA.	The FOST will be updated with this information for SWMUs 13, 25, and SA 77.

CTO 0002 Adak		Document Title DRAFT FINAL FOST FOR PARCEL 1A		
Date: April 15, 2002		Review Organization EPA Region 10		Reviewer Kevin Oates
No.	SECTION OF PAGE	LINE OF PARA.	REVIEWER'S COMMENT	RESPONSE TO COMMENT
7	Table 5-	Page 11	The first row of this table on page 11 discusses the removal of DDESB recommended restrictions on the Clam Lagoon Minefield area. Please provide a copy of this determination to EPA. The most recent item in EPA's files on this matter include a DDESB recommendation for restriction to recreational use. The Adak Project Team discussed and supported the request to DDESB to revisit the issue and recommended that it not be restricted to recreational use. EPA has not seen documentation from DDESB or NOSSA that memorializes the change in status.	Comment noted and copy provided.
8	Table 5- (OU B-1 RI/FS)	Page 11	The table indicates that approval of the RI/FS lies with NOSSA and that the approval process is ongoing. While this is an internal Navy requirement, EPA views the approval of the RI/FS as a function of the federal facility agreement for Adak. EPA also considers final approval of the RI/FS documents to be effective with EPA concurrence on a ROD. Since EPA has signed the OU-B1 ROD, the agency considers the RI/FS to be approved.	Comment noted.

CTO: 0002 Adak		Document Title: DRAFT FINAL FOST FOR PARCEL 1A		
Date: April 15, 2002		Review Organization: EPA Region 10		Reviewer: Kevin Oates
No.	SECTION OF PAGE	LINE OF PARA.	REVIEWER'S COMMENT	RESPONSE TO COMMENT
9			<p>Follow on to Comment 6. EPA as the lead regulatory agency must provide assurances that all necessary actions have been completed and/or are operating properly and successfully (OPS). As noted in Exhibit 4, EPA and the Navy are in agreement that there are no sites on Adak that require an OPS determination. Therefore, that requirement does not apply. EPA also recently approved the Adak 5-Year Review Report which documents completion of remedial actions at OU-A sites. EPA has received and commented on the OU-B1 After Action Report (AAR) and recently received the draft final with comment responses and revisions. Like the EBS report, if the responses and revisions are found to be satisfactory, EPA will approve the AAR. It is of note that EPA's comments on the draft AAC were primarily directed at recommendations for editorial and formatting changes. EPA views the data, QA/QC, and results of the OU-B1 remedial actions as being of high quality and meeting the requirements of the OU-B1 ROD for all sites that have been completed. The Navy may want to consider paraphrasing the contents of this comment in Section 5 of the FOST.</p>	The text will be revised accordingly.
10	Table 5- (last two items)	Page 11	Is there a time frame for approval of these items? Are they critical to the Navy's ability to sign a FOST?	Approval has been obtained from NOSSA and reference citations provided.

CTO: 0002 Adak		Document Title DRAFT FINAL FOST FOR PARCEL 1A		
Date: April 15, 2002	Review Organization EPA Region 10		Reviewer Kevin Oates	
No.	SECTION OF PAGE	LINE OF PARA.	REVIEWER'S COMMENT	RESPONSE TO COMMENT
11	Section 5.4	Page 14	It appears that excavation restrictions should be added to list of actions taken.	The list will be updated to include excavation restrictions.
12	Section 5.1 and 6.2.7		Please provide reference to where proof of compliance with TSCA PCB disposal requirements can be found, e.g., manifests for disposal of PCB-containing transformers.	A reference to proof of compliance with TSCA will be included.
13		Page 14, lines 420-421	At this time the statement that all remedial actions for OU-A and OU-B1 have been completed is not accurate. There are actions for OU-B1 that still need to be completed. Please see Comment 7 above for alternate language.	The text will be revised accordingly.
14	6.1.1	Page 18	The approved equitable servitude must be attached to the FOST. In keeping with EPA guidance, EPA's Office of Regional Counsel requires confirmation from the State of Alaska Attorney General that the equitable servitude complies with state law. This is required to meet EPA requirements on assurances of the legal sufficiency of the required deed restrictions through the equitable servitude.	Comment noted.
15		Page 9, lin 524	The text should read that due to the presence of chemicals that do not allow for unlimited access and unrestricted use the 5 year review will still apply.	The text will be revised as suggested.

CTO: 0002 Adak		Document Title: DRAFT FINAL FOST FOR PARCEL 1A		
Date: April 15, 2002		Review Organization: EPA Region 10		Reviewer: Kevin Oates
NO.	SECTION OF PAGE	LINE OF PARA.	REVIEWER'S COMMENT	RESPONSE TO COMMENT
16	6.1.5	Page 19	The text discusses fish advisory signs in the future tense as "will be posted". It is EPA's understanding that signs have been in place (e.g. outside of USFW offices on Adak), and the new signs have been developed and are in place. This section may also need to be revisited based on a recent request by The Aleut Corporation to replace the signs with educational materials. In the event this request is accommodated, this section may need to be revised.	The tense of the text will be corrected in Section 6.1.5; the signs have been posted. The remainder of the comment is noted.
17	Exhibit Draft Equitable Servitude		EPA has provided comments on this separately.	Comment noted.
18	Exhibit		Footnote b – The narrative is not quite accurate on the statutory authority for the OU A ROD. It may be that the CERCLA ROD served as a decision document under state law too, but it is not accurate to say that for petroleum sites only, the OU A ROD selected remedies only under SAERA. It is not clear what point the Navy is trying to make in this footnote. Please clarify and revise as needed. Footnotes denoted with # -- delete. These sites must be cleaned up if they are included in this FOST.	The last sentence of the footnote will be deleted. Comment noted.



FINAL

**Finding of Suitability to Transfer
(FOST) Parcel 1B and Addendum to
Final Parcel 1A FOST**

**Former Naval Air Facility
Adak Island, Alaska**

**May 28, 2003
Revision 0**

Prepared by
**Department of the Navy Engineering Field Activity, Northwest
Naval Facilities Engineering Command
19917 Seventh Avenue NE
Poulsbo, WA 98370-7570**

Prepared under
**Navy Remedial Action Contract 3
Contract Number N44255-01-D-2000**

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Exhibit 2	NOSSA/DDESB Letter of Concurrence with FOST for Ordnance-Related Issue
Exhibit 3	Environmental Condition Class of Chemical, Petroleum, Ordnance Sites, and Temporary Accumulation Points (TAPS)
Exhibit 4	EPA Concurrence with OPS Determination
Exhibit 5	Public Notice of Draft FOST
Exhibit 6	List of Commenters on Draft FOST
Exhibit 7	Responsiveness Summary

ACRONYMS AND ABBREVIATIONS

AAC	Alaska Administrative Code
AAR	After Action Report
ACBM	asbestos-containing building materials
ACM	asbestos-containing material
ADEC	Alaska Department of Environmental Conservation
ADCRA	Alaska Department of Community and Regional Affairs
AHRS	Alaska Heritage Resources Survey
ANCSA	Alaska Native Claims Settlement Act
ARC	Adak Reuse Corporation
BLM	Bureau of Land Management
BRAC	Base Realignment and Closure Act
CAD	cartridge-actuated device
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CERFA	Community Environmental Response Facilitation Act
CFR	Code of Federal Regulations
DDESB	Department of Defense Explosives Safety Board
DoD	Department of Defense
DOI	Department of Interior
EBS	Environmental Baseline Survey
ECP	Environmental Condition of the Property
EODMU	Explosive Ordnance Disposal Mobile Unit
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
ESRP	Explosive Safety Remediation Plan
FCR	Field Change Request
FOST	Finding of Suitability to Transfer
FR	Federal Register
FS	Feasibility Study
HE	high explosive
HARP	Historic and Archaeological Resource Protection
HUD	Housing and Urban Development
IC	Institutional Controls
ICMP	Institutional Control Management Plan

ACRONYMS AND ABBREVIATIONS (Continued)

LBP	lead-based paint
LRA	Local Reuse Authority
LTA	Land Transfer Agreement
MAUW	Modified Advanced Underwater Weapons
MOU	Memorandum of Understanding
NAD	North American Datum
NAVFAC	Naval Facility
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
NHPA	National Historical Preservation Act
NOFA	No Further Action
NOSSA	Naval Ordnance Safety and Security Activity
NPL	National Priorities List
OE/UXO	Ordnance and Explosives/Unexploded Ordnance
OPNAVINST	Naval Operations Instruction
OPS	operating properly and successfully
OU	Operable Unit
PCB	polychlorinated biphenyl
PL	Public Law
PLO	Public Land Order
RASO	Radiological Affairs Support Office
RADWP	Remedial Action Design Work Plan
RI	Remedial Investigation
ROD	Record of Decision
SAERA	State-Adak Environmental Restoration Agreement
SWMU	Solid Waste Management Unit
TAC	The Aleut Corporation
TAPS	Temporary Accumulation Points
USFWS	U.S. Fish and Wildlife Service

1. INTRODUCTION AND PURPOSE

1.1 INTRODUCTION

The former Naval Air Facility (NAF), Adak, Alaska (hereinafter called the former NAF Adak), operationally closed on March 31, 1997. The former NAF Adak comprises approximately 76,800 acres of the northern portion of Adak Island, and is used by the Navy for military purposes, as authorized by Public Land Order (PLO) 1949. Now that its need for military use of the property has ended, the Navy plans to relinquish its public land withdrawal on Adak Island.

Adak Island (Figure 1-1) was first identified as federal property in 1867 when the United States acquired Alaska from Russia. Since 1913, Adak Island has been a federal wildlife refuge. In 1980, Adak Island was designated as a part of the Alaska Maritime National Wildlife Refuge. The former NAF Adak still remains a part of the wildlife refuge.

The United States, acting by and through the Department of Interior (DOI) and the Department of the Navy, has entered into a land exchange agreement with The Aleut Corporation (TAC), a Native Regional Corporation authorized pursuant to the Alaska Native Claims Settlement Act (ANCSA). This agreement would result in conveyance of approximately 47,150 acres of the former NAF Adak property to TAC. This Finding of Suitability to Transfer (FOST) applies to Parcel 1B, comprising 13,781 acres, which is a portion of the property to be conveyed to TAC under the agreement.

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) requires that each deed for property transferred by the United States include a covenant warranting that all remedial actions were taken that were necessary to protect human health and the environment with respect to any hazardous substance remaining on the property and that these actions were taken before the date of transfer. Any additional remedial action found necessary after the date of such transfer (as a result of Department of Defense [DoD] activities) shall be conducted by the United States (CERCLA § 120(h)(3)). The Community Environmental Response Facilitation Act (CERFA) was enacted in 1992 as Public Law (PL) 102-426. This statute amends § 120 of CERCLA to direct federal agencies to evaluate all Base Realignment and Closure Act (BRAC) properties, identify uncontaminated buildings and properties, and facilitate the lease or transfer of remediated properties upon construction of the approved remedy and demonstration to the U.S. Environmental Protection Agency (EPA) that the remedy is “operating properly and successfully” (OPS).

As noted in the Final FOST for Parcel 1A (April 2002), remedial actions at sites C3-01 and FB-03 were to be certified as completed through an addendum to the Final FOST for Parcel 1A. This addendum is provided as Chapter 6 of this document.

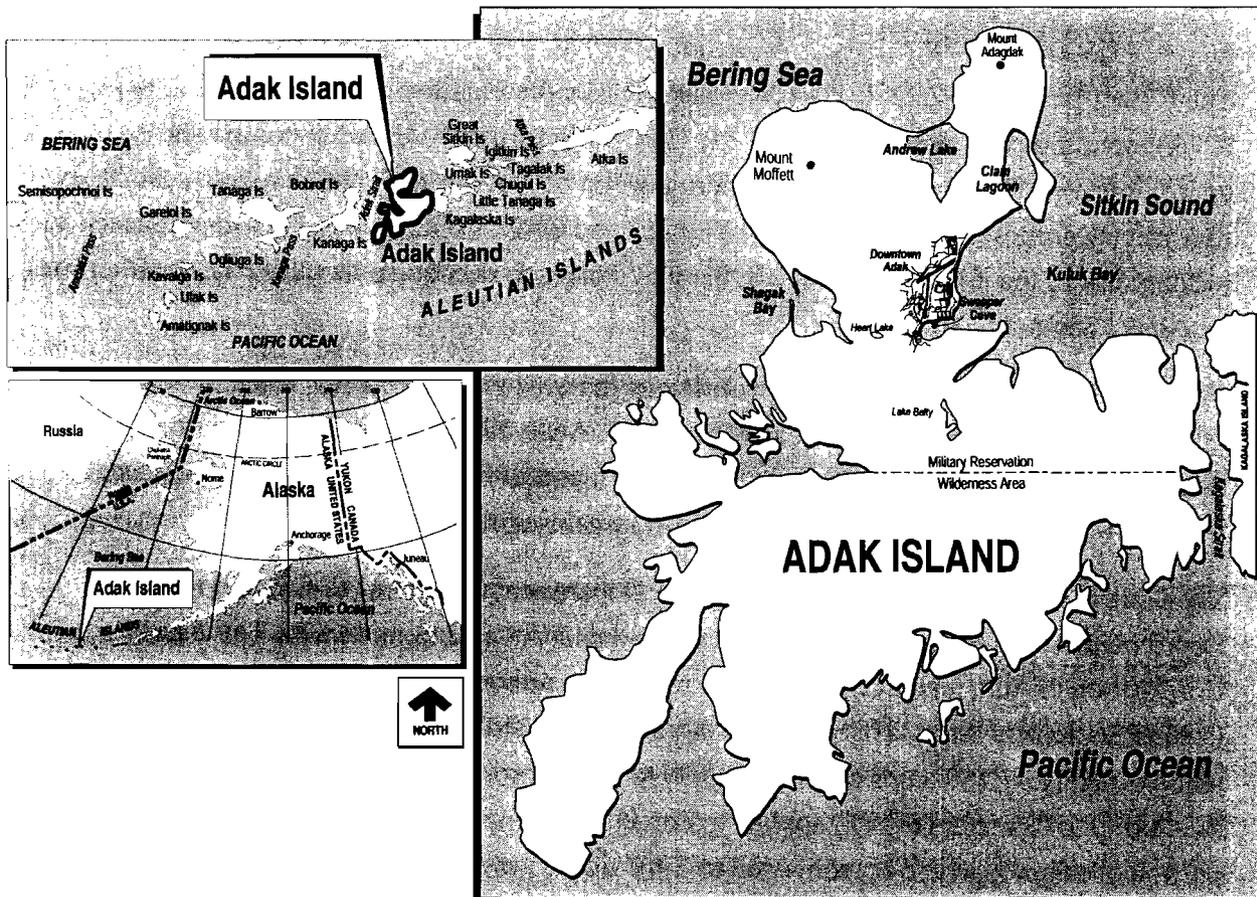


Figure 1-1. Location of Adak Island, Alaska

1.2 PURPOSE

For properties where release or disposal of hazardous substances or petroleum products has occurred, DoD policy states that the head of the DoD component with accountability over the property (or a designated representative) shall assess, determine, and document when these properties are suitable for transfer by deed. This assessment and determination will be based on an Environmental Baseline Survey (EBS) and will be documented in a FOST. In accordance with DoD's guidance pertaining to FOST documentation, this FOST also includes (1) a declaration that the Parcel 1B property is suitable for transfer (Section 10); (2) any

restrictions on future use (Section 7); (3) results of the analysis of the intended future use (Section 5); and a statement of the notice, covenant, and access clauses (Section 10 and Exhibit 1).

1.3 REFERENCES

This FOST incorporates (by reference) information contained in the documents described in Section 11, including DoD and EPA guidance specifically addressing transfer of BRAC property subject to CERCLA.

1.4 DOCUMENT OUTLINE

The FOST is organized in the following manner:

Section 1, Introduction—provides the background information related to the site, and defines the scope, purpose, and organization of the FOST.

Section 2, Description of Parcel 1B—identifies the location and size of the real property being transferred.

Section 3, Property Disposition—describes the manner in which the real property will be conveyed and how provisions of the National Environmental Policy Act (NEPA) have been met.

Section 4, Environmental Condition of the Property—defines the environmental condition of the property (by reference) of each site encompassed by the property transfer.

Section 5, Remediation of FOST Parcel—addresses the nature and extent of contamination, analyzes intended future use, and presents a risk analysis for the property being transferred.

Section 6, Addendum to Final FOST for Parcel 1A – provides documentation necessary to certify completion of all remedial actions required under the ROD for OU B-1 for sites C3-01A, C3-01E, C8-01, C8-02, C8-03, C8-04, C8-05A, C8-05B, FB-03, LJ-03, LJ-04, and LJ-05 within Parcel 1A (Final FOST Parcel 1A, April 2002)

Section 7, Use Restrictions and Notifications—provides notifications required under CERCLA and Housing and Urban Development (HUD) Title X, as well as language suitable for incorporation in the deed conveyance documents regarding any land use restrictions and institutional controls.

Section 8, Public Comment—documents the date and venue of public notice of availability of the FOST and references comments and responses generated during the public comment period.

Section 9, Coordination with Regulators—documents notification of EPA Region 10 and Alaska Department of Environmental Conservation (ADEC) of the Intent to Transfer the Property and Issue the FOST.

Section 10, Finding of Suitability to Transfer—documents the basis for execution of the covenant under CERCLA 120 (h)(3)(A)(ii)(I).

Section 11, References—lists the CERCLA decision documents, BRAC technical support documents, and DoD and EPA guidance documents that provide the foundation for supporting the transfer of real property at the former NAF Adak.

2. DESCRIPTION OF PARCEL 1B

The property included in the military withdrawal on Adak Island is divided into five parcels, only one of which, Parcel 1B, is the subject of the current FOST (Figure 2-1). These parcels are described as follows:

- Parcel 1A comprises approximately 31,895 acres of Adak Exchange Lands in Operable Unit (OU) B-1. This parcel also encompasses 58 CERCLA sites that have been cleaned up and 128 petroleum sites that are in the process of being cleaned up under the State-Adak Environmental Restoration Agreement (SAERA) between the Navy and the State of Alaska. The CERCLA and petroleum sites for which institutional controls or ongoing monitoring are required comprise approximately 31,895 acres of Parcel 1A.
- Parcel 1B comprises approximately 13,781 acres of Adak Exchange Lands in OU B-1 that have been cleaned up as set forth in the CERCLA OU B-1 Record of Decision (ROD) (U.S. Navy, EPA, and ADEC 2001).
- Parcel 2 comprises approximately 3,500 acres in the Mt. Reed Exclusion Zone.
- Parcel 3 comprises approximately 22,000 acres as the Remainder of PLO-1949.
- Parcel 4 comprises approximately 5,624 acres as the Solid Waste Management Unit (SWMU) Exclusion Zone to be retained by the Navy pending further ordnance characterization and remediation.

These parcels were developed to facilitate land transfer by segregating properties anticipated to have different ownership in the future (TAC vs. USFWS). The delineation of boundaries also reflects the phased completion of ordnance clearance activities (Parcels 1A, 1B, and 4) and the desire to recognize special property use (Parcel 2, which was intended to facilitate management and protection of the threatened Aleutian shield fern).

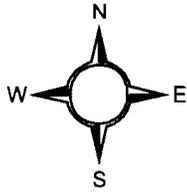
A FOST for Parcel 1A was completed in April 2002. An addendum to the Final FOST for Parcel 1A is included as Section 6 of this document to certify the completion of remedial actions at sites C3-01A, C3-01E, C8-01, C8-02, C8-03, C8-04, C8-05A, C8-05B, FB-03, LJ-03, LJ-04 and LJ-05 within Parcel 1A. Parcels 2 and 3 will be transferred to another federal agency and have been documented separately pursuant to Navy guidance applicable to such transfers. Parcel 4 includes areas with documented OE/UXO contamination near Lake Andrew. Remediation for ordnance and explosives/unexploded ordnance (OE/UXO) contamination is

not yet complete for Parcel 4. Parcel 4 is being retained in its entirety by the Navy and will be addressed in a separate FOST, or other appropriate documentation, when remediation necessary to support transfer has been completed. A complete description of the FOST for Parcel 1B and facilities on this parcel is provided in the EBS (Foster Wheeler Environmental 2003a). A summary table of boundary corners from the legal description of Parcel 1B is shown in Table 2-1. Boundary corners are shown in Figure 2-2.

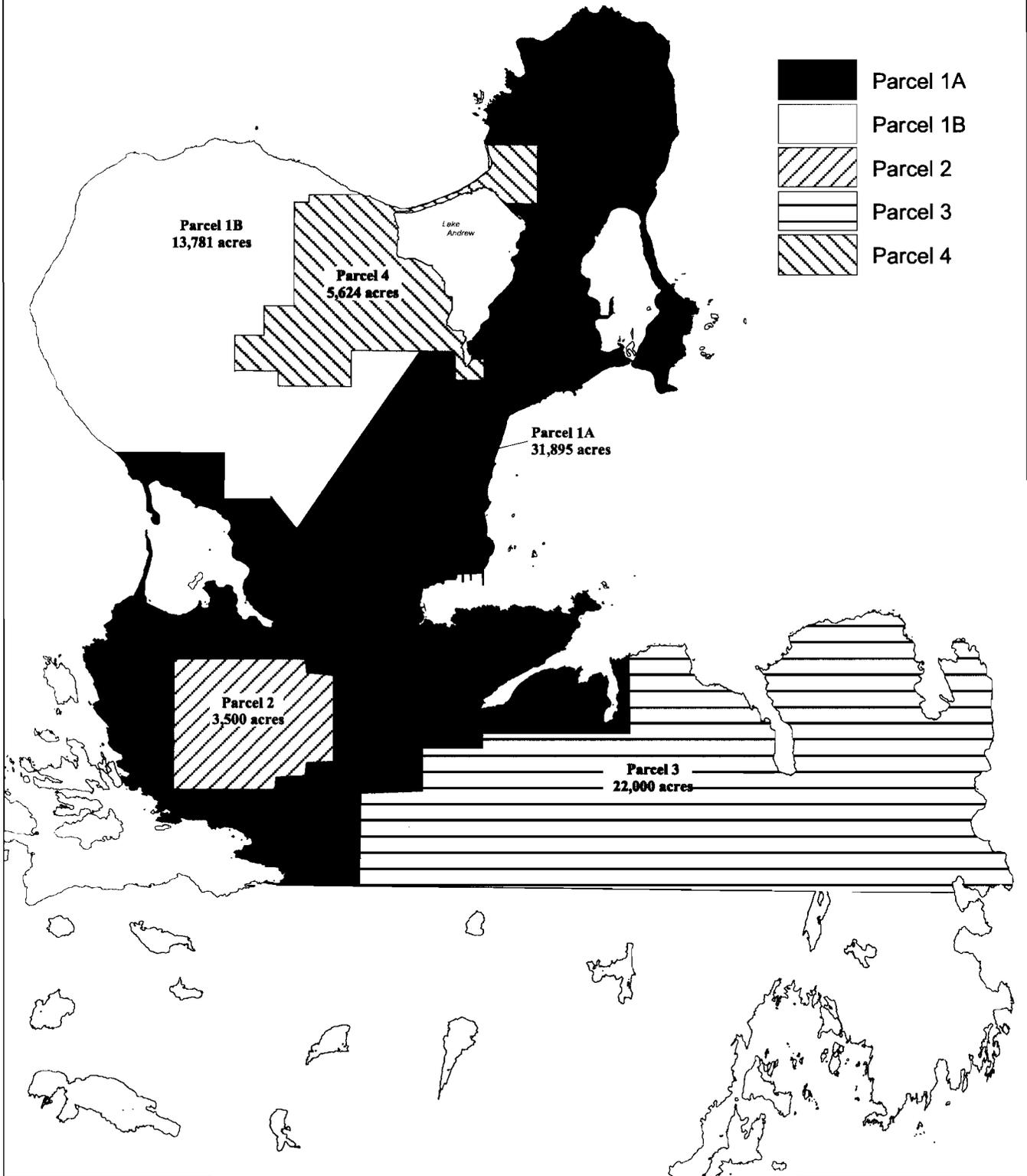
Table 2-1. Boundary Corner Summary Table from the Parcel 1B Legal Description

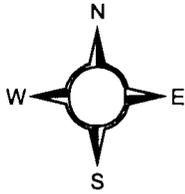
Point ID	Easting	Northing	Latitude	Longitude
1	3117887.75	354413.44	51 58 06.87048	176 43 21.73526
2	3121398.00	352737.97	51 57 50.69187	176 42 25.42803
3	3127461.50	349640.18	51 57 20.71950	176 40 48.16066
4	3122948.38	349601.91	51 57 19.91485	176 42 00.18980
5	3122942.78	348934.84	51 57 13.33596	176 42 00.17559
6	3121616.22	348947.93	51 57 13.33716	176 42 21.35020
7	3121538.86	339710.57	51 55 42.23452	176 42 21.13738
8	3118905.66	339736.31	51 55 42.23126	176 43 03.14474
9	3118883.32	337098.93	51 55 16.22032	176 43 03.08122
10	3116263.12	337124.43	51 55 16.21181	176 43 44.87430
11	3116233.61	333823.30	51 54 43.65464	176 43 44.81097
12	3120176.12	333855.59	51 54 44.36264	176 42 41.95046
13	3120164.37	332475.58	51 54 30.75250	176 42 41.92014
14	3126764.28	332409.59	51 54 30.73276	176 40 56.67870
15	3126745.25	335713.02	51 55 03.30802	176 40 57.48232
16	3132889.50	335649.78	51 55 03.24826	176 39 19.48675
17	3121804.25	319504.13	51 52 22.99308	176 42 13.74861
18	3119504.75	322263.31	51 52 49.97926	176 42 50.81989
19	3115290.25	322297.16	51 52 49.89479	176 43 57.98013
20	3115304.75	326402.50	51 53 30.38112	176 43 58.41594
21	3105489.00	326518.16	51 53 30.50563	176 46 34.88057
22	3100408.00	332275.31	51 54 26.73047	176 47 56.88195
23	3098018.00	339896.13	51 55 41.61883	176 48 36.35641
24	3102393.00	349840.13	51 57 20.16171	176 47 28.31567
25	3106616.00	353254.53	51 57 54.28585	176 46 21.49787
26	3109345.75	352720.13	51 57 49.30281	176 45 37.82859
27	3114586.25	354680.78	51 58 09.17631	176 44 14.49009

Figure 2-1
Land Exchange Parcels
Adak Island, Alaska



3000 0 3000 6000 Meters



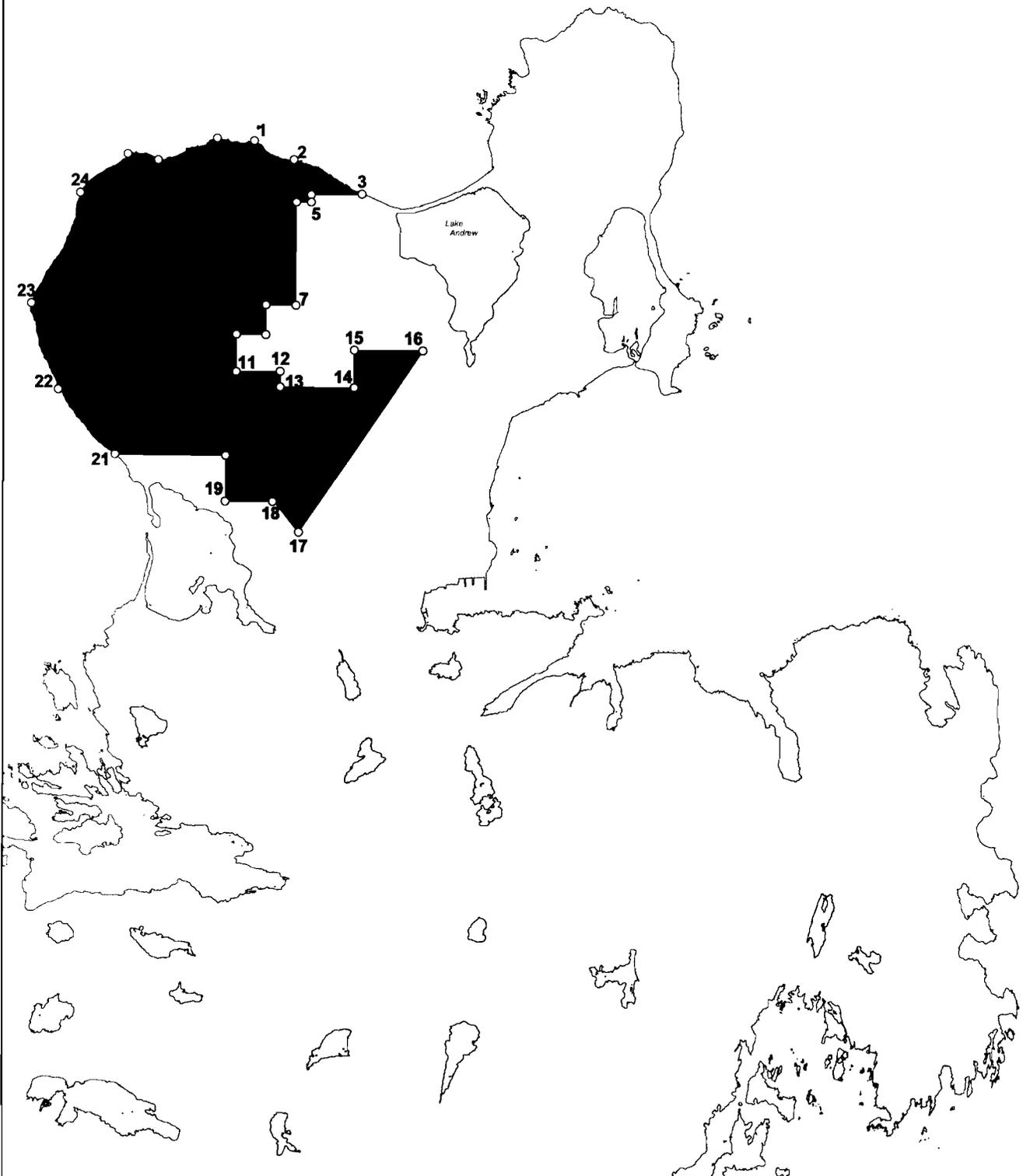


3000 0 3000 6000 Meters

Figure 2-2 Parcel 1B Boundary Points

Adak Island, Alaska

NOTE: Coordinates for numbered boundary points are presented in Table 2-1.



3. PROPERTY DISPOSITION PLAN

CERFA Parcel 1B is a portion of the military reservation that was withdrawn from the public domain for use by the Navy for military purposes by PLO 1949, dated August 15, 1959 (24 Federal Register (FR) 6872). The Navy will submit a Notice of Intent to Relinquish PLO 1949 (except Parcel 4) to the Department of the Interior, Bureau of Land Management (BLM). The BLM will then convey to TAC Parcels 1A and 1B of the Adak property in exchange for TAC's relinquishment of a similar acreage of prioritized, valid ANCSA surface and subsurface estate in accordance with § 14(h)(8) selections and associated entitlements described in the Land Transfer Agreement (LTA) (TAC, DOI, and Navy 2000). The Interim Conveyance will contain all of the required CERCLA covenants with regard to the FOST parcel.

An environmental analysis of the relinquishment of the Navy public land withdrawal to DOI is not required under Navy regulations implementing the National Environmental Policy Act (NEPA) (Naval Operations Instruction [OPNAVINST] 5090.1B 1999a).

4. ENVIRONMENTAL CONDITION OF THE PROPERTY

Environmental Condition of Property (ECP) classifications developed under BRAC by the DoD are assigned to FOST Parcels. Classifications are assigned both on the basis of the type of chemical releases (hazardous substances or petroleum) found at the properties and the status of the properties' cleanup activities. These ECP classifications include the following (DoD 1996):

- ECP 1 Areas where no release or disposal of hazardous substances or petroleum products has occurred (including migration from adjacent areas).
- ECP 2 Areas where only the release or disposal of petroleum products has occurred.
- ECP 3 Areas where release, disposal, or migration of hazardous substances has occurred but at concentrations that do not require removal or remedial response.
- ECP 4 Areas where release, disposal, or migration of hazardous substances has occurred and all removal or remedial actions to protect human health and the environment have been taken.
- ECP 5 Areas where release, disposal, or migration of hazardous substances has occurred and removal or remedial actions are underway but all required remedial actions have not yet been taken.
- ECP 6 Areas where release, disposal, or migration of hazardous substances has occurred but required remedial actions have not yet been implemented.
- ECP 7 Areas that are not yet evaluated or that require additional evaluation.

Individual sites with ECP classifications of 1, 2, 3, or 4 are designated as being currently suitable for transfer or lease. Those with ECP classifications of 5, 6, or 7 are not currently suitable for transfer but may be suitable for lease.

Locations and classifications of individual sites are included as site maps and summary tables in the EBS (Foster Wheeler Environmental 2003a). All of the property outside of individually listed sites has been assigned an ECP classification of 1. All sites and remaining property comprising Parcel 1B are assigned an ECP classification of 1, 2, 3, or 4. Accordingly, Parcel 1B is suitable for transfer.

5. REMEDIATION OF FOST PARCEL

For purposes of environmental investigation and remediation, Adak has been divided into three OUs. OU A addresses soil, sediment, surface water, and groundwater contamination by CERCLA hazardous substances, pollutants, or contaminants (hereinafter, collectively referred to as hazardous substances) and by petroleum products. OU A is composed of 58 CERCLA sites and 128 petroleum sites and encompasses only Parcel 1A since there are no hazardous substance or petroleum sites with Parcel 1B. OU B addresses OE/UXO areas of concern. OU B has been divided geographically into OU B-1 (163 sites) and OU B-2 (31 sites).

Parcel 1B contains all of, or portions of, 27 of the OU B-1 sites. Eleven of these sites (MM-04, MM-10E, MM-11, MM-12, MM-13, MM-15, MM-16, MM-18, MM-19, MM-21, and C1-03) straddle the boundary between Parcel 1B and Parcel 4. Remedial action is not yet complete in the portions of MM-10E and MM-11 that lie within Parcel 4. All portions of these 11 sites lying within Parcel 4 are included in OU B-1 but they are not included in CERFA Parcel 1B and will not be transferred until remedial actions at all Parcel 4 sites are complete.

The RI/FS (U.S. Navy 2001a) and ROD (U.S. Navy, EPA, and ADEC 2001) have been completed for OU B-1. The ROD for OU B-1 was finalized in December 2001. Remedial actions set forth in the OU B-1 ROD for sites within Parcel 1B were completed in 2002.

In 1995, the State of Alaska, through the Alaska Department of Community and Regional Affairs (ADCRA), established a temporary Local Reuse Authority (LRA) consisting of stakeholders with potential reuse interest in Adak. The first conceptual reuse plan, prepared for the LRA in 1996 by Tryck Nyman Hayes, Inc. (TNH), presented three reuse scenarios: low use, middle use, and high use (Tryck Nyman Hayes, Inc. 1996).

Thereafter, the Adak Reuse Corporation (ARC) was established to take the role of the LRA. A "revised final" plan was prepared for ARC by ASCG Consultants and released in August 1998 (ASCG 1998). This plan was further refined (ASCG 2000) and describes the future land uses envisioned for Adak as (1) residential housing and school facilities; (2) industrial and port facilities, including fishing fleet support, seafood processing, wastewater treatment, power plant operation, and domestic landfill operations; (3) administration of U.S. Fish and Wildlife Service (USFWS) facilities; and (4) recreational activities, including fishing, hunting, hiking, and eco-tours. Parcel 1A comprises the primary reuse property that will be

transferred to TAC for residential, recreational, commercial, and industrial purposes. It contains virtually all of the buildings, utilities, and other improvements comprising the former NAF Adak. Future land uses in Parcel 1B are expected to be a combination of recreation, subsistence, and wildlife management.

5.1 NATURE AND EXTENT OF CONTAMINATION AND OTHER ENVIRONMENTAL ISSUES

Beginning in 1986 and continuing through various environmental agreements and regulatory programs, the Navy has identified Adak sites that have been contaminated by releases of hazardous substances or petroleum (or sometimes both). The former NAF Adak was placed on the CERCLA National Priorities List (NPL) in May 1994.

Military activities on Adak that may have had environmental consequences in Parcel 1B included disposal of ammunition and ordnance and military field training. Also assessed were materials necessary to support Navy operations on Adak that have been stored, used, or disposed of on the property.

Environmental media in Parcel 1B affected by releases of hazardous substances were surface and subsurface soils.

Ordnance. Ordnance response, investigation, and clearance of ordnance contamination have been conducted since 1945 in the course of several major efforts, including the following:

- Navy Explosive Ordnance Disposal (EOD) Incident Responses (1945-1995) (Foster Wheeler Environmental 1998a).
- EOD survey of four OE sites as part of the initial CERCLA investigation (1996).
- Downtown Adak surveys (1997-98) (Foster Wheeler Environmental 1997 and 1998).
- Potential minefield investigations and clearance of SWMU 2 (training minefield north of Clam Lagoon 1998 and 2000) (Larson [SSPORTS] 1999, Foster Wheeler Environmental 1999, U.S. Navy 2001b).
- Remote area investigations (1999-2001) for the OU B Preliminary Assessment/Site Investigation (PA/SI) (Foster Wheeler Environmental 2000) and the RI/FS (U.S. Navy 2001b).

- Remedial actions for OU B-1 sites during the 2001 field season (After Action Report [ECC 2002]).
- RI/FS for OU B-2 sites (Foster Wheeler Environmental 2003b).
- Remedial actions for OU B-1 sites during the 2002 field season (After Action Report [Foster Wheeler Environmental 2003c]).

During the course of these investigations and cleanup activities on Adak, a wide variety of ordnance items, including small arms ammunition (.22 through .50 caliber), anti-aircraft munitions (20mm, 37mm, 40mm), grenades (both hand and rifle-fired), mortars (60mm, 81mm), large-caliber artillery rounds (105mm, 155mm), torpedoes, and bombs (incendiary, practice, and high explosive [HE]) were discovered, removed, and disposed of by the Navy and its contractors. Most, if not all, of these items were stored and managed on the island during and after WWII. Use of live ordnance on Adak was primarily limited to training ranges and their associated impact areas during the WWII era.

All plans for investigative and cleanup activities to address OE/UXO contamination in Parcel 1B have been reviewed and approved by Naval Ordnance Safety and Security Activity (NOSSA) and/or DoD Explosives Safety Board (DDESB), prior to initiation of field work. NOSSA and/or DDESB also reviewed post-investigation and cleanup reports to ensure that OE/UXO clearance was conducted as required to support current and future land uses within the parcel. A summary of NOSSA and DDESB reviews and recommendations is included in Table 5-1. NOSSA/DDESB approval of the FOST for Parcel 1B with respect to OE/UXO contamination is included as Exhibit 2.

Table 5-1. Summary of Ordnance Investigation and Clearance Activities and Associated NOSSA and DDESB Approvals

Ordnance Investigation or Clearance Activity	Year Performed	Approval Authority	Approval Action	Reference
EOD Incident Responses	1945-1995	None	NA	Foster Wheeler 1998a
EODMU Eleven Detachment Whidbey survey of 4 sites as part of OU A RI/FS	1996	None	NA	NA
Downtown OE/UXO surveys	1997-1998	DDESB	Priority I/II areas are "safe for human habitation"; allows for interim lease	DDESB Memo, dated 5/1/98
		NOSSA	Agreement with DDESB's endorsement for Priority I/II reuse	NOSSA correspondence 8020 SerN7112/327 (5/18/98)
		NOSSA	Description of conditions for approval of commercial and residential use in Priority III area	NOSSA 8020 Ser N7112/403 (4/17/00)
Superintendent of Shipbuilding, Conversion, and Repair, Portsmouth, Virginia (SSPORTS) clearance of Clam Lagoon minefield	1998	NOSSA	Approval of SWMU #2 clearance workplan	NOSSA 8020 Ser N7112/211 (4/2/98)
Site reconnaissances of potential minefields	1998-2000	NOSSA	Approval of workplans to investigate potential minefields	NOSSA 8020 Ser N7112/529 (8/10/98)
		DDESB/NOSSA	Approval for use of potential minefields for "recreational and related purposes"	DDESB correspondence (3/10/99) NOSSA 8020 Ser N7112/197 (3/31/99)
		DDESB/NOSSA	Approval of removal of restrictions at Clam Lagoon minefield site	DDESB correspondence (no date) NOSSA 8020 Ser N7112/96 (2/3/00)

Table 5-1. Summary of Ordnance Investigation and Clearance Activities and Associated NOSSA and DDESB Approvals (continued)

Ordnance Investigation or Clearance Activity	Year Performed	Approval Authority	Approval Action	Reference
Remote area investigations	1999-2000	DDESB/ NOSSA	Review and approval of work plans	DDESB correspondence (11/4/99) NOSSA 8020 Ser N7112/174 (11/19/99)
		NOSSA	PA/SI "complies with reporting requirements of Ch.12 DOD Std 6055.9"	NOSSA 8020 Ser N7112/229 (3/8/00) and NOSSA 8020 Ser N7112/270(3/16/00)
		NOSSA	Approval of OU B RI/FS workplans	NOSSA 8020 Ser N7112/540 (5/15/00)
Remedial Action Design Workplans	2001	NOSSA	Approval of Remedial Action Design Workplans (RADWPs) and Field Change Requests (FCRs)	NOSSA 8020 Ser N7112/8155 and 8153
Explosive Safety Remediation Plan (ESRP)	2001	NOSSA	Approval of ESRP	Complete, but not required
Submittal of AAR for OU B-1 (2001 field season)	2001	DDESB/ NOSSA	Approval of AAR	NOSSA 8020 Ser N7112/2058 (3/13/02)
Remedial Action Design Workplans	2002	DDESB/ NOSSA	Approval of RADWP	NOSSA 8020 Ser N7112/2058 (3/13/02)
Submittal of AAR for OU B-2 (2002 field season)	2002	DDESB/ NOSSA	Approval pending (submitted Jan. 2003)	NOSSA 8020 Ser N7112/3273 (4/14/03)
Submittal of Draft FOST Parcel 1B and Addendum to Final Parcel 1A FOST	2003	DDESB/ NOSSA	Approval of Draft FOST Parcel 1B and Addendum to Final Parcel 1A FOST	NOSSA 8020 Ser N7112/3282 (4/17/03)

Asbestos. There are no asbestos-containing structures in Parcel 1B.

Lead-Based Paint. There are no structures containing lead-based paint in Parcel 1B.

Hazardous Materials/Waste Management. There are no hazardous materials/waste management sites in Parcel 1B.

Radon. There are no structures suitable for human occupation located in Parcel 1B and thus no concerns regarding radon.

Radionuclides. No radiological sources of concern were identified in this comprehensive report.

PCBs. There are no known PCB-contaminated sites in Parcel 1B.

Endangered Species. There are no known plant or wildlife species present in Parcel 1B that are designated under the federal Endangered Species Act (ESA).

Archaeological Resources. The Navy has entered into a Memorandum of Understanding (MOU) that documents consultation pursuant to Section 106 of the National Historical Preservation Act (NHPA) (U.S. Navy 1997). There are no known archeological sites in Parcel 1B.

Historic Resources. There are no historic resources in Parcel 1B.

5.2 ANALYSIS OF INTENDED FUTURE USE

Parcel 1B currently contains undeveloped remote areas, some of which were used as impact areas for training ranges during WWII. Land use following transfer to TAC is expected to be a combination of recreation, subsistence, and wildlife management (ASCG 2000).

5.3 RISK ANALYSIS

Remedial actions for all CERCLA ordnance sites in Parcel 1B have been completed in accordance with ROD requirements to support current and future land uses, which are comprised of recreation, subsistence, and wildlife management uses. Details are included in the OU B-1 RI/FS (ECC 2001), an After Action Report (AAR) (ECC 2002), and an AAR by Foster Wheeler Environmental (2003c).

5.4 DEMONSTRATION OF THE REMEDIAL ACTIONS' "OPERATING PROPERLY AND SUCCESSFULLY"

CERCLA §120(h)(3) allows federal agencies to provide the requisite deed covenant once a remedial action is completely constructed and installed, but prior to achieving cleanup objectives, *if* the agency can demonstrate to the EPA (Regional) Administrator that the remedial action is "operating properly and successfully" (OPS) (EPA 1996). This term has been interpreted by EPA to mean that the remedial action is functioning in such a manner that it is expected to adequately protect human health and the environment when completed.

EPA Region 10 has advised the Navy (see Exhibit 3) that there are no sites on Adak that require an OPS determination. Removal and remedial actions have been completed at the Parcel 1B ordnance sites (Exhibit 2). These actions consisted of the following:

- Clearance of identified OE.
- Development and administration of an island-wide ordnance awareness educational program.

EPA and ADEC have accepted the OU B-1 AAR for 2001 field work and have commented on the draft version of the 2002 AAR. Comments received on the draft 2002 AAR from EPA and ADEC (email from ADEC dated 2/27/2003 and email from EPA dated 3/7/2003) provide the Navy with documentation necessary for completion of all remedial actions for OU B-1 sites within Parcel 1B.

6. ADDENDUM TO FINAL FOST FOR PARCEL 1A (APRIL 2002)

6.1 DESCRIPTION OF THE SITES

The property included in the Addendum for the Parcel 1A FOST includes sites C3-01A, C3-01E, C8-01, C8-02, C8-03, C8-04, C8-05A, FB-03, LJ-03, LJ-04, and portions of C8-05B and LJ-05 lying outside of Parcel 4. These 12 sites (or portions of sites) are shown on Figure 6-1.

As of the end of the 2001 field season, remedial actions necessary to support a finding of suitability to transfer C3-01A, C3-01E, and FB-03, which lie within the current boundary of Parcel 1A, had yet to be completed. This remediation work was completed during the 2002 field season. The Final FOST for Parcel 1A acknowledged the need for an addendum to document that all remedial action necessary to support a finding of suitability to transfer these sites had been completed.

Following the submittal of the Final FOST for Parcel 1A in April 2002, the boundaries of Parcel 1A were revised to include sites C8-01, C8-02, C8-03, C8-04, C8-05A, LJ-03, LJ-04, and portions of C8-05B and LJ-05. All remedial actions necessary to support a finding of suitability to transfer have been completed at these sites. Descriptions of these sites are provided below, along with a brief summary of the remedial status for each site. This addendum provides the necessary documentation to support the finding of suitability to transfer all sites mentioned above.

C3-01A. This site is an approximately 18-acre area located on the southeast side of Heart Lake. The terrain is flat along the lakeshore with a steep, high bank rising up from the lake to the east. Due to the quantities of abandoned ordnance and ordnance scrap found in this area, it was not possible to complete the observational approach for remediation during the 2001 field season when other Parcel 1 sites were remediated. Remedial action was completed during the 2002 field season.

C3-01E. This site is located east of downtown Adak near the south end of Heart Lake. The site was originally a 30-meter by 30-meter square encompassing about 0.2 acre. The terrain is relatively flat compared to other outback areas on Adak. This area was thought to be part of a larger disposal site based upon the 1999 investigation data. However, data from the 2000 RI suggested that the single abandoned tail fuze found in this area might have been a lone item. During the 2000 field season, the area was investigated using the approved observational

approach. The original boundaries of the site were expanded nine times; however, the investigation was not completed. Further expansion of the site boundaries to satisfy the buffer zone requirement for the approved observational approach for this site was performed in 2002, and the work is now complete.

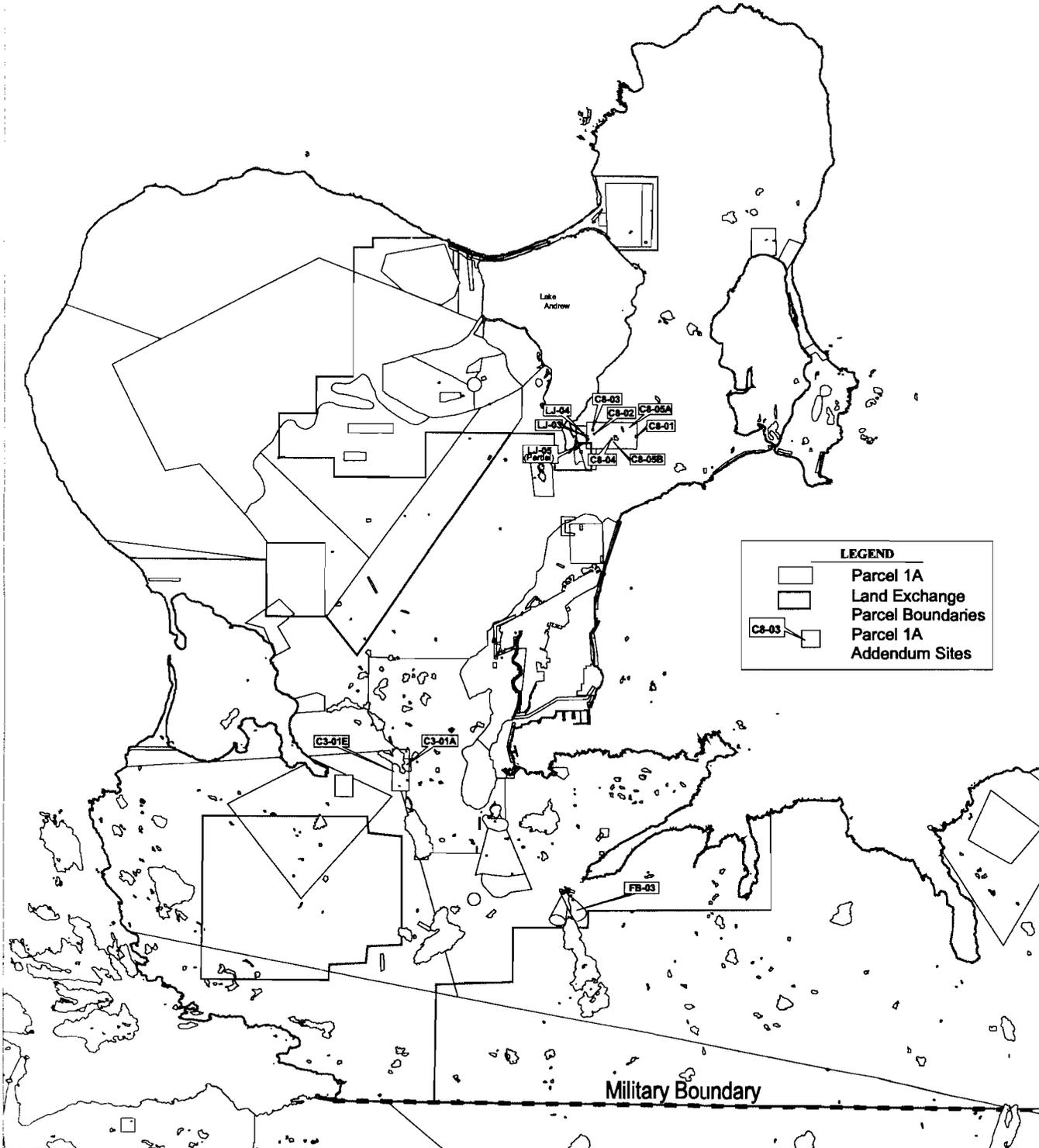
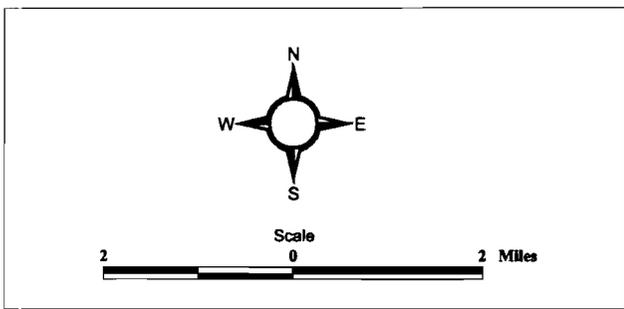
C8-01. This approximately 0.2 acre site is located within Combat Range #8 north of downtown Adak and east of Lake Jean. The terrain in the vicinity of the site is moderately steep and rolling, with interspersed flat areas. This site was investigated during the 1999 field season and again in 2000. Ordnance-related items were found and removed from the site. The approved investigation methodology was applied, and the site was completed in 2000. This site was placed in land transfer Parcel 4 (non-transferable) after the 2001 field season even though work was complete. Following the 2002 field season and the completion of the Parcel 1A FOST, the site was transferred from Parcel 4 to Parcel 1A.

C8-02. This 30- by 30-meter site is located within Combat Range #8 north of downtown Adak and east of Lake Jean. The terrain in C8-02 is relatively flat compared with other outback areas of Adak. This site was investigated in both 1999 and 2000. During the 1999 investigation, a single 37mm projectile was found. During the RI in 2000, this area was investigated a second time using the prescribed bound and characterize pattern for AOCs containing a single piece of AO (100 percent geophysical survey and intrusive investigation). No OE/UXO or related scrap was found. Work at the site was completed in 2000. This site was placed in land transfer Parcel 4 (non-transferable) after the 2001 field season even though work was complete. Following the 2002 field season and the completion of the Parcel 1A FOST, the site was transferred from Parcel 4 to Parcel 1A.

C8-03. This site is located within Combat Range #8 north of downtown Adak and east of Lake Jean. The site was originally a small, square area encompassing approximately 0.6 acre. The terrain at the site is moderately steep. This site was initially investigated in 1999, and several AO items were found. During the 2000 RI, additional ordnance items were found; however, the investigation was not completed. During the 2001 field season, additional remedial action was performed. This site was placed in land transfer Parcel 4 (non-transferable) after the 2001 field season even though work was complete. Following the 2002 field season and the completion of the Parcel 1A FOST, the site was transferred from Parcel 4 to Parcel 1A.

C8-04. This 30- by 30-meter site is located within Combat Range #8 north of downtown Adak and east of Lake Jean. The terrain in C8-04 is relatively flat compared with other outback areas of Adak. This site was investigated in both 1999 and 2000. During the 1999

Figure: 6-1
Parcel 1A
Addendum Sites
Adak Island, Alaska



LEGEND

- Parcel 1A
- Land Exchange
- Parcel Boundaries
- Parcel 1A Addendum Sites

investigation, a cache of small arms ammunition was found abandoned at the site. During the RI in 2000, this area was investigated a second time using the prescribed bound and characterize pattern for AOCs containing lone pieces of AO. No other OE/UXO-related items were found, and the site was completed in 2000. This site was placed in land transfer Parcel 4 (non-transferable) after the 2001 field season even though work was complete. Following the 2002 field season and the completion of the Parcel 1A FOST, the site was transferred from Parcel 4 to Parcel 1A.

C8-05A. This site is a 30- by 30-meter portion of Combat Range #8 located north of downtown Adak and east of Lake Jean. The terrain in this area is moderately steep. This area was investigated during 1999, and no ordnance items were found. The area was re-investigated in 2000, and a single AO item was found, resulting in the need for follow-on during the 2001 field season. No additional ordnance-related items were found, and investigation was completed in 2001. This site was placed in land transfer Parcel 4 (non-transferable) after the 2001 field season even though work was complete. Following the 2002 field season and the completion of the Parcel 1A FOST, the site was transferred from Parcel 4 to Parcel 1A.

C8-05B. This site encompasses the majority of the historical Combat Range #8 north of downtown Adak and east of Lake Jean. The site is approximately 150 acres and includes moderate to steep rolling terrain interspersed with relatively flat areas. The area was investigated during 1999 and again in 2000. No ordnance items were found, and the field work at this site is complete. This site was placed in land transfer Parcel 4 (non-transferable) after the 2001 field season even though work was complete. Following the 2002 field season and the completion of the Parcel 1A FOST, the majority of the property within this site was transferred from Parcel 4 to Parcel 1A.

FB-03. This 31-acre site is located south of downtown Adak near Finger Bay. It was reported to be a historical impact area for mortars used in live firepower demonstrations. The terrain in the area is generally very steep. The site was investigated during both the 1999 site investigation and the 2000 RI. No OE/UXO was found; however, numerous pieces of scrap associated with mortars were found. Since no additional investigation in the form of X-Ts or minigrids was completed at this site during the 2000 RI, the Navy agreed to reevaluate several individual targets to ensure that UXO is not present in a previously unidentified location within this area of concern (AOC). This work was started during the 2001 field season and completed in 2002.

LJ-03. This 30- by 30-meter site is located north of downtown Adak near the eastern shoreline of Lake Jean. The terrain of the site is relatively flat. This site was investigated in both 1999 and 2000. During 1999, no OE/UXO or related scrap was found. During the RI in 2000, this area was investigated a second time using the prescribed search pattern. Ordnance-related items were found and removed. The site work was completed in 2001. This site was placed in land transfer Parcel 4 (non-transferable) after the 2001 field season even though work was complete. Following the 2002 field season and the completion of the Parcel 1A FOST, the site was transferred from Parcel 4 to Parcel 1A.

LJ-04. This 30- by 30-meter site encompassing approximately 0.2 acre is located north of downtown Adak near the eastern shoreline of Lake Jean. The terrain of the site is relatively flat. This area was investigated in both 1999 and 2000. During 1999, a single piece of OE scrap was found at this site. During the RI in 2000, this area was investigated a second time using the prescribed search pattern for an AOC containing a lone ordnance-related item (100 percent geophysical survey and intrusive investigation). No OE/UXO or additional frag was found. The site work was completed in 2000. This site was placed in land transfer Parcel 4 (non-transferable) after the 2001 field season even though work was complete. Following the 2002 field season and the completion of the Parcel 1A FOST, the site was transferred from Parcel 4 to Parcel 1A.

LJ-05. This approximately 60-acre site encompasses about 85 percent of the historical Lake Jean Ammunition Complex north of downtown Adak. The site was investigated in both 1999 and 2000. No ordnance items were found, and the area was approved for NOFA in 2000. Most of this site was placed in land transfer Parcel 4 (non-transferable) after the 2001 field season even though work was complete. Following the 2002 field season and the completion of the Parcel 1A FOST, the majority of the property within this site was transferred from Parcel 4 to Parcel 1A.

6.2 PROPERTY DISPOSITION PLAN

These three sites will be transferred to TAC as part of the Parcel 1A and 1B property disposition described in Section 3 of this document.

6.3 ENVIRONMENTAL CONDITION OF THE PROPERTY

Sites C3-01A, C3-01E, C8-01, C8-02, C8-03, C8-04, C8-05A, C8-05B, FB-03, LJ-03, LJ-04, and portions of C8-05B and LJ-05 lying outside of Parcel 4 are in ECP categories 1, 2, 3, or 4, indicating that they are now suitable for transfer. Areas in this category are sites where

release, disposal, or migration of hazardous substances has occurred, and all removal or remedial actions to protect human health and the environment have been taken.

(See Section 4 of this document for more details on ECP classifications.)

6.4 REMEDIATION OF PARCEL 1A FOST ADDENDUM SITES

All plans for investigative and cleanup activities to address OE/UXO contamination in sites C3-01A, C3-01E, C8-01, C8-02, C8-03, C8-04, C8-05A, C8-05B, FB-03, LJ-03, LJ-04, and LJ-05 have been reviewed and approved by NOSSA and/or the DDESB, prior to initiation of field work. NOSSA and/or DDESB also reviewed post-investigation and cleanup reports to ensure that OE/UXO clearance was conducted as required to support current and future land uses within the parcel.

6.4.1 Analysis of Intended Future Use

Sites C3-01A, C3-01E, C8-01, C8-02, C8-03, C8-04, C8-05A, C8-05B, FB-03, LJ-03, LJ-04, and LJ-05 currently contain undeveloped remote areas, which were used as disposal sites for waste ordnance (C3-01A and C3-01E), as impact areas for training ranges during WWII (FB-03), or had other unspecified potential ordnance-related uses (C8-01, C8-02, C8-03, C8-04, C8-05A, C8-05B, LJ-03, LJ-04, and LJ-05). Land use following transfer to TAC is expected to be a combination of recreation, subsistence, and wildlife management (ASCG 2000).

6.4.2 Risk Analysis

Remedial actions for all sites or portions of sites listed in this addendum to the Parcel 1A FOST have been completed in accordance with ROD requirements to support current and future land uses, which are comprised of recreation, subsistence, and wildlife management uses. Details are included in the OU B-1 RI/FS (U.S. Navy 2001b) and the 2003 AAR (Foster Wheeler Environmental 2002).

6.5 USE RESTRICTIONS AND NOTIFICATIONS

The RODs for OU A and OU B-1 selected various use restrictions or ICs that ensure that the intended use of the property is consistent with protection of human health and the environment. The RODs establish ICs as an element of the selected remedy. Implementation of the land use and ICs is set forth in the Final Adak Island Institutional Control Management Plan (ICMP) (U.S. Navy 2001b). The only institutional control applicable to C3-01A,

C3-01E, C8-01, C8-02, C8-03, C8-04, C8-05A, C8-05B, FB-03, LJ-03, LJ-04, and LJ-05 is the public ordnance education and awareness program.

6.5.1 Inspections and Reporting

According to the 2003 dispute resolution agreement with EPA concerning site C3-01A, the Navy will conduct inspections as part of the CERCLA 5-year review process of OU B-1 sites to verify that the future land use assumptions that were the basis of remedy selection were accurate. In addition, the continued effectiveness of the public OE/UXO education and awareness program at the former NAF Adak will also be evaluated during 5-year reviews pursuant to §300.430(f)(4)(ii) of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP).

6.5.2 Ordnance and Explosives

Ordnance on Adak is regulated under several programs, including CERCLA, DDESB, and Navy Military Operations policies. Documentation of ordnance from historical archives, EOD incident reports, and ordnance surveys are described in the RI/FS for Operable Unit B-1 (U.S. Navy 2001a). Remedial alternatives and final selected remedies are documented in the OU B-1 ROD (U.S. Navy, EPA, and ADEC 2001).

Notifications: OE within Parcel 1B has been characterized and cleared, as required under the terms of the OU B-1 ROD (U.S. Navy, EPA, and ADEC 2001). OE may still exist on the former NAF Adak, regardless of the level and extent of previous ordnance surveys and clearance.

7. USE RESTRICTIONS AND NOTIFICATIONS

The RODs for OU A and OU B-1 selected various use restrictions or institutional controls (ICs) that ensure that the intended use of the property is consistent with protection of human health and the environment. Implementation of the land use and ICs is set forth in the Final Adak Island Institutional Control Management Plan (ICMP) (U.S. Navy 2001b). The only institutional control applicable to Parcel 1B is the public ordnance education and awareness program.

Covenants required by CERCLA will be included in the Interim Conveyance documents. Such covenants include, but are not limited to, prohibiting activities that could disrupt any remediation activities or jeopardize the operation of remedies in place. The Interim Conveyance documentation will reserve non-exclusive access easements to allow continued access for the Navy to monitor the effectiveness of cleanup, or take additional remedial or removal actions as may be necessary. Use conditions will also be included in the Interim Conveyance documentation. No use restrictions are applicable to any of the Parcel 1B areas described in this FOST.

7.1 LAND USE RESTRICTIONS

CERCLA, RCRA, and Alaska's Oil and Hazardous Substances Pollution Control (18 Alaska Administrative Code (AAC), Chapter 75) require cleanup of hazardous substances that have been released into the environment to a degree that is determined to be protective of human health and the environment. The purpose of ICs is to ensure compliance with land use assumptions used in establishing cleanup levels. The investigations and clearance activities conducted by the Navy, in cooperation with the ADEC or EPA (or both), resulted in no land use restrictions in Parcel 1B.

7.1.1 Deeds

There are two types of ICs involving land transfer documents or deeds.

Notices. 40 Code of Federal Regulations (CFR) Part 373 implementing Section 120(h) of the CERCLA requires notice of any hazardous substance that was stored for 1 year or more, known to be released, or disposed of in any contract for the sale or transfer of property.

Restrictive Covenants. Navy policy regarding land-use controls requires that the United States ensure that ICs "run with the land" so that the immediate transferee and subsequent

transferees are required to abide by the ICs. State real property laws determine the form of the restrictive covenant. ADEC draft guidance suggests that the restrictive covenant should take the form of an “equitable servitude.”

An equitable servitude is included in a deed (or, in the case of Adak, in the Interim Conveyance) by the grantor (seller) that transfers ownership of real property to the grantee (buyer). Such covenants or servitudes indicate that the grantor is not giving the grantee every possible right of ownership that could be given. Rather, the grantor reserves certain rights, and the grantee takes the property subject to the reserved rights of the grantor. As discussed in the ICMP, deeds that transfer parcels of property that have land-use restrictions will contain restrictive covenants or equitable servitudes that reserve those rights and uses. The grantor has the authority to enforce those equitable servitudes (reserved uses) against future owners. By this mechanism, the restrictions will be part of the title of the real property and will run with the land. Consequently, all future owners of the parcels will not be given the rights that are reserved. An example of an equitable servitude addressing the ICs is included in Exhibit 1. While certain equitable servitudes apply to sites in Parcel 1A, none apply to the areas included within Parcel 1B.

7.1.2 Soil Excavation Restrictions

There are no soil excavation restrictions in Parcel 1B.

7.1.3 Inspections and Reporting

The continued effectiveness of the public OE/UXO education and awareness program at the former NAF Adak will be evaluated during 5-year reviews pursuant to §300.430(f)(4)(ii) of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). In addition, this 5-year review process will include inspections of OU B-1 sites to verify that the future land use assumptions that were the basis of remedy selection were accurate.

7.1.4 Ordnance Hazard Signs

Ordnance hazard signs are in place on the island for sites that are not being transferred (i.e., those within Parcel 4). Fences and gates to maintain access restrictions at Parcel 4 are also in place at areas that will be retained by the Navy.

7.1.5 Ordnance Awareness Program

The Ordnance Education Program is intended to familiarize on-island residents and visitors about the need for ordnance awareness on Adak. The ordnance awareness program is in place and it familiarizes personnel with 1) the history of ordnance use, storage, handling, and disposal on Adak Island; 2) basic characteristics of OE/UXO items on Adak; and 3) procedures that should be followed if a suspected OE/UXO item is encountered.

7.2 PARCEL 1B NOTIFICATIONS

Ordnance and Explosives

Ordnance on Adak is regulated under several programs, including CERCLA, DDESB, and Navy Military Operations policies. Documentation of ordnance from historical archives, EOD incident reports, and ordnance surveys are described in the RI/FS for Operable Unit B-1 (U.S. Navy 2001a). Remedial alternatives and final selected remedies are documented in the OU B-1 ROD (U.S. Navy and EPA 2001).

Notifications: OE within Parcel 1B has been characterized and cleared, as required under the terms of the OU B-1 ROD (U.S. Navy, EPA 2001). OE may still exist on the former NAF Adak, regardless of the level and extent of previous ordnance surveys and clearance.

8. PUBLIC COMMENTS

On March 12, 2003, public notice of the proposed finding of suitability for transfer of Parcel 1B and Parcel 1A addendum sites to TAC was provided by publication in the *Anchorage Daily News* Legal Notice section, and the notice was posted on Adak (see Exhibit 6). Comments were received from four commenters (see Exhibit 6). All comments were addressed. See the Responsiveness Summary at Exhibit 7.

9. COORDINATION WITH REGULATORS

The State of Alaska and U.S. EPA Region 10 were notified of the initiation of the FOST on March 15, 2003, and invited to participate in reviewing the Draft FOST. For purposes of this document, the term "State of Alaska" shall mean ADEC, and such other agency or instrumentality of the State of Alaska as may have or as may acquire, by operation of law, regulatory jurisdiction concerning response actions. The State of Alaska and U.S. EPA also were provided a 30-day formal comment period on the Draft FOST, starting March 15, 2003.

10.0 FINDING OF SUITABILITY FOR TRANSFER

Parcel 1B and the Parcel 1A addendum sites have been assessed and evaluated for (a) the presence of hazardous substances and contamination and (b) the adequacy of ICs, use restrictions, contract provisions, and notifications to ensure that the intended use of these parcels is consistent with the protection of human health and the environment. This assessment and evaluation has adequately demonstrated that the proposed use of Parcel 1B and the Parcel 1A addendum sites by TAC is consistent with the protection of human health and the environment.

10.1 CERCLA § 120(H)(3)(A)(II)(I)

The covenant required by CERCLA § 120(h)(3)(A)(ii)(I) warrants that all remedial action necessary to protect human health and the environment with respect to any hazardous substances remaining on property has been taken prior to property transfer. All remedial actions have been completed on Parcel 1B and the Parcel 1A addendum sites. These actions are documented in Sections 5 and 6 and Exhibit 3 of this FOST.

10.2 CERCLA § 120(H)(3)(A)(II)(II)

The covenant required by CERCLA § 120(h)(3)(A)(ii)(II) will be included in the Interim Conveyance to ensure that additional response actions found to be necessary after the date of transfer (as a result of DOD activities) will be accomplished by the Navy.

1.1 CERCLA § 120(H)(3)(A)(III)

A clause also will be included in the Interim Conveyance granting the United States access to the Parcel 1B and the Parcel 1A addendum sites in any case, upon reasonable notice, where a remedial action, response action, or corrective action is found to be necessary after transfer as a result of DoD activities.

As required under CERCLA § 120(h) and DOD FOST guidance, notification of hazardous substance and petroleum product activities will be provided in the conveyance documents.

Furthermore, adequate public notice of this proposed transfer has been provided, as documented in Section 8 of this FOST.

Parcel 1B and the Parcel 1A addendum sites, therefore, are suitable and eligible under CERCLA for transfer.

Based upon the above information, I conclude that Department of Defense requirements have been met to reach a finding of suitability to transfer the subject property, subject to the terms and conditions set forth in the attached equitable servitude (Exhibit 1).



Dated: DEC 19 2003

R. F. Parker
Captain
Civil Engineer Corps, USN
Commanding Officer

11. REFERENCES

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EXHIBIT 1

**FEDERAL EQUITABLE SERVITUDE,
EASEMENT, AND RIGHT OF ENTRY**

(TO BE INCLUDED IN LAND CONVEYANCE DOCUMENTS)

EQUITABLE SERVITUDE, EASEMENT, AND RIGHT OF ENTRY LANGUAGE

WHEREAS, limited portions of the Property that are more particularly described in Exhibit A attached hereto are subject to use restrictions;

WHEREAS, the Property is a portion of a site listed on the National Priorities List and remediated pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (hereinafter "CERCLA"), the Defense Environmental Restoration Program, 10 U.S.C. section 2701 et seq. and 18 Alaska Administrative Code Chapter 75. Under CERCLA, the environmental cleanups were divided into three operable units: Operable Unit A (CERCLA chemical and petroleum sites); Operable Unit B-1 (CERCLA ordnance sites on land proposed as suitable for transfer); and Operable Unit B-2 (CERCLA ordnance sites on land to be retained by the United States until suitable for transfer). The Department of the Navy of the United States of America (hereinafter "Navy") circulated the Record of Decision (hereinafter, along with the Record of Decision for Operable Unit B-1 referenced below, the "ROD") for Operable Unit A for public review and comment. The Operable Unit A ROD was agreed upon and signed by the Navy and the United States Environmental Protection Agency (hereinafter "US EPA"), and concurred with by the Alaska Department of Environmental Conservation (hereinafter, with its successors in administrative function "ADEC") in April 2000. The Operable Unit B-1 ROD was agreed upon and signed by the Navy and the US EPA, and concurred in by the ADEC, in December 2001;

WHEREAS the Records of Decision for OUA and OUB-1 are available for inspection in Bureau of Land Management Case File No. [insert number];

WHEREAS, the major components of the selected remedy for the Operable Unit A CERCLA sites included excavation and treatment by thermal desorption of contaminated sediments and soils and recycling of treated sediment and soils as cover material at the on-island Roberts Landfill; placement of a soil cover on one site; monitoring groundwater for petroleum compounds, semivolatile compounds, and volatile compounds; and implementing institutional controls on property to prohibit potential exposure to hazardous substances left on site;

WHEREAS, the major components of the selected remedy for the Operable Unit A petroleum sites included removal and treatment of petroleum-contaminated soils to meet State of Alaska cleanup requirements; recycling of treated soils as cover material at the on-island Roberts Landfill; monitored natural attenuation of petroleum chemicals in soil and groundwater; free-product recovery to the maximum extent practicable as an interim remedial measure, followed by final remediation to achieve cleanup levels under State of Alaska requirements for soils and groundwater; and implementing institutional controls to

minimize the potential for direct contact, to restrict groundwater use, and/or to restrict excavation until remedial objectives have been met;

WHEREAS, the major components of the selected remedy for the Operable Unit B-1 ordnance sites are no further action with unlimited land use and maintenance of an educational awareness program for on-island residents and visitors;

WHEREAS, the Property does not encompass any area within OUB-2;

WHEREAS, the requirements, rights, covenants, conditions, prohibitions and restrictions herein (hereinafter "Provisions") are intended to protect human health and the environment.

THEREFORE, pursuant to the laws of Alaska including the common law, the United States does hereby reserve forever, subject to conditions, restrictions and limitations of record, an Equitable Servitude, Easement, and Right of Entry (hereinafter Equitable Servitude) over the Property of the nature and character and to the extent set forth below.

PROHIBITED ACTIVITIES:

1. Downtown Area.

Unless otherwise specifically authorized in writing by the Department of the Navy the activities listed below are prohibited by any person or entity in the Downtown Area:

- (a) Any domestic use of Groundwater (the term "Groundwater" shall mean water beneath the surface of the ground), by extraction through wells or other means. Domestic use is defined as that used by households or transients for human and animal consumption, cooking, bathing, showering, gardening, irrigation, or use on consumable food products, watering animals and any other domestic use.
- (b) The injection or release of any fluids that may affect the flow direction of a chemical plume [in areas with chemically affected Groundwater].

- (c) Any action at or use of the Downtown Area, including, without limitation, subsurface utility repairs, construction or excavation activities, that results in physical damage to, or is reasonably likely to interfere with the physical integrity of, groundwater monitoring wells or recovery systems or devices constructed at the Property for cleanup.

A map generally depicting the Downtown Area is attached hereto as Exhibit B.

- 2. Solid Waste Management Units 10, 14, 15, 16, 17, 24, 55, 60, 61 and 67; Source Areas 73, 77, 78, 80, 82, and 88; Antenna Field, USTs ANT-1, ANT-2, ANT-3, and ANT-4; Former Power Plant, Building T-1451; ROICC Contractor's Area (UST ROICC 8); Runway 5-23 Avgas Valve Pit; GCI Compound, UST GCI-1; NMCB Building Area; UST, T-1416 Expanded Area; NORPAC Hill Seep Area; UST 10578, South of Runway 18-36 Area; Tanker Shed, UST 42494, Yakutat Hangar, UST T-2039-A; SWMU 20, White Alice/Trout Creek Disposal Area; SWMU 23, Heart Lake Drum Disposal Area; SWMU 52, 53, and 59, Former Loran Station; SA 76, Old Line Shed Building; Amulet Housing Well AMW-706 Area; Amulet Housing Well AMW-709 Area; and SWMU 62, New Housing Fuel Leak.**

Unless specifically authorized in writing by the Department of the Navy, the activity listed below is prohibited by any person or entity, in the Solid Waste Management Units 10, 14, 15, 16, 17, 24, 55, 60, 61 and 67; Source Areas 73, 77, 78, 80, 82, and 88; Antenna Field, USTs ANT-1, ANT-2, ANT-3, and ANT-4; Former Power Plant, Building T-1451; ROICC Contractor's Area (UST ROICC 8); Runway 5-23 Avgas Valve Pit; GCI Compound, UST GCI-1; NMCB Building Area; Underground Storage Tank, T-1416 Expanded Area; NORPAC Hill Seep Area; UST 10578, South of Runway 18-36 Area; Tanker Shed, UST 42494, Yakutat Hangar, UST T-2039-A;h SWMU 20, White Alice/Trout Creek Disposal Area; SWMU 23, Heart Lake Drum Disposal Area; SWMU 52, 53, and 59, Former Loran Station; SA 76, Old Line Shed Building; Amulet Housing Well AMW-706 Area; Amulet Housing Well AMW-709 Area; and SWMU 62, New Housing Fuel Leak:

Residential Land Use (the term "Residential Land Use" shall include permanent or temporary living accommodations, child care facilities, schools, playgrounds, and hospitals).

3. Solid Waste Management Units 18, 19, and 25 (White Alice and Roberts Landfills, respectively); SWMU 2, Causeway Landfill; SWMU 4, South Davis Road Landfill; SWMU 13, Metals Landfill; SWMU 21A, White Alice Upper Quarry; SWMU 29, Finger Bay Landfill and SWMU 11, Palisades Landfill.

Unless specifically authorized in writing by the Department of the Navy, the activities listed below are prohibited by any person or entity, except Department of the Navy personnel or their authorized representative in Solid Waste Management Units 18, 19, and 25 (White Alice and Roberts Landfills, respectively); SWMU 2, Causeway Landfill; SWMU 4, South Davis Road Landfill; SWMU 13, Metals Landfill; SWMU 21A, White Alice Upper Quarry; SWMU 29, Finger Bay Landfill and SWMU 11, Palisades Landfill.

- (a) Excavation of soils or other materials; and
- (b) Any activity that disturbs the ground surface of the landfill caps or its drainage system.

A map generally depicting the areas identified in Paragraphs 2 and 3 is attached hereto as Exhibit C.

RIGHT OF ENTRY

The United States shall have reasonable right of entry and access to the Property for inspection, monitoring, and other activities consistent with the purposes of this Equitable Servitude, CERCLA 42 U.S.C. Section 9620(h)(3)(A)(iii).

GENERAL PROVISIONS

- a. The Equitable Servitude is for the benefit of the United States and includes the perpetual right to enforce and implement the Provisions herein. Nothing herein shall be deemed to create in any third party the right to enforce this Equitable Servitude.
- b. All real estate, lots, parcels, or portions thereof located within or on the Property, and any lease, conveyance, or transfer covering or describing any part thereof or interest therein, shall be subject to the Provisions herein. By acceptance of such conveyance or transfer, each lessee, transferee or grantee and each of their heirs, successors, transferees or assigns agree to be bound by the Provisions herein.

c. The Provisions herein shall run with the land in perpetuity and shall be binding upon all successors, and assigns and all future transferees and holders of an interest in the Property or any parcel, portion, or subdivision thereof.

d. To the maximum extent permitted by law, the Provisions herein shall not be subject to waiver or abandonment due to non-enforcement or violation of any of the Provisions herein on all or any portion of the Property. No waiver of the breach of any of the Provisions herein shall constitute a waiver of a subsequent breach of the same Provision or any other Provision. No right of action shall accrue for or on account of the failure of any person to exercise any right created by this equitable servitude, nor for imposing any Provision which may be unenforceable.

e. This Equitable Servitude may be enforced by the United States on behalf of the United States Navy and/or the U.S. Environmental Protection Agency in a court of law. The interpretation and performance of this Equitable Servitude shall be governed by the laws of Alaska.

f. Upon violation of any of the Provisions herein, the United States may seek any available legal or equitable remedy to enforce this Equitable Servitude and shall be entitled to recover damages for violations of the Provisions herein under applicable federal or state law.

g. Any notice, demand, request, consent, approval, or communication that a party desires or is required to give another shall be in writing and shall either be served personally or sent by first class mail, postage prepaid, addressed as follows:

To The United States:

[Name and Address]

h. The determination that any Provision herein, or its application to any person or circumstance, is invalid shall not affect any other Provision herein or its application and the other Provisions herein shall remain in full force and effect.

i. Any general rule of construction to the contrary notwithstanding, this equitable servitude and the provisions herein shall be construed so as to effect the purpose for which it was reserved by the United States. Any ambiguities shall be resolved in a manner that best accomplishes the purpose of this equitable servitude.

j. All future transferees and holders of an interest in the Property shall include in any instrument conveying any interest in any portion of the Property a notice that is in substantially the following form:

NOTICE: The interest conveyed hereby is subject to an Equitable Servitude, Easement, and Right of Entry dated _____, 2003, recorded on ___ date at (AM/PM) by Serial No. _____, the Aleutian Islands Recording District, Third Judicial District, State of Alaska, in favor of, and enforceable by, the United States.

TERMINATION

This Equitable Servitude shall be vacated and shall be of no further force and effect upon the recordation in the Aleutian Islands Recording District, Third Judicial District, State of Alaska by the United States of a Notice of Vacation of Equitable Servitude, Easement and Right of Entry. The United States shall execute and record a Notice of Vacation of Equitable Servitude, Easement, and Right of Entry at such time as it determines with the concurrence of state and federal regulators that the prohibited activities and other provisions of this Instrument are no longer necessary for the protection of human health and the environment. The Notice of Termination of Equitable Servitude, Easement, and Right of Entry shall be executed by the United States and state that the United States has determined that the prohibited and required activities and other provisions of the Equitable Servitude, Easement, and Right of Entry are no longer necessary for the protection of human health and the environment and further state that the Equitable Servitude, Easement, and Right of Entry is hereby vacated. The current owner of the property may request the United States to amend the Records of Decision and vacate this Equitable Servitude, Easement, and Right of Entry as to all of the Property, or as to a parcel or portion thereof. The United States, through the Department of the Navy and/or the U.S. Environmental Protection Agency, in their sole discretion, shall determine whether to grant the request or deny it. Nothing herein affects the Navy's or EPA's authority to select and perform additional response actions for the Site in accordance with CERCLA and the National Contingency Plan, 40 CFR Part 300.

Exhibit A
Legal Descriptions

Downtown Area

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point A-5 (NAD 83 - N=311,300.45 E=3,131,896.74), which is North 06°29'31" West 2,325.06 feet from U.S. Navy control point BEE; thence South 34°23'54" East 644.38 feet to the POINT OF BEGINNING; thence North 26°53'02" West 1537.03 feet; thence North 00°32'57" West 851.19 feet; thence North 24°43'42" East 1812.70 feet; thence North 03°00'48" West 587.55 feet; thence North 21°34'20" West 845.53 feet; thence North 09°10'39" West 4876.34 feet; thence North 22°51'23" East 691.32 feet; thence North 44°15'33" East 787.49 feet; thence North 61°57'38" East 709.62 feet; thence North 28°28'04" East 2037.09 feet; thence North 75°57'50" East 1443.44 feet; thence North 39°33'12" East 916.70 feet; thence North 80°38'44" East 955.38 feet; thence North 65°22'10" East 1280.69 feet; thence North 00°03'20" West 1822.76 feet; thence North 07°10'03" East 1933.05 feet; thence North 09°25'47" East 1331.68 feet; thence North 65°38'12" East 888.67 feet; thence South 81°30'56" West 915.13 feet; thence South 40°40'40" East 1298.44 feet; thence North 64°45'36" East 4346.21 feet; thence South 26°14'32" East 300 feet more or less to the line of Extreme Low Tide of Kuluk Bay; then Southerly and Westerly along said line of Extreme Low Tide to its intersection with a line which bears North 80°13'22" East from the POINT OF BEGINNING thence South 80°13'22" West 500 feet more or less to the POINT OF BEGINNING.

SWMU 10, Old Bailer Building

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point H-7 (NAD 83 - N=317,457.30 E=3,135,573.38), which is South 22°36'59" West 1,731.18 feet from U.S. Navy control point H-5; thence south 76°10'01" East 1,703.42 feet to the POINT OF BEGINNING; thence North 87°15'05" East 220.74 feet; thence South 03°21'52" West 276.74 feet; thence South 38°26'23" West 182.98 feet; thence North 83°19'56" West 72.79 feet; thence North 02°35'59" West 400.96 feet to the POINT OF BEGINNING. Containing 1.71 acres more or less.

SWMU 14, Old Pesticide Disposal Area

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point H-7(NAD 83 - N=317,457.30 E=3,135,573.38), which is South 22°36'59" West 1,731.18 feet from U.S. Navy control point H-5; thence South 63°21'15" East 1,297.20 feet to the POINT OF BEGINNING; thence North 84°36'19" East 112.38 feet; thence South 03°09'46" East 285.88 feet; thence South 86°11'42" West 110.91 feet; thence North 03°26'45" West 282.75 feet to the POINT OF BEGINNING. Containing 0.73 acres more or less.

SWMU 15, Future Jobs/DRMO

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point H-7 (NAD 83 - N=317,457.30 E=3,135,573.38), which is South 22°36'59" West 1,731.18 feet from U.S. Navy control point H-5, thence South 47°56'37" East 1,583.82 feet to the POINT OF BEGINNING; thence North 87°06'18" East 500.12 feet; thence South 02°38'58" East 797.53 feet; thence North 59°48'04" West 592.57 feet; thence North 02°55'39" West 473.97 feet to the POINT OF BEGINNING. Containing 7.28 acres more or less.

SWMU 16, Former Firefighting Training Area

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point A-12 (NAD 83 - N=318,813.81 E=3,131,902.86), which is South 23°48'38" East 2,882.16 feet from U.S. Navy control point L-13; thence North 21°50'41" East 1,533.56 feet to the POINT OF BEGINNING; thence North 01°23'12" West 206.17 feet; thence North 56°50'01" East 265.38 feet; thence South 82°14'05" East 422.55 feet; thence South 25°31'54" West 257.30 feet; thence South 83°15'42" West 528.58 feet to the POINT OF BEGINNING. Containing 3.68 acres more or less.

SWMU 17, Power Plant 3 Area

That portion of Adak Island, State of Alaska, described as follows:

BEGINNING at U.S. Navy control point A-12 (NAD 83 - N=318,813.81 E=3,131,902.86), which is South 23°48'38" East 2,882.16 feet from U.S. Navy control point L-13; thence North 63°04'59" East 549.92 feet; thence South 10°07'40" East 697.97 feet; thence South 50°33'01" West 521.70 feet; thence North 70°21'41" West 458.75 feet; thence North 00°42'45" East 282.25 feet; thence North 33°13'57" East 398.37 feet to the POINT OF BEGINNING. Containing 12.72 acres more or less.

SWMU 24, Hazardous Waste Storage Facility

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point H-7 (NAD 83 - N=317,457.30 E=3,135,573.38), which is South 22°36'59" West 1,731.18 feet from U.S. Navy control point H-5. Thence South 62°52'58" East 2,278.79 feet to the POINT OF BEGINNING; thence North 87°08'50" East 217.53 feet; thence South 00°13'13" West 67.06 feet; thence South 86°21'56" West 212.43 feet; thence North 04°06'21" West 69.88 feet to the POINT OF BEGINNING. Containing 0.34 acres more or less.

SWMU 55, Public Works Transportation Department Waste Storage Area

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point H-7 (NAD 83 - N=317,457.30 E=3,135,573.38), which is South 22°36'59" West 1,731.18 feet from U.S. Navy control point H-5; thence South 60°14'57" East 2,578.16 feet to the POINT OF BEGINNING; thence North 87°59'17" East 110.29 feet; thence South 03°04'45" East 567.35 feet; thence South 85°48'25" West 34.56 feet; thence North 02°53'49" West 327.60 feet; thence North 88°51'02" West 144.01 feet; thence North 01°23'26" West 233.07 feet; thence North 87°59'17" East 60.00 feet to the POINT OF BEGINNING. Containing 1.2 acres more or less.

SWMU 60, Tank Farm A

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point A-12 (NAD 83 - N=318,813.81 E=3,131,902.86), which is North 69°43'02" West 3,913.16 feet from U.S. Navy control point H-7. Thence South 10°17'09" West 1,987.25 feet to the POINT OF BEGINNING; thence South 07°43'35" East 335.28 feet; thence South 37°36'13" East 1,637.32 feet; thence South 25°30'42" West 143.71 feet; thence South 08°17'33" East 710.36 feet; thence South 62°33'41" West 157.60 feet; thence North 80°53'35" West 1,150.14 feet; thence North 20°17'46" West 1,299.14 feet; thence North 49°25'16" West 1,021.46 feet; thence North 71°39'52" East 1,493.04 feet to the POINT OF BEGINNING. Containing 71.18 acres more or less.

SWMU 61, Tank Farm B

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point H-5 (NAD 83 - N=319,055.35 E=3,136,239.12), which is North 22°36'59" East 1,731.18 feet from U.S. Navy control point H-7. Thence North 06°37'19" West 5,314.22 feet to the POINT OF BEGINNING; thence North 14°32'53" West 308.17 feet; thence North 02°46'37" West 763.01 feet; thence North 67°24'17" East 123.02 feet; thence South 58°04'07" East 528.85 feet; thence South 38°56'35" East 259.29 feet; thence North 69°11'25" East 274.67 feet; thence South 21°20'52" East 69.29 feet; thence South 62°23'54" West 516.33 feet; thence South 46°01'33" West 605.05 feet to the POINT OF BEGINNING. Containing 11.29 acres more or less.

SWMU 67, White Alice PCB Spill Site

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point L-13 (NAD 83 - N=321,450.66 E=3,130,739.30), which is North 23°48'38" West 2,882.16 feet from U.S. Navy control point A-12. Thence South 77°00'42" West 9,512.33 feet to the POINT OF BEGINNING; thence South 01°46'44" East 197.06 feet; thence South 14°59'57" West 148.57 feet; thence South 57°55'40" West 150.05 feet; thence North 69°20'37" West 195.95 feet; thence North 15°18'12" West 150.98 feet; thence North 09°08'56" East 207.61 feet; thence North 73°35'34" East 198.48 feet; thence South 70°44'39" East 168.71 feet to the POINT OF BEGINNING. Containing 3.36 acres more or less.

SA 73/SWMU 58 Heating Plant No. 6

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point M-8G (NAD 83 - N=346,983.09 E=3,147,350.90), which is North 05°52'01" West 2,182.08 feet from U.S. Navy control point E.A.; thence South 51°47'55" East 831.60 feet to the POINT OF BEGINNING; thence South 38°53'45" East 155.17 feet; thence South 52°03'15" East 206.52 feet; thence South 00°30'24" West 219.92 feet; thence North 89°29'36" West 385.02 feet; thence North 18°23'04" East 217.73 feet; thence North 04°11'28" West 109.40 feet; thence North 17°29'05" West 63.85 feet; thence North 31°37'21" East 62.53 feet; thence North 56°42'35" East 62.67 feet to the POINT OF BEGINNING. Containing 2.76 acres more or less.

SA 77, Fuels Facility Refueling Dock, Small Drum Storage Area

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point A-5 (NAD 83 - N=311,300.45 E=3,131,896.74), which is North 06°29'31" West 2,325.41 feet from U.S. Navy control point BEE; thence North 45°19'59" East 1,139.01 to the POINT OF BEGINNING; thence North 14°32'23" West 124.52 feet; thence South 76°56'03" East 96.52 feet; thence South 13°46'38" East 80.55 feet; thence South 75°58'04" West 84.46 feet to the POINT OF BEGINNING. Containing 0.20 acres more or less.

SA 78, Old Transportation Building USTs 10583, 10584, and ASTs

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point M-8G (NAD 83 - N=346,983.09 E=3,147,350.90), which is North 05°52'01" West 2,182.08 feet from U.S. Navy control point E.A.; thence South 80°44'33" East 1,380.76 feet to the POINT OF BEGINNING; thence South 50°11'47" East 175.45 feet; thence South 00°30'24" West 110.27 feet; thence South 76°42'12" West 129.77 feet; thence North 31°51'07" West 105.44 feet; thence North 16°27'31" East 169.83 feet to the POINT OF BEGINNING. Containing 0.69 acres more or less.

SA 80, Steam Plant 4, USTs 27089 and 27090

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point H-5(NAD 83 - N=319,055.35 E=3,136,239.11), which is North 22°36'59" East 1,731.18 feet from U.S. Navy control point H-7; thence North 01°30'45" East 1,565.76 feet to the POINT OF BEGINNING; thence South 76°31'31" West 195.31 feet; thence North 86°46'35" West 134.45 feet; thence North 61°28'24" East 267.20 feet; thence South 79°03'46" East 91.72 feet; thence South 00°30'34" West 72.26 feet to the POINT OF BEGINNING. Containing 0.53 acres more or less.

SA 82, P-80/P-81 Buildings, USTs 10579, 10587, and ASTs

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point M-8G (NAD 83 - N=346,983.09 E=3,147,350.90), which is North 05°52'01" West 2,182.08 feet from U.S. Navy control point E.A.; thence North 30°24'15" West 3,457.58 feet to the POINT OF BEGINNING; thence South 73°52'44" West 103.16 feet; thence South 49°33'01" West 73.61 feet; thence North 36°55'36" West 39.31 feet; thence North 49°32'50" East 73.37 feet; thence North 73°22'00" East 104.07 feet; thence South 35°04'26" East 39.89 feet to the POINT OF BEGINNING. Containing 0.16 acres more or less.

SA 88, P-70 Energy Generator, UST 10578

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point M-8G (NAD 83 - N=346,983.09 E=3,147,350.90), which is North 05°52'01" West 2,182.08 feet from U.S. Navy control point E.A.; thence North 35°50'08" East 2,574.42 feet to the POINT OF BEGINNING; thence North 30°42'04" West 50.36 feet; thence North 18°31'25" East 78.62 feet; thence South 89°29'36" East 33.74 feet; thence South 35°32'39" East 106.78 feet; thence South 00°30'24" West 31.51 feet; thence North 89°29'36" West 95.01 feet to the POINT OF BEGINNING. Containing 0.23 acres more or less.

Antenna Field (USTs ANT-1, ANT-2, ANT-3, and ANT-4)

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point E-4 (NAD 83 - N=332,154.64 E=3,142,613.66), which is North 57°35'05" East 725.62 feet from U.S. Navy control point E-3. Thence North 61°26'10" East 3,935.01 feet to the POINT OF BEGINNING; thence North 00°30'29" East 108.88 feet; thence South 89°29'31" East 32.12 feet; thence South 00°30'29" West 34.68 feet; thence South 18°10'09" East 78.32 feet; thence North 89°29'48" West 57.20 feet to the POINT OF BEGINNING. Containing 0.10 acres more or less.

Former Power Plant, Building T-1451

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point H-7 (NAD 83 - N=317,457.30 E=3,135,573.38), which is South 22°06'25" West 1,731.18 feet from U.S. Navy control point H-5; thence South 36°09'49" West 1285.20 feet to the POINT OF BEGINNING; thence South 08°28'33" West 183.50 feet; thence South 89°31'54" East 221.80 feet; thence South 00°30'34" West 180.16 feet; thence North 89°29'26" West 593.42 feet; thence North 00°30'34" East 180.00 feet; thence North 65°54'56" East 436.66 feet to the POINT OF BEGINNING. Containing 3.23 acres more or less.

ROICC Contractor's Area (UST ROICC 8)

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point D-2 (NAD 83 - N=329,316.25 E=3,137,504.23) which is North 61°34'48" East 713.86 feet from U.S. Navy control point D-1; thence South 23°13'22" East 1,139.26 feet to the POINT OF BEGINNING; thence South 02°20'38" East 231.16 feet; thence South 87°39'32" West 161.61 feet; thence North 01°58'37" West 232.64 feet; thence North 88°11'12" East 160.14 feet to the POINT OF BEGINNING. Containing 0.86 acres more or less.

Runway 5-23, Avgas Valve Pit

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point H-5 (NAD 83 - N=319, 055.35 E=3,136,239.12), which is North 22°36'59" East 1,731.18 feet from U.S. Navy control point H-7; thence North 72°12'40" West 4,341.44 feet to the POINT OF BEGINNING; thence North 81°00'16" West 142.36 feet; thence North 24°22'42" East 185.12 feet; thence South 54°22'00" East 97.81 feet; thence South 06°31'04" West 134.76 feet to the POINT OF BEGINNING. Containing 0.42 acres more or less.

GCI Compound, UST GCI-1

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point H-7 (NAD 83 - N=317,457.30 E=3,135,573.38), which is South 22°36'59" West 1,731.18 feet from U.S. Navy control point H-5; thence North 09°37'25" East 368.83 feet to the POINT OF BEGINNING; thence North 89°29'26" West 124.00 feet; thence North 00°30'34" East 76.08 feet; thence South 87°45'03" East 83.63 feet; thence North 75°49'50" East 121.24 feet; thence South 75°40'17" East 66.15 feet; thence South 58°25'35" West 166.54 feet to the POINT OF BEGINNING. Containing 0.38 acres more or less.

NMCB Building Area, UST T-1416 Expanded Area

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point H-7 (NAD 83 - N=317,457.30 E=3,135,573.38), which is South 22°36'59" West 1,731.18 feet from U.S. Navy control point H-5; thence South 10°09'20" West 2198.97 feet to the POINT OF BEGINNING; thence South 59°40'36" East 463.34 feet; thence South 73°21'14" West 437.75 feet; thence South 61°16'16" West 194.17 feet; thence South 00°30'34" West 237.10 feet; thence North 89°29'26" West 90.82 feet; thence North 00°30'34" East 104.33 feet; thence South 87°34'41" West 662.33 feet; thence South 46°26'49" West 272.08 feet; thence South 89°37'04" West 262.03 feet; thence North 01°11'59" West 474.53 feet; thence North 44°24'17" East 344.07 feet; thence South 88°17'14" East 1107.27 feet; thence North 40°19'27" East 34.61 feet; thence North 26°42'47" East 94.94 to the POINT OF BEGINNING. Containing 18.44 acres more or less.

NORPAC Hill Seep Area

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point H-5 (NAD 83 - N=319, 055.35 E=3,136,239.12), which is North 22°36'59" East 1,731.18 feet from U.S. Navy control point H-7; thence North 45°00'38" East 2,902.90 feet to the POINT OF BEGINNING; thence North 12°43'52" East 265.01 feet; thence South 89°29'26" East 510.40 feet; thence South 37°39'55" West 408.79 feet; thence North 77°41'06" West 326.51 feet to the POINT OF BEGINNING. Containing 2.90 acres more or less.

UST 10578 (See SA 88, P-70 Energy Generator, UST 10578)**South of Runway 18-36 Area**

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point H-7 (NAD 83 - N=317,457.30 E=3,135,573.38), which is South 22°36'59" West 1,731.18 feet from U.S. Navy control point H-5; thence South 34°41'17" West 3,087.56 feet to the POINT OF BEGINNING; thence South 44°50'49" West 991.85 feet; thence South 12°27'21" West 431.83 feet; thence North 79°37'05" West 396.72 feet; thence North 28°31'10" East 539.45 feet; thence North 17°20'47" East 1,200.99 feet; thence South 45°00'42" East 801.98 feet to the POINT OF BEGINNING. Containing 16.17 acres more or less.

Tanker Shed, UST 42494

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point H-5 (NAD 83 - N=319,055.35 E=3,136,239.12), which is North 22°36'59" East 1,731.18 feet from U.S. Navy control point H-7; thence North 87°21'26" West 894.01 feet to the POINT OF BEGINNING; thence South 00°30'34" West 148.86 feet; thence North 89°29'26" West 132.56 feet; thence North 00°30'34" East 148.86 feet; thence South 89°29'26" East 132.56 feet to the POINT OF BEGINNING. Containing 0.45 acres more or less.

Yakutat Hangar, UST T-2039-A

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point A-12 (NAD 83 - N=318,813.81 E=3,131,902.86), which is North 69°43'02" West 3,913.16 feet from U.S. Navy control point H-7; thence North 07°56'11" West 938.77 feet to the POINT OF BEGINNING; thence North 16°44'48" East 283.61 feet; thence South 83°52'28" East 451.35 feet; thence South 19°32'32" West 92.81 feet; thence South 42°58'18" West 196.95 feet; thence North 88°43'15" West 365.29 feet to the POINT OF BEGINNING. Containing 2.51 acres more or less.

SWMU 20, White Alice/Trout Creek Disposal Area

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point L-13 (NAD 83 - N=321,450.66 E=3,130,739.30), which is North 23°48'38" West 2,882.16 feet from U.S. Navy control point A-12. Thence South 83°29'32" West 9,206.79 feet to the POINT OF BEGINNING; thence South 48°15'26" West 425.49 feet; thence North 70°32'59" West 741.76 feet; thence North 00°30'52" West 200.00 feet; thence North 63°09'42" East 735.09 feet; thence South 35°56'08" East 612.06 feet to the POINT OF BEGINNING. Containing 10.61 acres more or less.

SWMU 23, Heart Lake Drum Disposal Area

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point A-5 (NAD 83 - N=311,300.45 E=3,131,896.74), which is North 06°29'31" West 2,325.41 feet from U.S. Navy control point BEE. Thence South 76°50'09" West 4,819.56 feet to the POINT OF BEGINNING; thence South 17°30'10" West 129.68 feet; thence South 25°36'02" West 215.45 feet; thence South 70°46'06" West 234.65 feet; thence North 80°13'45" West 286.66 feet; thence North 09°15'11" East 305.38 feet; thence North 11°36'26" West 247.41 feet; thence North 81°22'50" East 392.52 feet; thence South 44°10'48" East 356.92 feet to the POINT OF BEGINNING. Containing 7.19 acres more or less.

SWMUs 52, 53, 59, Former Loran Station

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point M-8G (NAD 83 - N=346,983.09 E=3,147,350.90), which is North 05°52'01" West 2,182.08 feet from U.S. Navy control point E.A. Thence North 17°31'28" West 15,814.79 feet to the POINT OF BEGINNING; thence South 50°42'20" West 561.76 feet; thence North 19°13'12" West 625.00 feet; thence North 57°17'52" East 823.77 feet; thence North 29°41'01" East 334.51 feet; thence North 48°38'39" East 552.07 feet; thence South 67°14'45" East 275.08 feet; thence South 29°43'49" West 513.03 feet; thence South 77°38'17" West 547.71 feet; thence South 14°50'18" West 437.81 feet; thence South 03°34'15" East 242.95 feet to the POINT OF BEGINNING. Containing 15.00 acres more or less.

SA 76, Old Line Shed Building

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point H-7 (NAD 83 - N=317,457.30 E=3,135,573.38) which is South 22°36'59" West 1,731.18 feet from U.S. Navy control point H-5; thence South 69°28'30" East 1,043.28 feet to the POINT OF BEGINNING; thence North 83°28'32" East 281.57 feet; thence South 03°29'37" East 237.89 feet; thence South 84°36'35" West 112.38 feet; thence South 03°52'27" West 255.29 feet; thence South 85°21'18" West 174.25 feet; thence North 03°03'40" West 485.52 feet to the POINT OF BEGINNING. Containing 2.53 acres more or less.

Amulet Housing Well AMW-706 Area

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point H-7 (NAD 83 - N=317,457.30 E=3,135,573.38), which is South 22°36'59" West 1,731.18 feet from U.S. Navy control point H-5; thence South 85°49'51" West 2,651.61 feet to the POINT OF BEGINNING; thence South 23°37'05" East 27.81 feet; thence South 77°05'52" West 66.46 feet; thence North 26°14'44" West 70.43 feet; thence South 74°54'56" East 87.81 feet to the POINT OF BEGINNING. Containing 0.07 acres more or less.

Amulet Housing Well AMW-709 Area

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point H-7 (NAD 83 - N=317,457.30 E=3,135,573.38), which is South 22°36'59" West 1,731.18 feet from U.S. Navy control point H-5; thence South 64°25'22" West 2,575.35 feet to the POINT OF BEGINNING; thence South 03°35'54" West 82.53 feet; thence North 73°47'37" West 85.27 feet; thence North 35°06'55" West 71.17 feet; thence North 89°50'33" East 128.00 feet to the POINT OF BEGINNING. Containing 0.16 acres more or less.

SWMU 62, New Housing Fuel Leak

That portion of Adak Island, State of Alaska, described as follows:

BEGINNING at U.S. Navy control point H-7 (NAD 83 - N=317,457.30 E=3,135,573.38), which is South 22°36'59" West 1,731.18 feet from U.S. Navy control point H-5; thence South 07°28'46" East 120.62 feet; thence South 27°26'31" West 235.79 feet; thence South 80°39'03" West 566.73 feet; thence North 18°50'29" West 442.33 feet; thence North 19°30'20" East 202.44 feet; thence South 89°29'26" East 390.89 feet; thence 61°11'42" East 384.07 feet to the POINT OF BEGINNING. Containing 8.58 acres more or less. ALSO

That portion of said Adak Island described as follows:

Commencing at said U.S. Navy control point H-7 thence North 31°29'08" East 702.85 feet to the POINT OF BEGINNING; thence North 58°28'50" West 198.18 feet; thence North 50°21'26" East 154.51 feet; thence North 10°25'07" East 476.72 feet; thence South 82°20'32" East 989.67 feet; thence South 35°42'47" East 227.90 feet; thence South 06°15'24" East 566.98 feet; thence South 86°20'06" East 327.36 feet; thence South 30°33'14" East 311.41 feet; thence South 03°56'30" East 335.56 feet; thence South 77°57'55" West 663.42 feet; thence North 16°14'39" West 753.41 feet; thence North 38°51'46" West 567.31 feet; thence North 74°50'18" West 342.95 feet; thence South 31°29'08" West 331.99 feet to the POINT OF BEGINNING. Containing 27.09 acre more or less.

SWMU 18/19, White Alice Landfill

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point L-13 (NAD 83 - N=321,450.66 E=3,130.739.30), which is North 23°48'38" West 2,882.16 feet from U.S. Navy control point A-12. Thence North 76°50'24" West 5,295.15 feet to the POINT OF BEGINNING; thence North 65°44'05" West 951.41 feet; thence North 12°01'16" West 484.30 feet; thence North 36°17'51" East 527.72 feet; thence North 81°26'38" East 297.78 feet; thence South 04°46'04" East 479.36 feet; thence South 20°34'22" East 914.94 to the POINT OF BEGINNING. Containing 15.41 acres more or less.

SWMU 25, Roberts Landfill

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point A-5 (NAD 83 - N=311,300.45 E=3,131,896.74), which is North 06°29'31" West 2,325.41 feet from U.S. Navy control point BEE. Thence South 69°04'16" West 1,361.22 feet to the POINT OF BEGINNING; thence South 22°10'48" East 474.05 feet; thence South 11°14'57" West 719.80 feet; thence South 12°23'39" West 389.29 feet; thence South 17°52'52" West 247.63 feet; thence South 10°12'39" West 658.25 feet; thence South 79°47'10" West 223.05 feet; thence North 76°21'30" West 540.70 feet; thence North 42°41'10" West 314.91 feet; thence North 09°01'51" West 682.22 feet; thence North 70°48'16" East 312.39 feet; thence North 11°04'04" East 1,053.01 feet; thence North 09°03'39" West 1,001.56 feet; thence South 77°27'02" East 324.76 feet; thence North 66°35'06" East 216.21 feet; thence South 54°57'59" East 160.70 feet; thence South 65°46'30" East 226.45 feet; thence South 11°33'02" East 551.12 feet to the POINT OF BEGINNING. Containing 68.60 acres more or less.

SWMU 2, Causeway Landfill

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point E.A. (NAD 83 - N=344,812.44 E=3,147,573.95), which is South 05°52'01" East 2,182.08 feet from U.S. Navy control point M-8G; thence North 83°49'41" East 5,516.12 feet to the POINT OF BEGINNING; thence North 83°51'43" East 255.60 feet; thence South 40°06'51" East 258.08 feet; thence South 10°24'05" East 551.07 feet; thence South 62°45'23" West 311.52 feet; thence North 20°19'11" West 246.12 feet; North 14°10'04" West 643.42 feet to the POINT OF BEGINNING. Containing 6.36 acres more or less.

SWMU 4, South Davis Road Landfill

That portion of Adak Island, State of Alaska, described as follows:

Commencing at Navy control point M-4A (NAD 83 - N=345,467.29 E=3,142,180.17), which is North 83°04'40" West 5,433.39 feet from U.S. Navy control point E.A.; thence South 72°43'25" West 473.12 feet to the POINT OF BEGINNING; thence South 04°33'50" East 182.02 feet; thence South 44°14'49" East 123.13 feet; thence South 00°26'51" West 131.89 feet; thence South 22°25'36" East 345.50 feet; thence South 06°39'38" East 269.54 feet; thence North 79°37'12" West 245.63 feet; thence North 17°41'54" East 319.67 feet; thence North 27°55'13" West 119.79 feet; thence North 79°05'10" West 166.58 feet; thence North 15°12'41" West 323.77 feet; thence North 24°36'53" East 120.34 feet; thence North 59°26'04" East 158.50 feet to the POINT OF BEGINNING. Containing 3.91 acres more or less.

SWMU 13, Metals Landfill

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point J-12 (NAD 83 - N=319,196.36 E=3,138,631.20), which is South 8°18'11" East 1,100.39 feet from U.S. Navy control point J-13; thence South 35°50'29" East 269.91 feet to the POINT OF BEGINNING; thence South 32°55'58" East 412.12 feet; thence South 36°33'24" East 235.29 feet; thence South 33°50'12" East 252.28 feet; thence South 30°01'42" East 271.28 feet; thence South 14°50'33" West 583.89 feet; thence South 43°31'11" West 369.95 feet; thence South 15°07'00" West 586.97 feet; thence South 85°00'57" West 666.79 feet; thence North 7°47'41" East 214.26 feet; thence North 31°13'07" East 352.71 feet; thence North 34°43'20" East 271.34 feet; thence North 16°02'46" East 847.46 feet; thence North 6°55'49" West 174.43 feet; thence North 26°50'43" West 187.22 feet; thence North 58°28'10" West 142.86 feet; thence North 86°44'51" West 335.46 feet; thence 48°09'00" East 708.55 feet to the POINT OF BEGINNING. Containing 31.45 acres more or less.

SWMU 21A, White Alice Upper Quarry

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point L-13 (NAD83 - N=321,450.66 E=3,130,739.30) which is North 24°19'30" West 2,882.16 feet from U.S. Navy control point A-12. Thence South 83°29'32" West 9,206.79 feet to the POINT OF BEGINNING; thence South 48°15'26" West 425.49 feet, thence South 32°46'16" West 95.93 feet, thence South 57°54'53" East 378.67 feet, thence North 64°49'52" East 112.55 feet, thence North 40°13'28" East 194.06 feet, thence North 38°32'08" West 191.17 feet, thence North 15°10'10" West 227.45 feet to the POINT OF BEGINNING. Containing 3.59 acres more or less.

SMWU 29, Finger Bay Landfill

That portion of Adak Island, State of Alaska, described as follows:

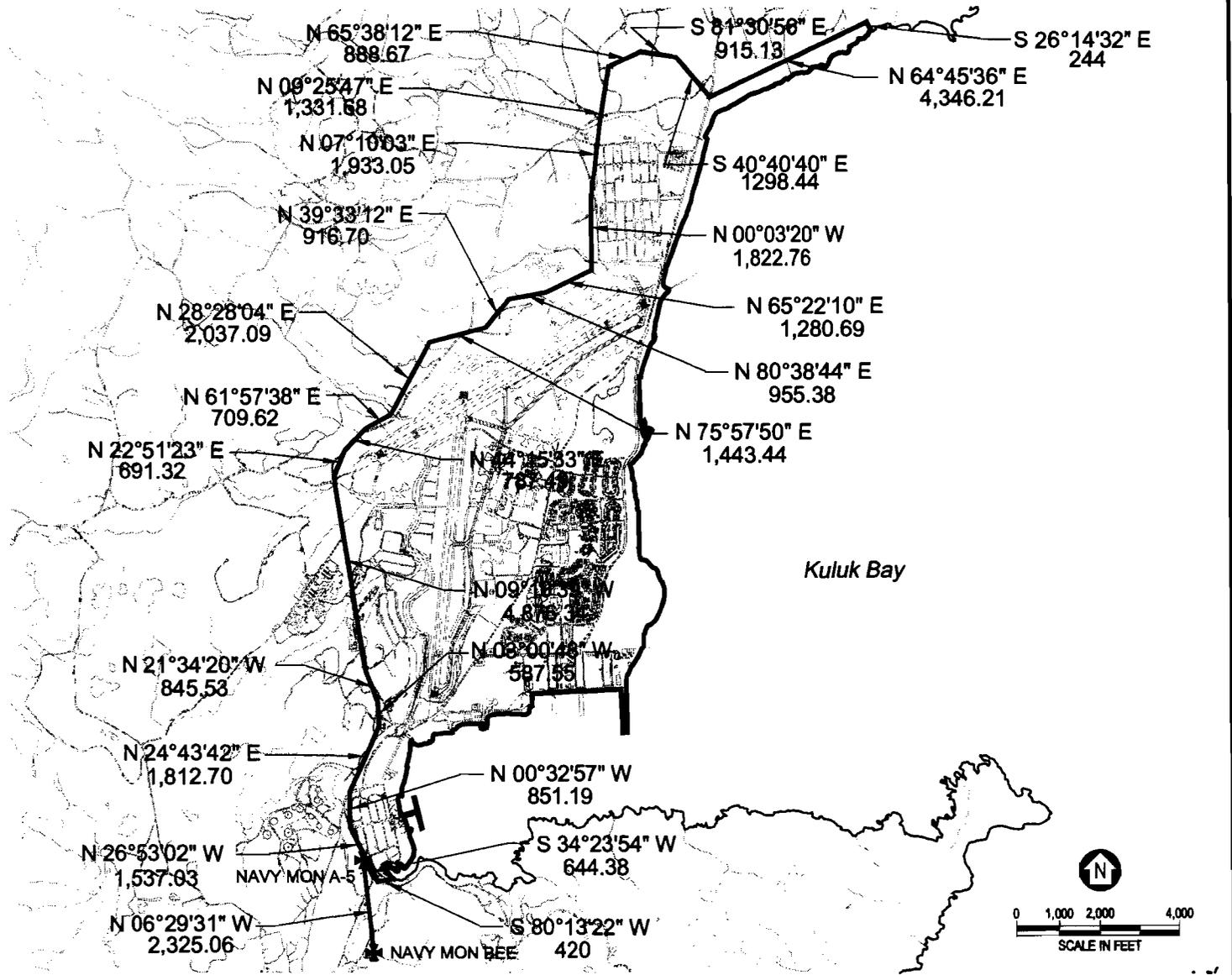
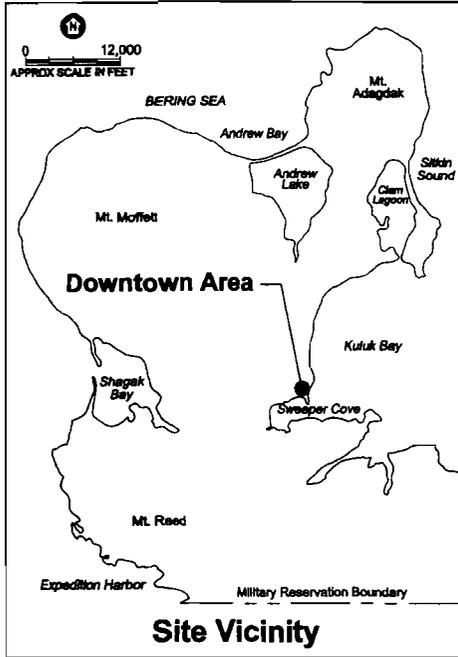
Commencing at U.S. Navy control point BEE (NAD 83 - N=308,989.95 E=3,132,159.66), which is South 06°29'31" East 2,325.06 feet from U.S. Navy control point A-5. Thence South 78°12'52" East 7,052.21 feet to the POINT OF BEGINNING; thence North 77°32'33" East 547.15 feet; thence South 05°09'41" East 674.66 feet; thence North 72°55'46" West 428.57 feet, thence North 23°24'08" West 466.47 feet to the POINT OF BEGINNING. Containing 5.95 acres more or less.

SWMU 11, Palisades Landfill

That portion of Adak Island, State of Alaska, described as follows:

Commencing at U.S. Navy control point E-3 (NAD 83 - N=331,765.67 E=314,001.10), which is South 57°35'05" West 725.62 feet from U.S. Navy control point E-4; thence North 14°40'40" East 326.86 feet to the POINT OF BEGINNING; thence North 71°11'49" East 495.58 feet; thence South 16°31'05" East 1,110.61 feet; thence South 67°47'56" West 442.80 feet; thence North 19°16'15" West 1,136.01 feet to the POINT OF BEGINNING. Containing 12.08 acres.

Exhibit B
Map of Downtown Area



Scale as Shown

Downtown Area

Exhibit B
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE

**Exhibit C
Site Maps**

SWMUs 62-63-69
Former Loren Station

Mt. Adagask

Hill 1045

SA 83, P-80/P-81 Buildings
USTs 10579, 10587,
and AST 10333

SA 88
P70 Energy Generator
UST 10579

SA 78
Old Transportation
Building USTs 10583,
10584, AND ASTs

SWMU 4
South Davis Road Landfill

SWMU 68 and SA 73
Heating Plant 6

SWMU 2
Causeway Landfill

Mt. Moffat

Antenna Field
USTs Ant-1, -2, -3, -4

SWMU 11
Palisades Landfill

ROICC Contractors Camp
UST ROICC-3

SWMU 61
Tank Farm B

SWMU 16
Former Firefighting Training Area

NORPAC Hill Seep Area

SA 80 Steam Plant 4
USTs 27089, 27090

Tanker Shed UST 42484

SWMU 13
Metals Landfill

SWMU 10 Old Baker Bldg

SA 78 Old Line Shed Bldg

SWMU 24 Hazardous Waste Storage Facility

SWMU 14 Old Pesticide Disposal Area

SWMU 55
Public Works Transportation Department
Waste Storage Area

SWMU 15 Future Jobs DRMO

Former Power Plant Bldg T-1451

NMCB Bldg Area T-1416 Expanded Area

South of Runway 16-36 Area

DOWNTOWN AREA

SWMUs 18-19
White Alice Landfill

Runway 5-23
Avgas Valve Pit

SWMU 20
White Alice Trout Creek Disposal Area

Yakutat Hanger
UST T-2039-A

Power Plant 3 Area

SWMU 21A
Paper Gallery

GCI Compound UST GCI-1

Amulet Housing Well AMW-706

SWMU 62 New Housing Fuel Leak

Amulet Housing Well AMW-789 Area

SWMU 67
White Alice PCB Spill Site

SWMU 80
Tank Farm A

SA 77
Fuel Facility Refueling
Dock - Small Drum Storage

SWMU 25
Roberts Landfill

SWMU 21
Heart Lake Drum Disposal Area

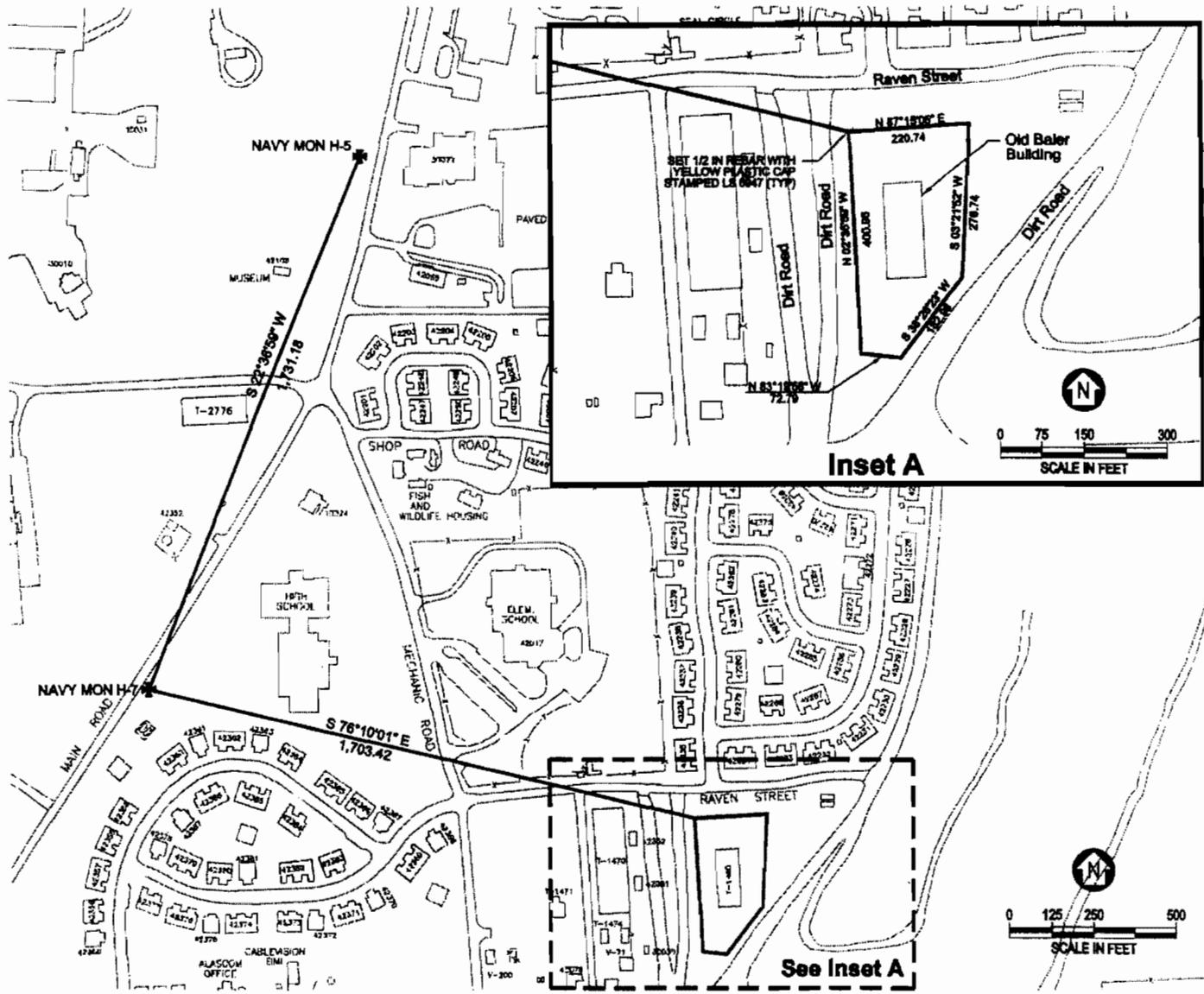
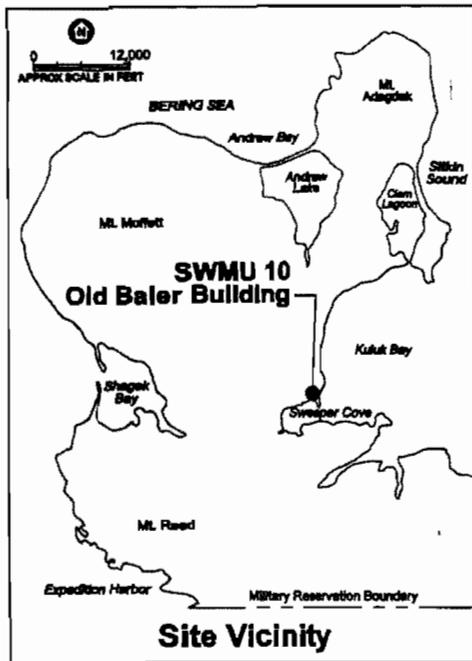
SWMU 29
Finger Bay Landfill

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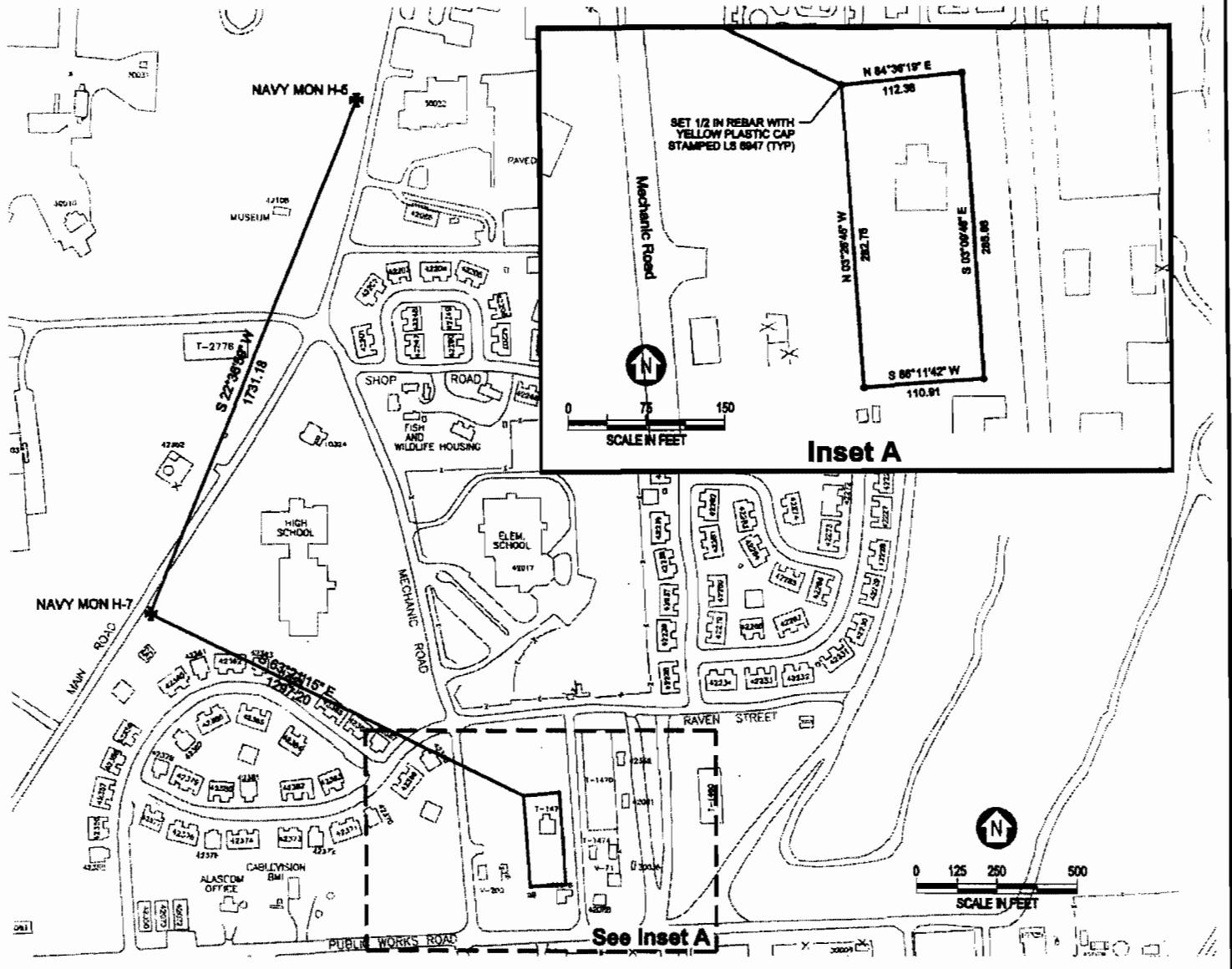
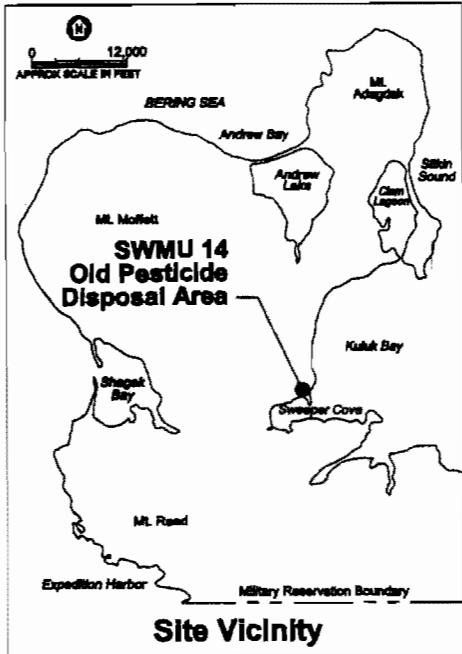
Site Location Map Adak Island, Alaska



Scale as Shown

**SWMU 10,
Old Baler Building**

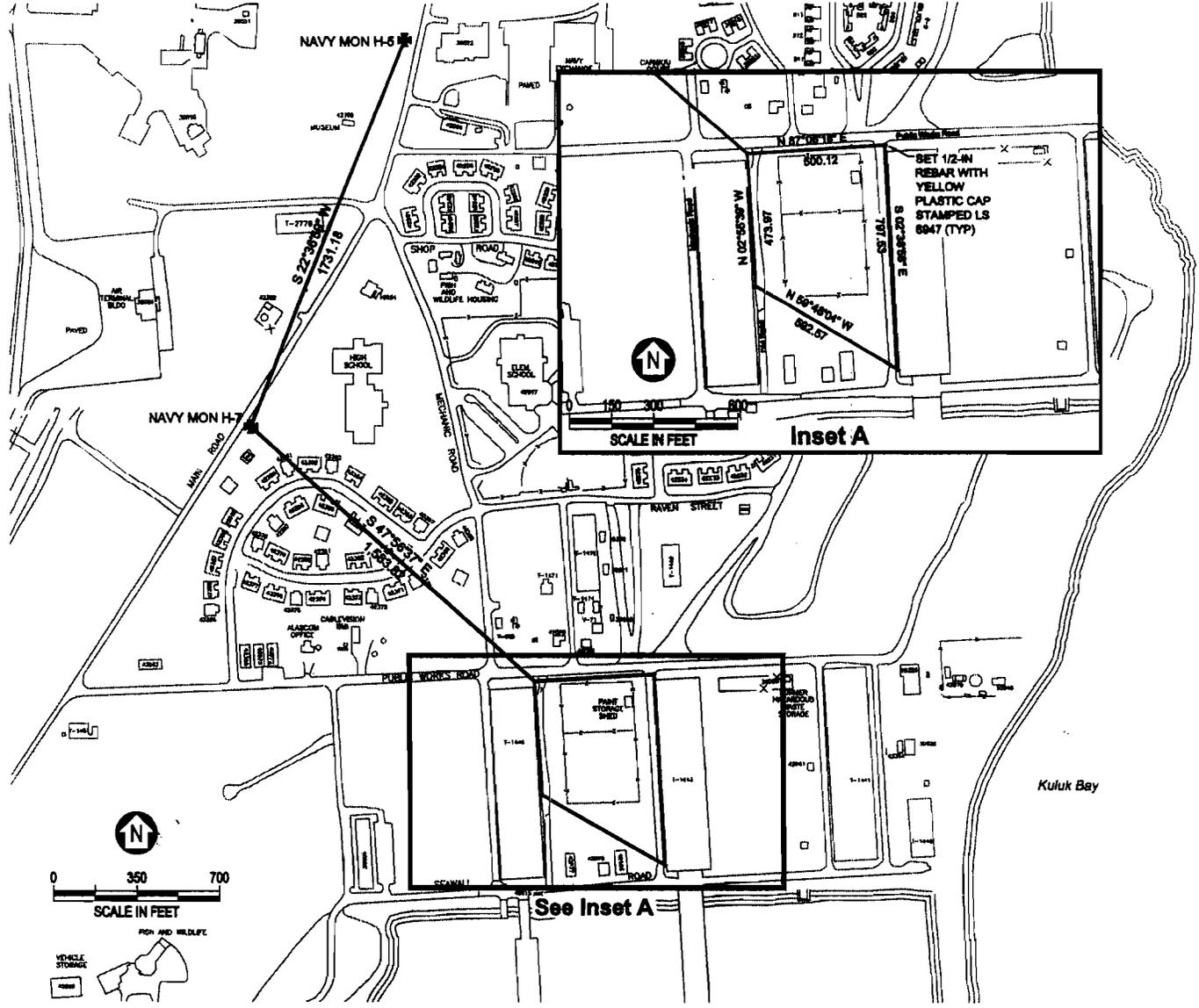
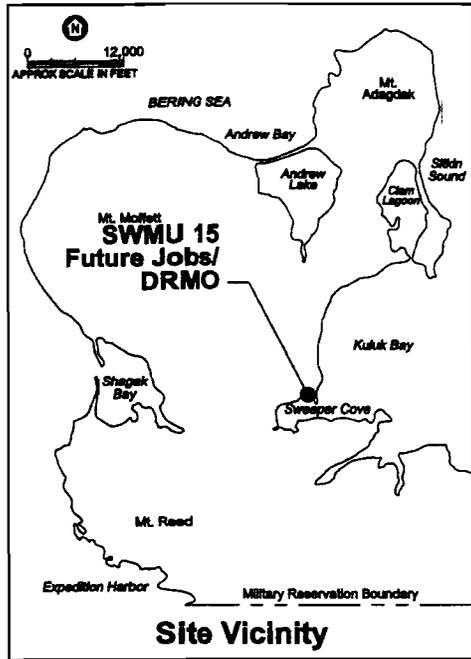
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-2



Scale as Shown

**SWMU 14,
Old Pesticide Disposal Area**

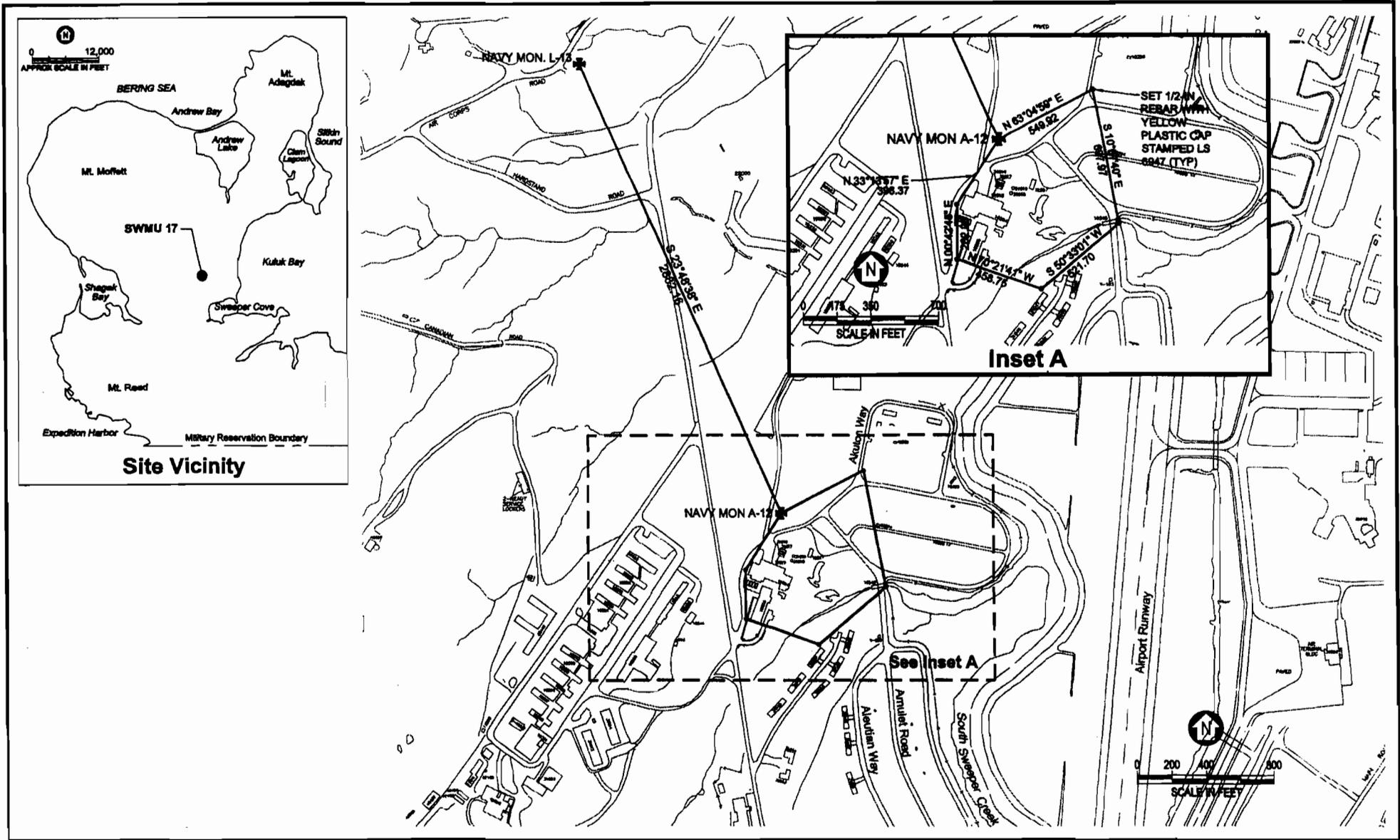
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-3



Scale as Shown

**SWMU 15,
Future Jobs/DRMO**

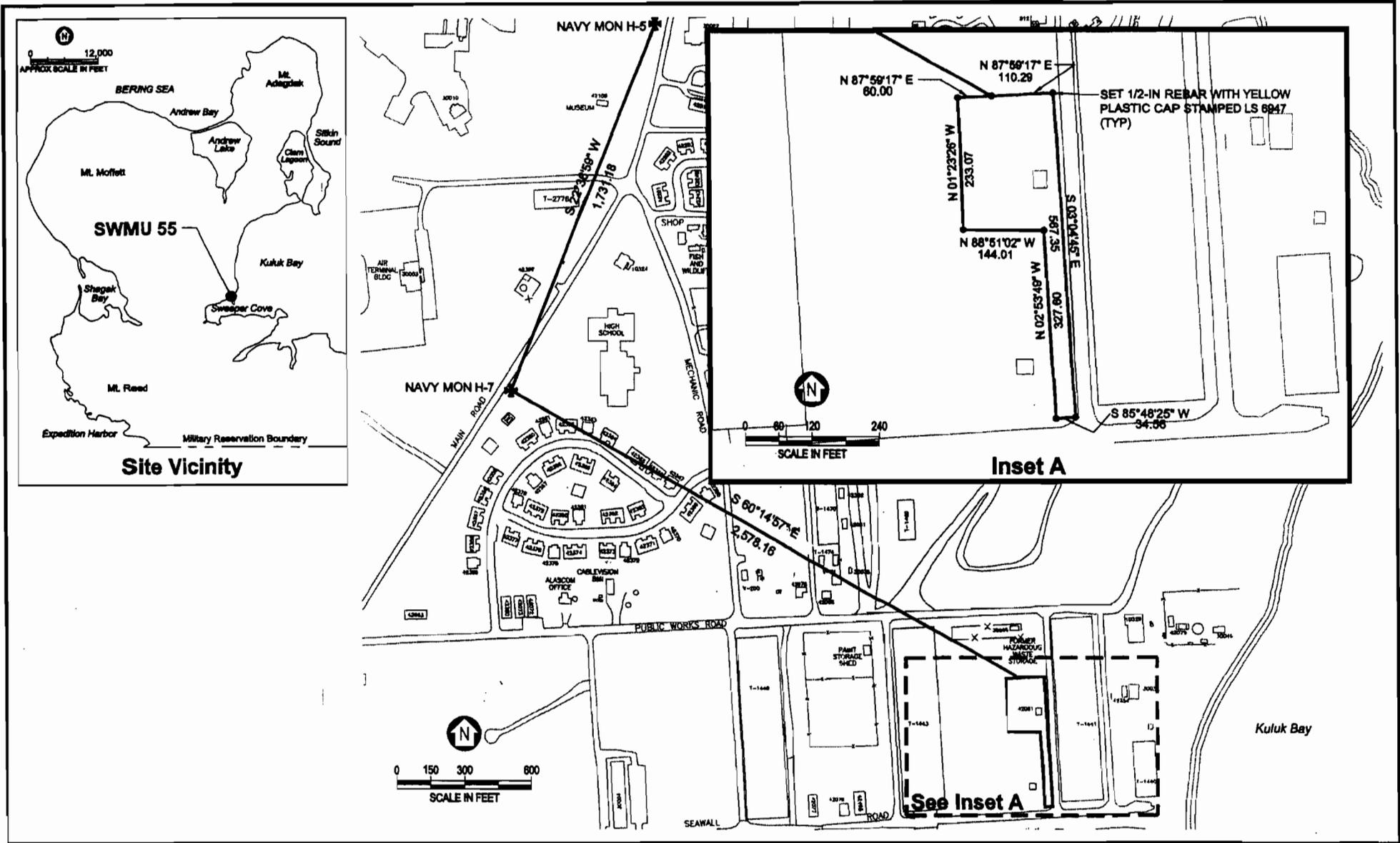
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-4



Scale as Shown

**SWMU 17,
Power Plant 3 Area**

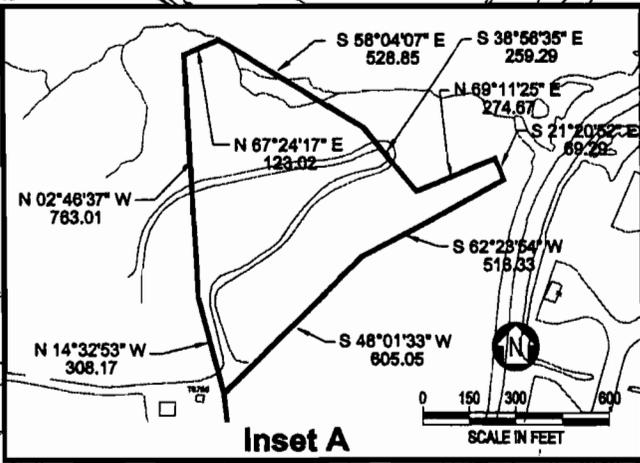
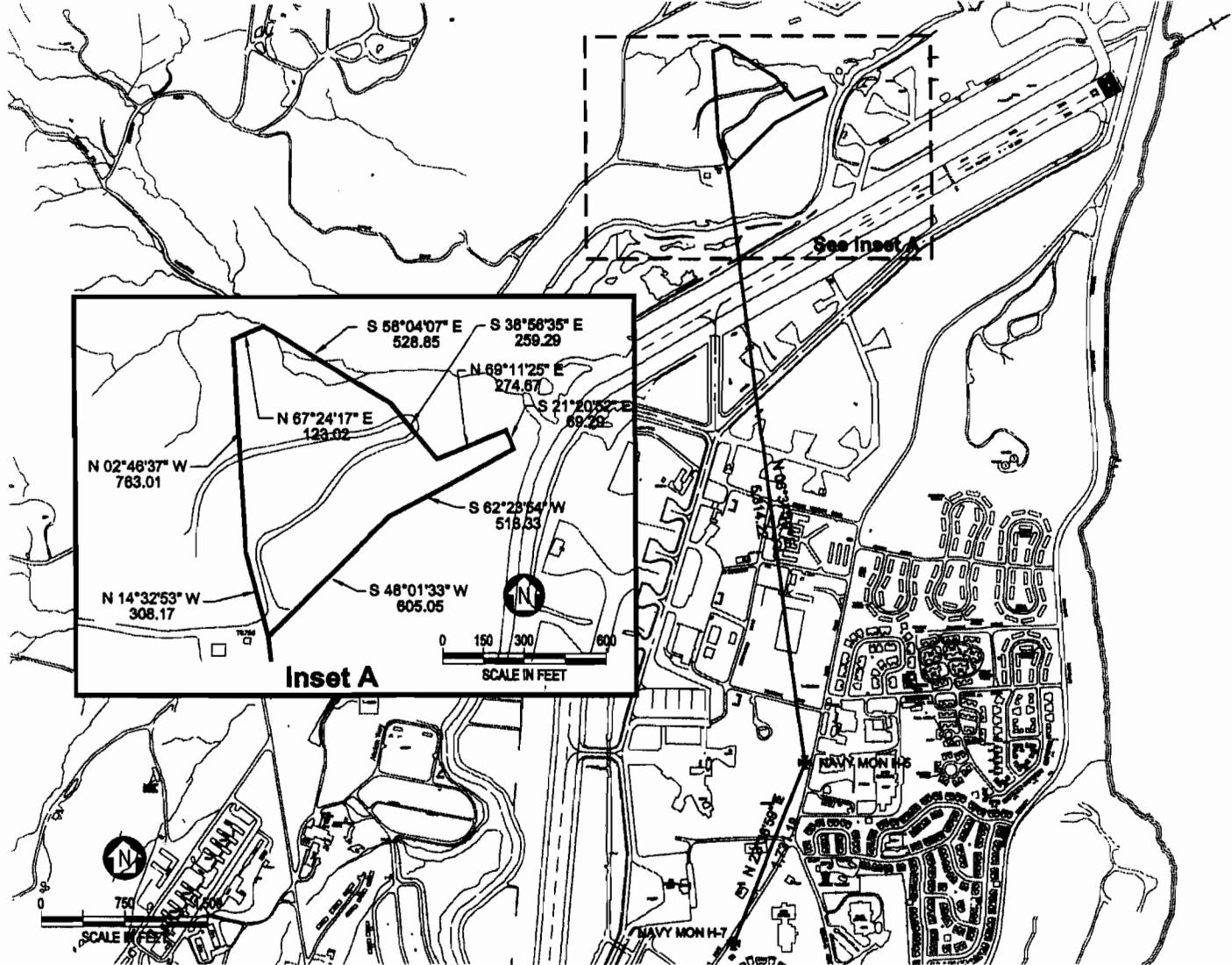
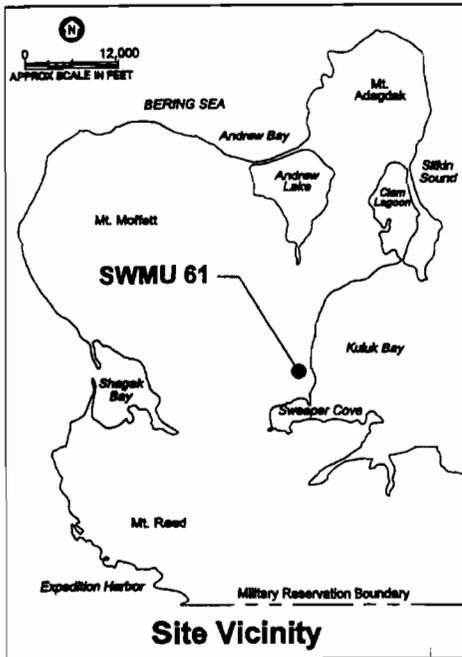
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-6



Scale as Shown

**SWMU 55,
Public Works Transportation
Department Waste Storage Area**

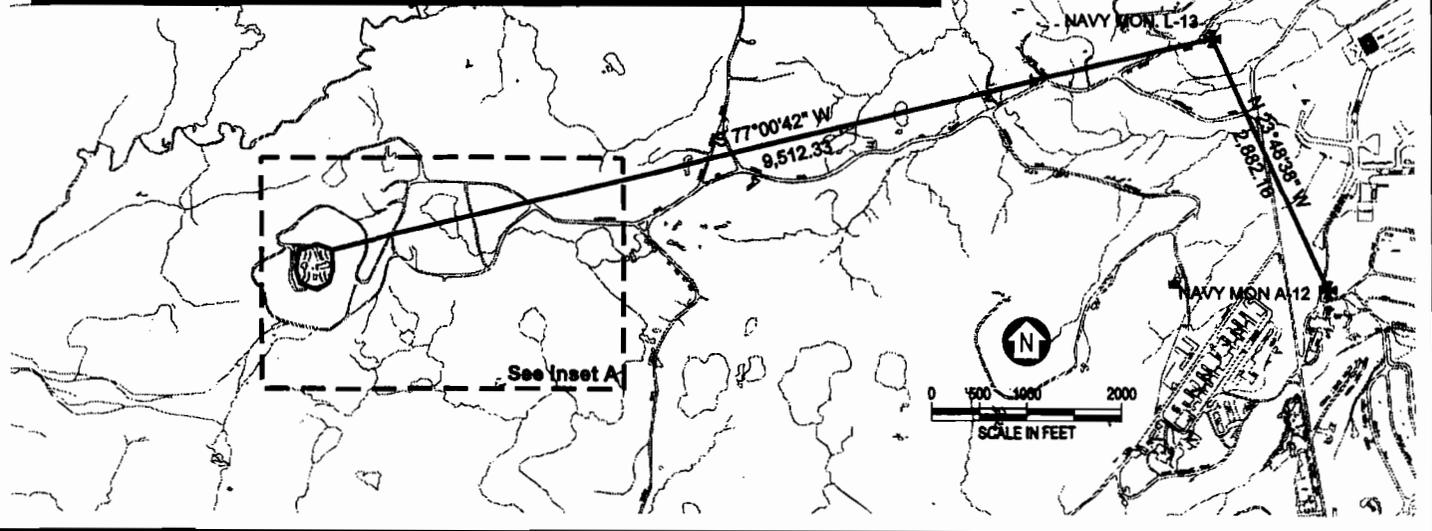
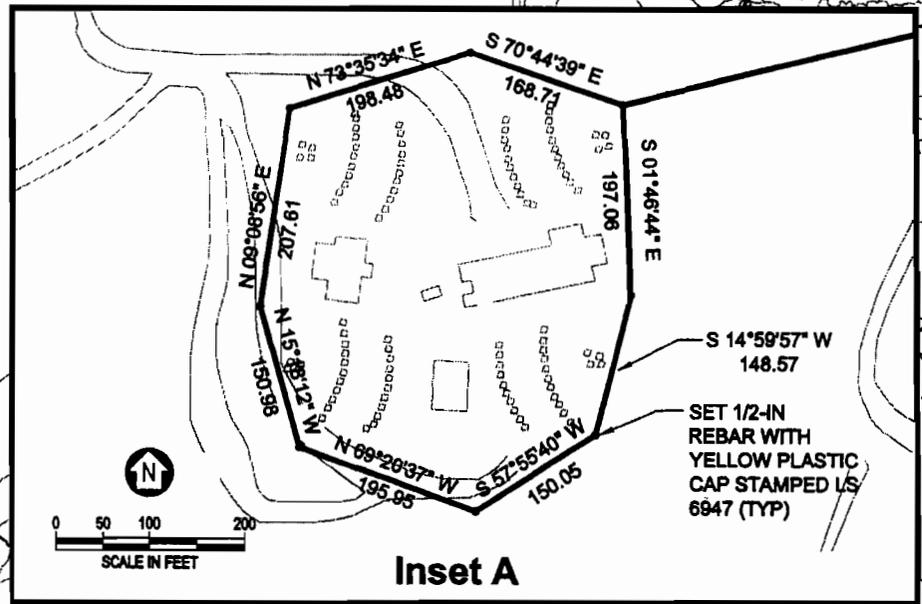
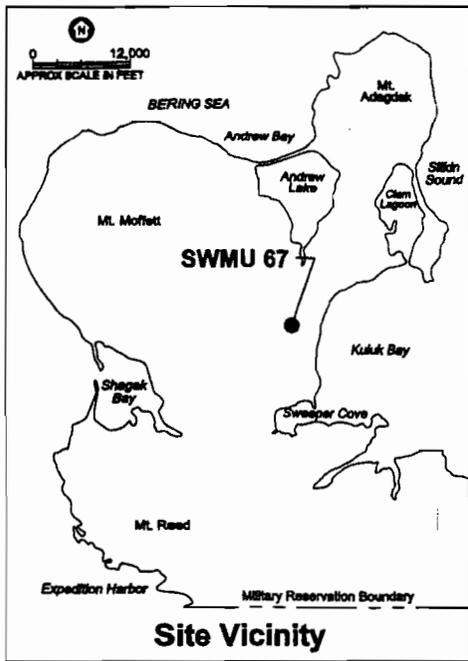
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-8



Scale as Shown

**SWMU 61,
Tank Farm B**

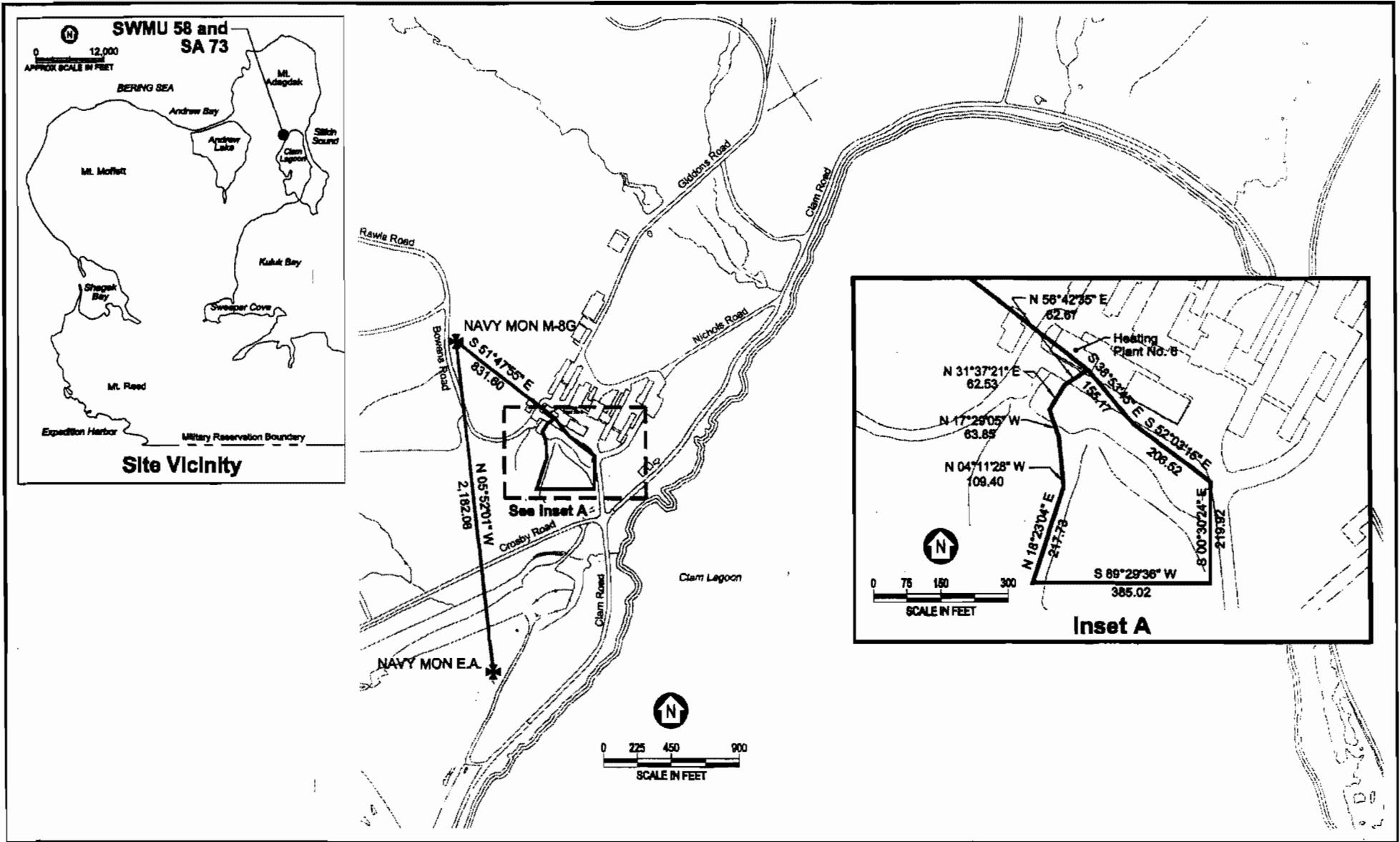
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-10



Scale as Shown

**SWMU 67,
White Alice PCB Spill Site**

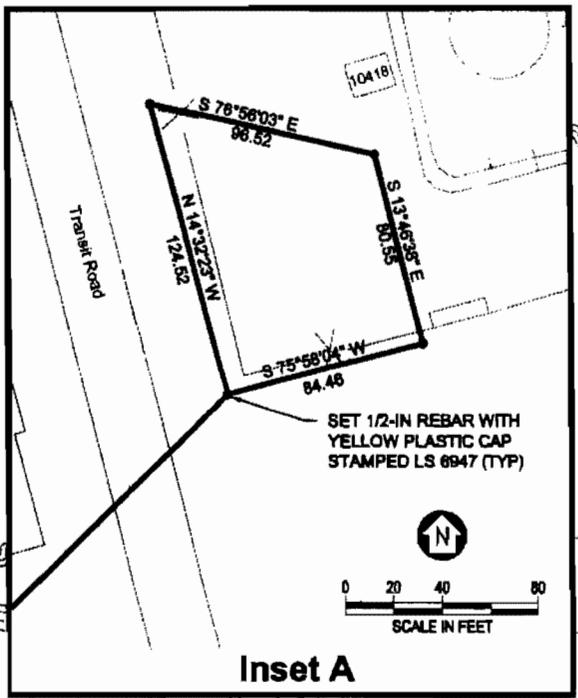
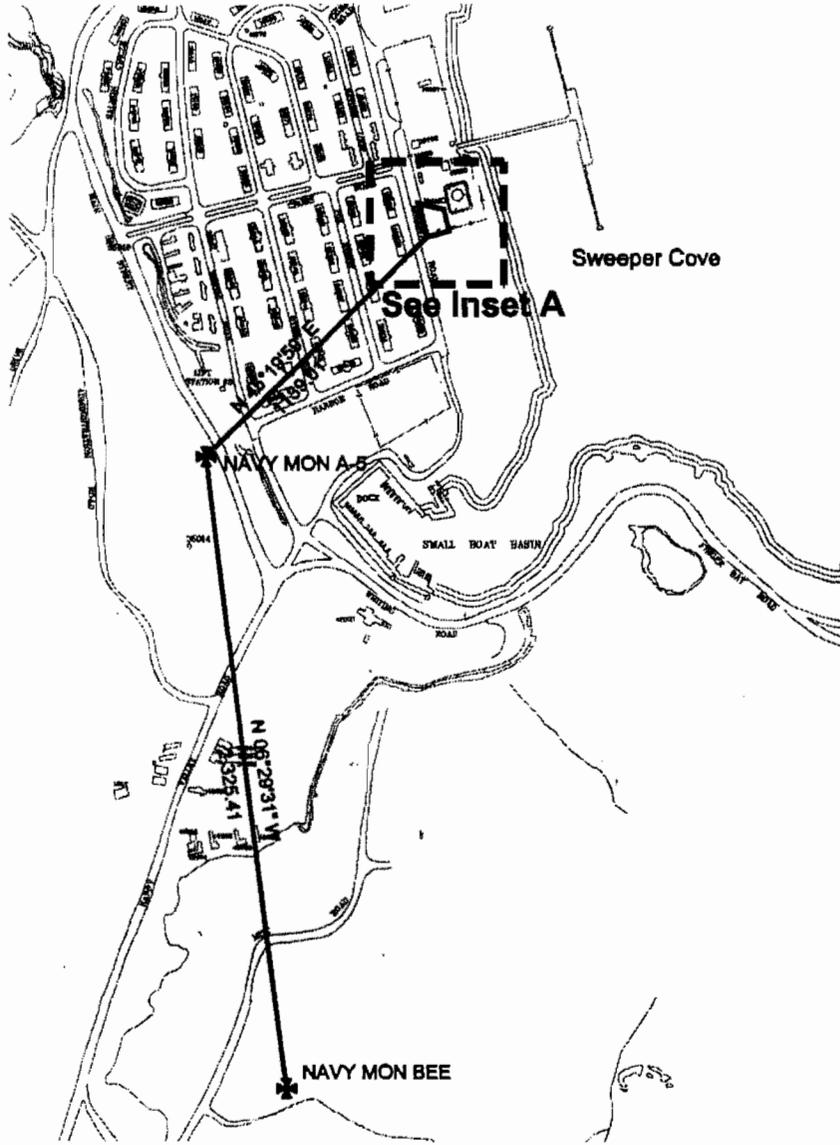
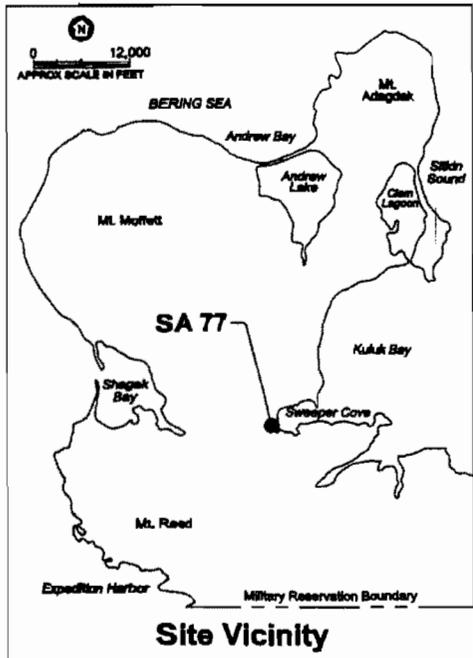
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-11



Scale as Shown

**SA 73/SWMU 58
Heating Plant No. 6**

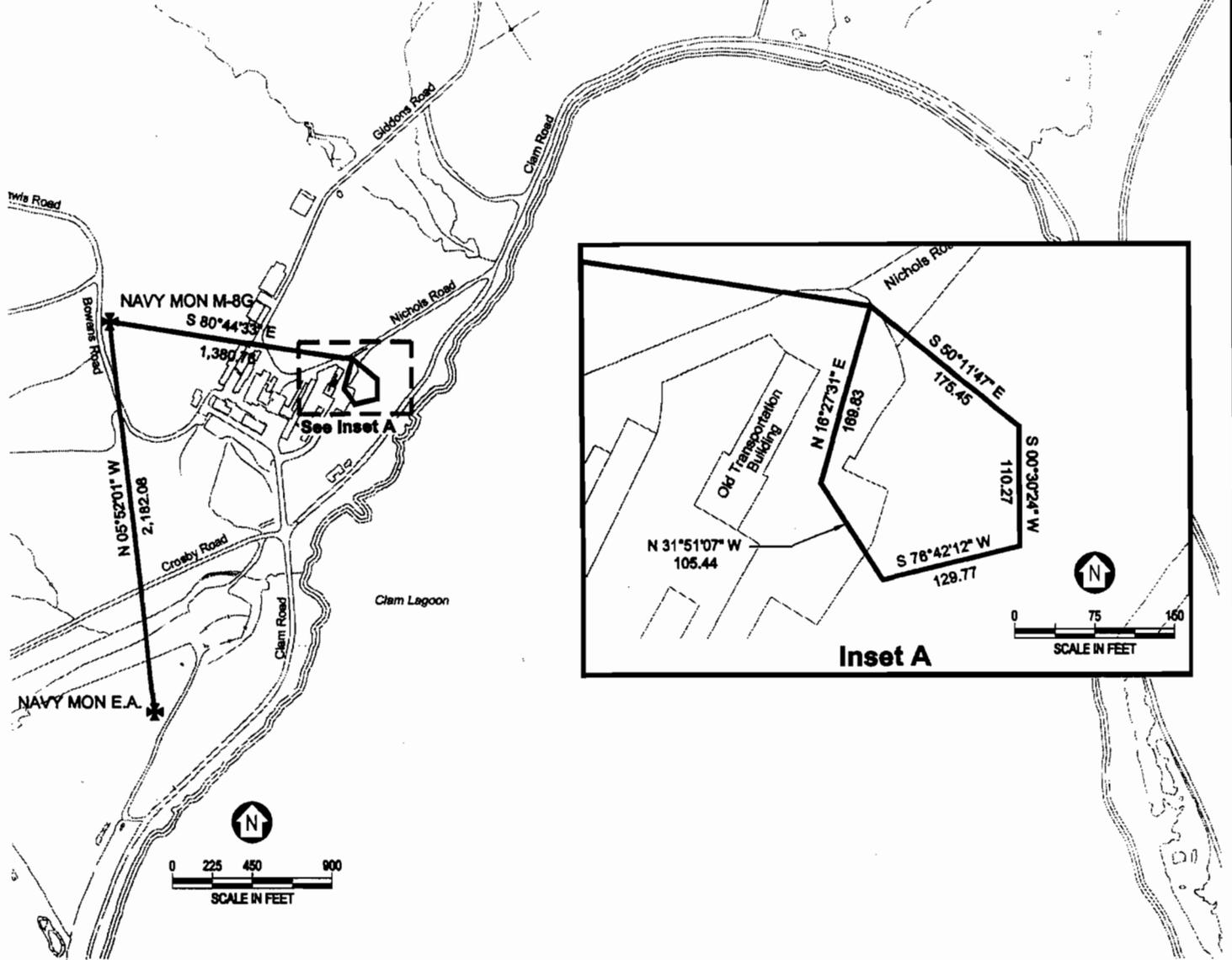
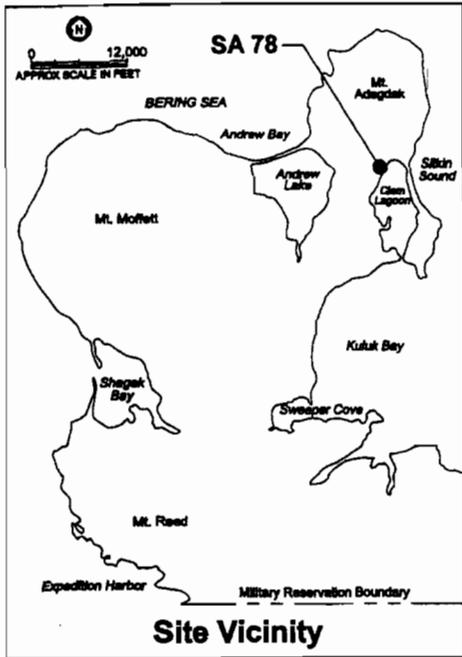
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-12



Scale as Shown

**SA 77,
Fuels Facility Refueling Dock
Small Drum Storage Area**

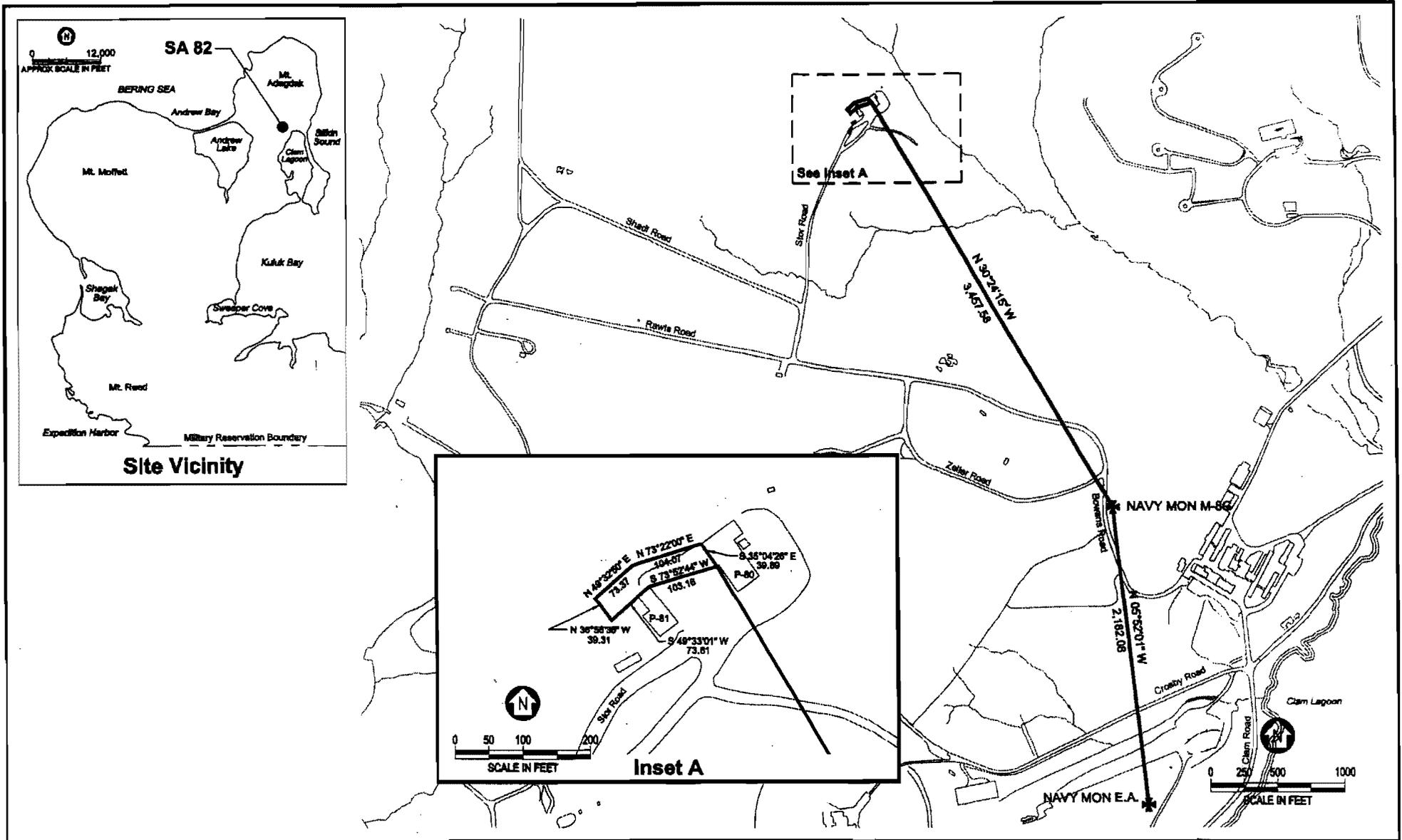
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-13



Scale as Shown

**SA 78,
Old Transportation Building
USTs 10583, 10584, and ASTs**

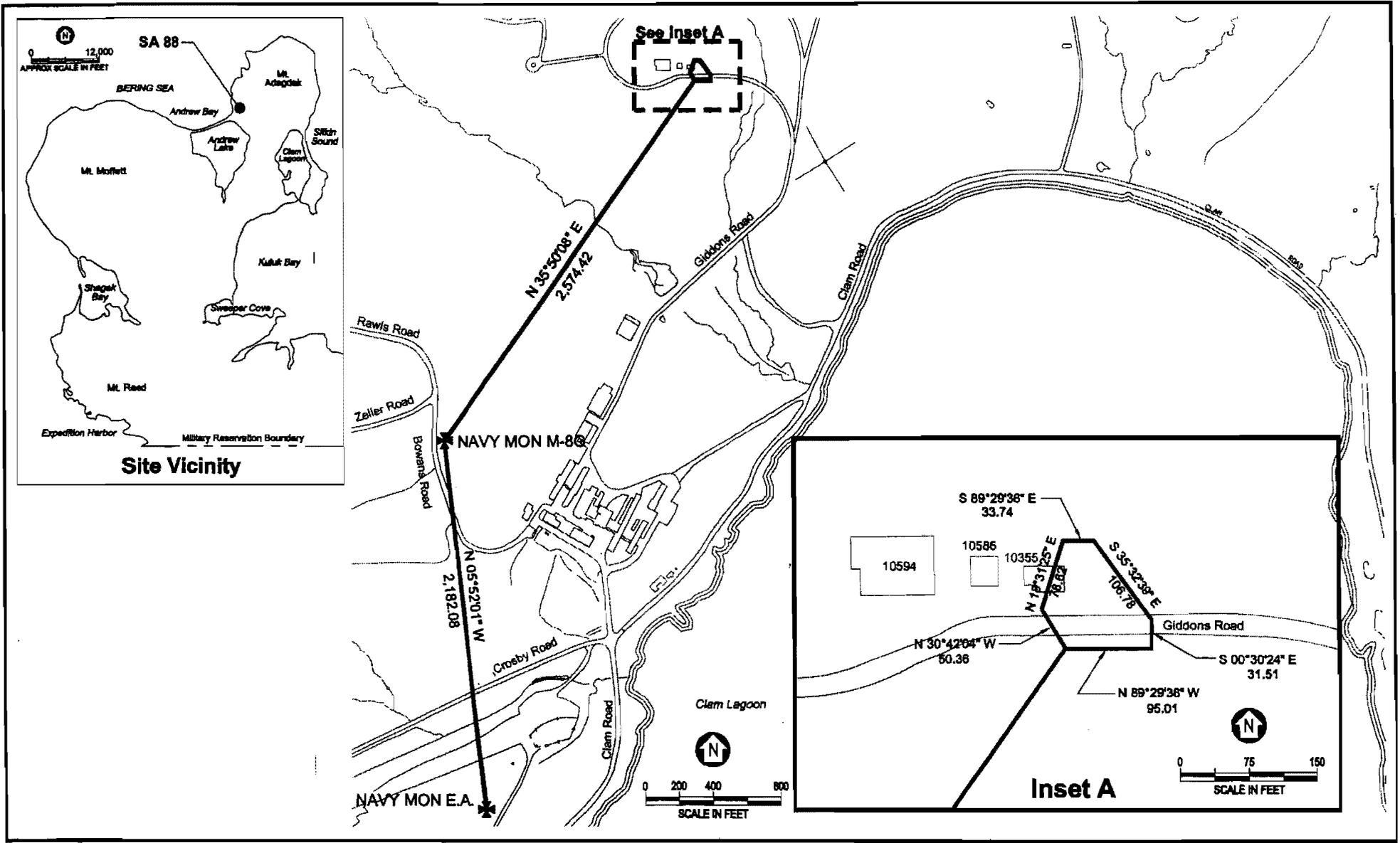
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-14



Scale as Shown

**SA 82, P-80/P-81 Buildings
USTs 10579, 10587, and ASTs**

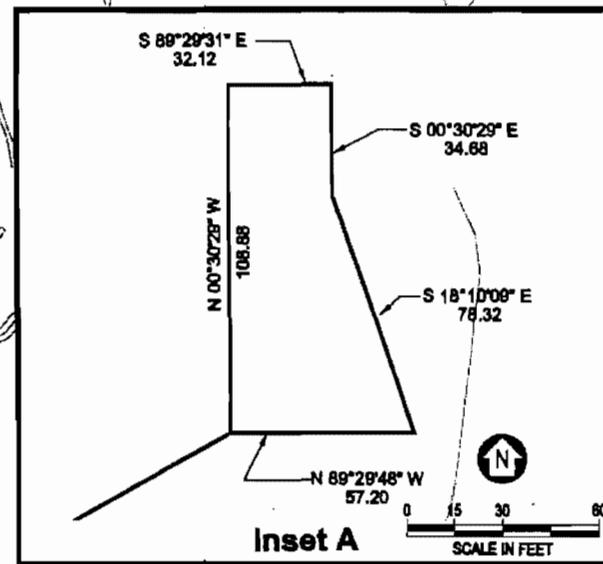
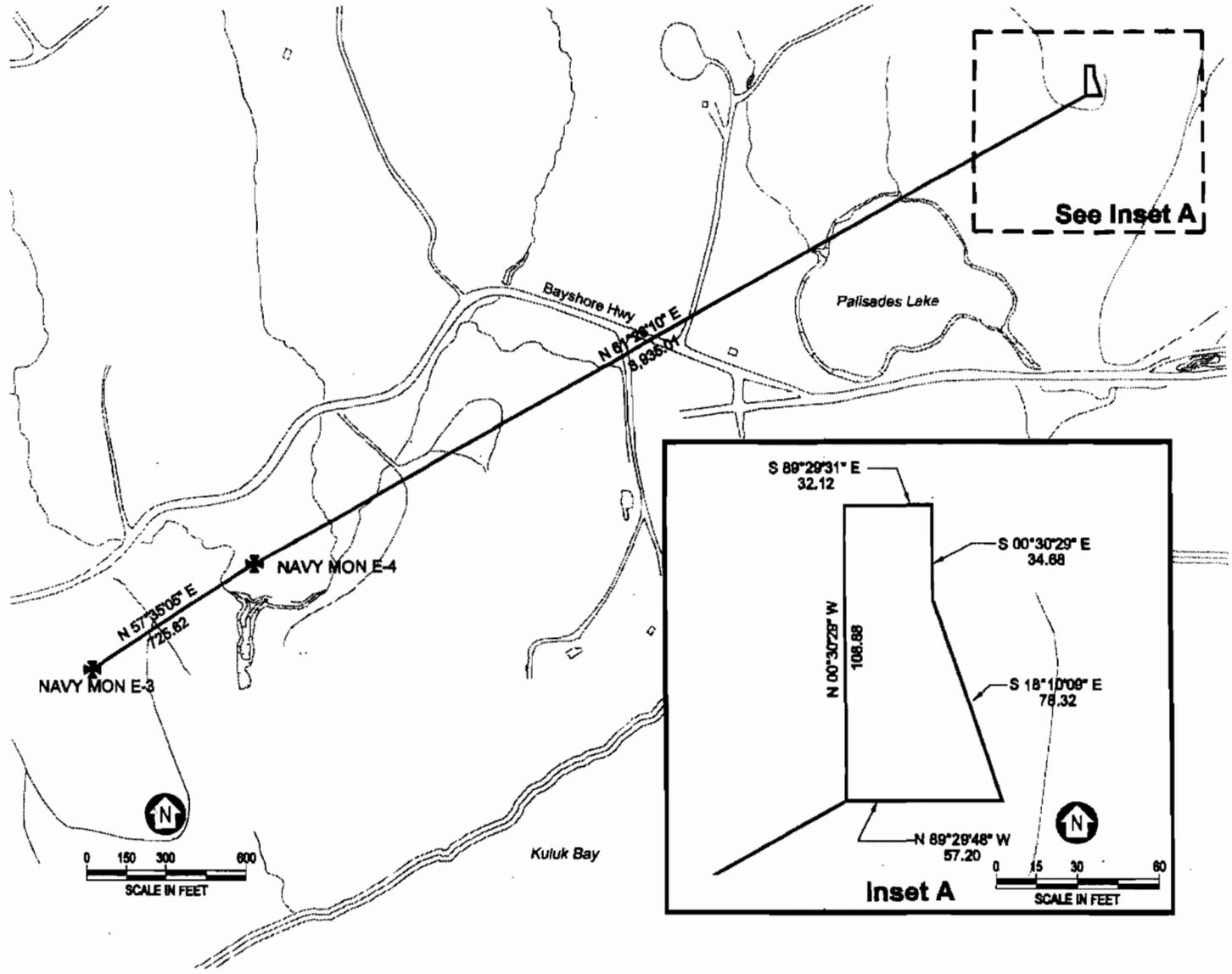
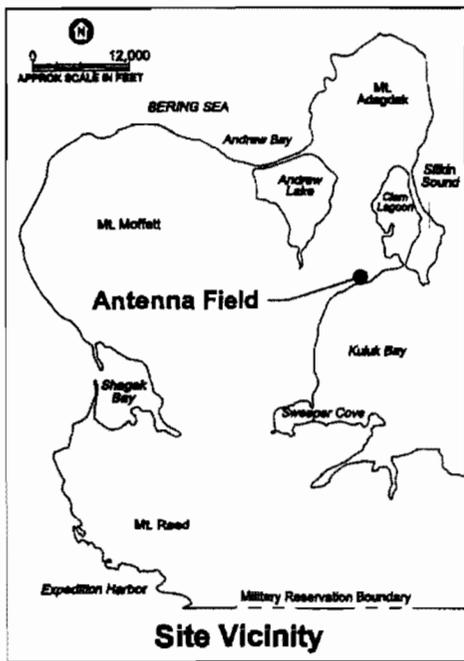
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-16



Scale as Shown

**SA 88, P-70 Energy Generator
UST 10578**

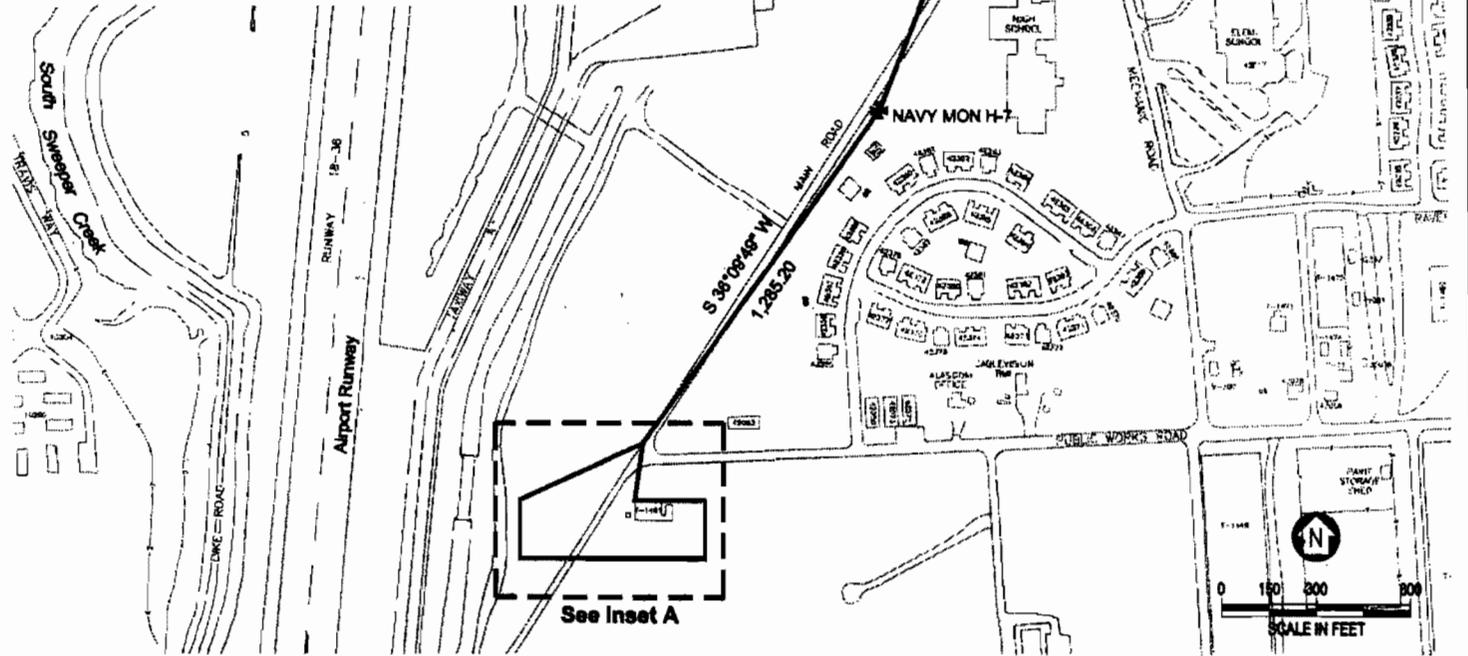
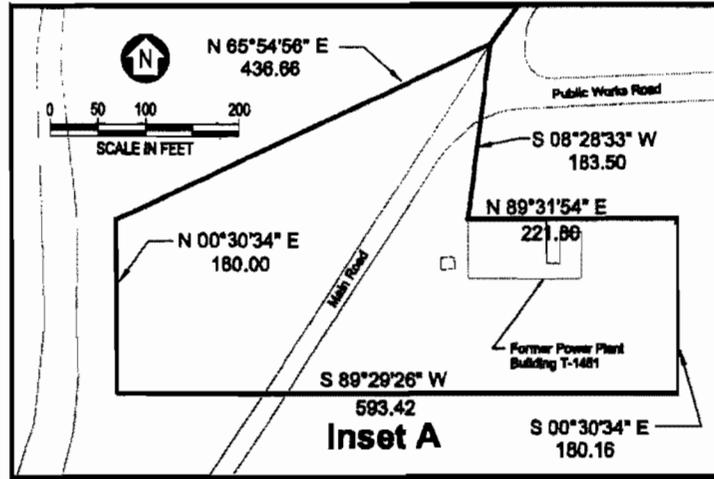
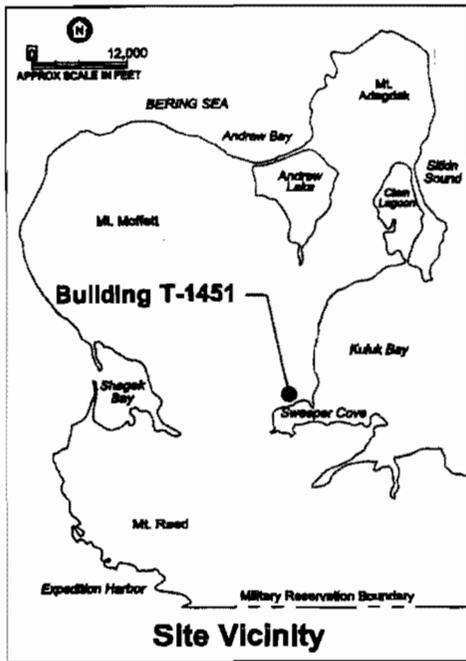
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-17



Scale as Shown

**Antenna Field
(USTs ANT-1, ANT-2, ANT-3, and ANT-4)**

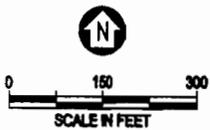
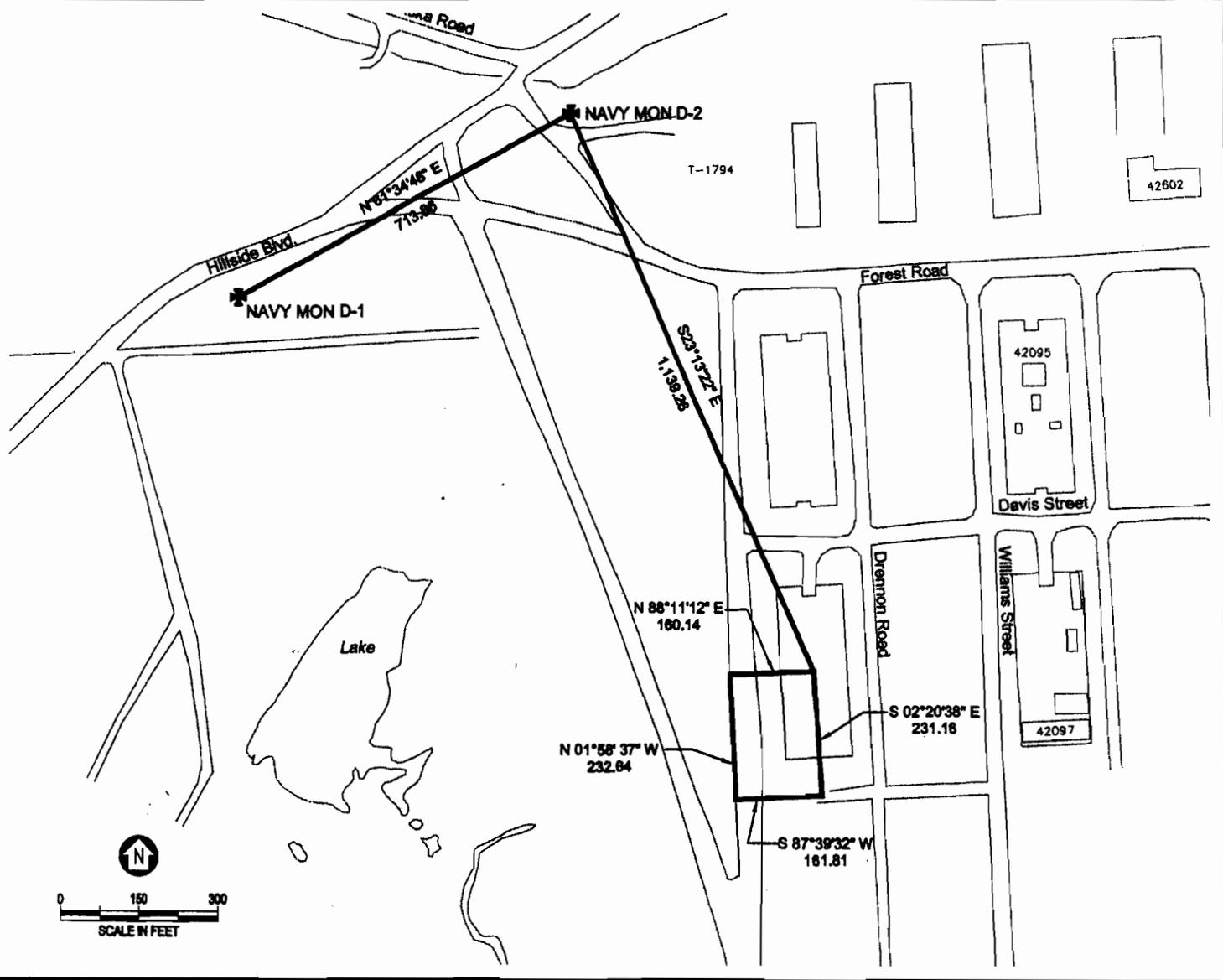
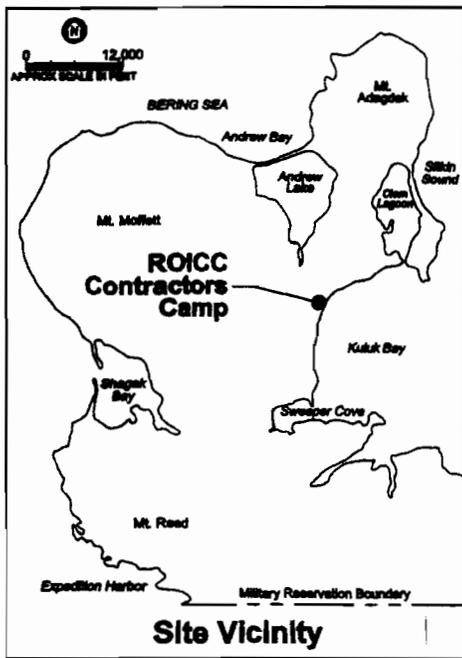
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-18



Scale as Shown

**Former Power Plant
Building T-1451**

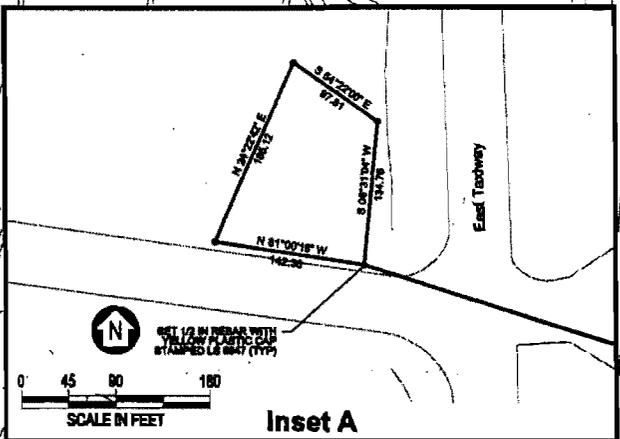
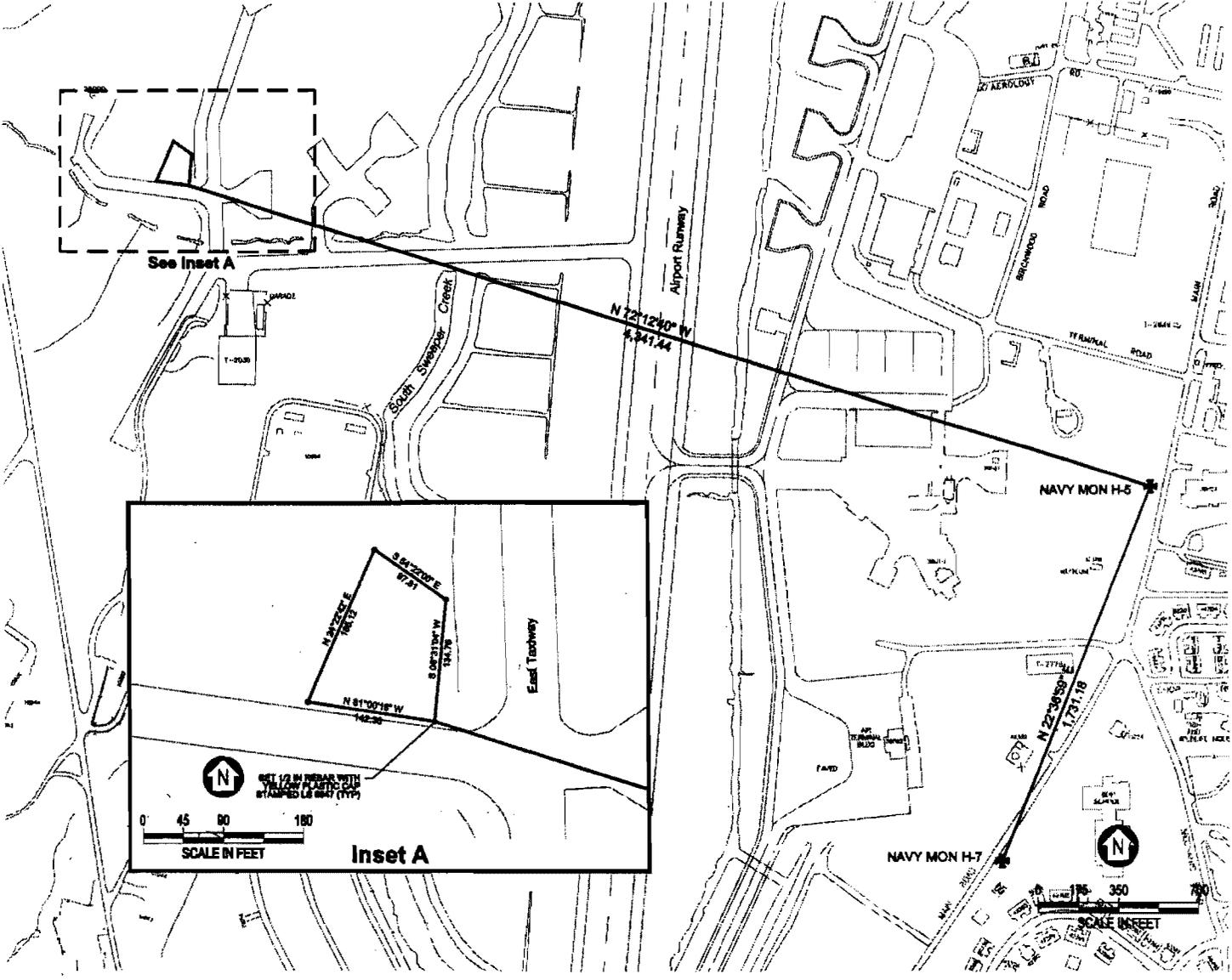
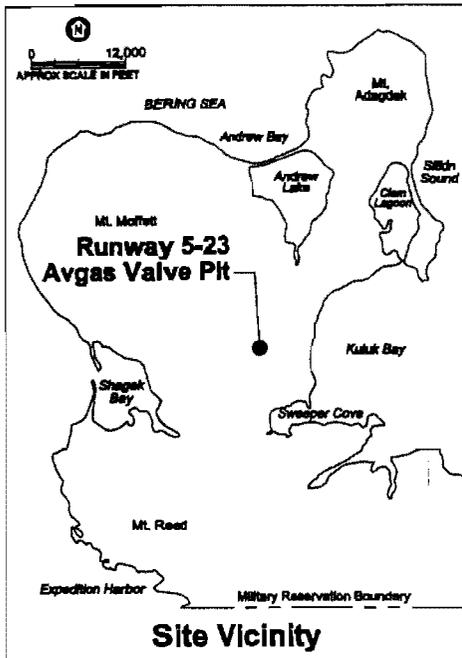
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-19



Scale as Shown

**ROICC Contractors Area,
(UST ROICC-8)**

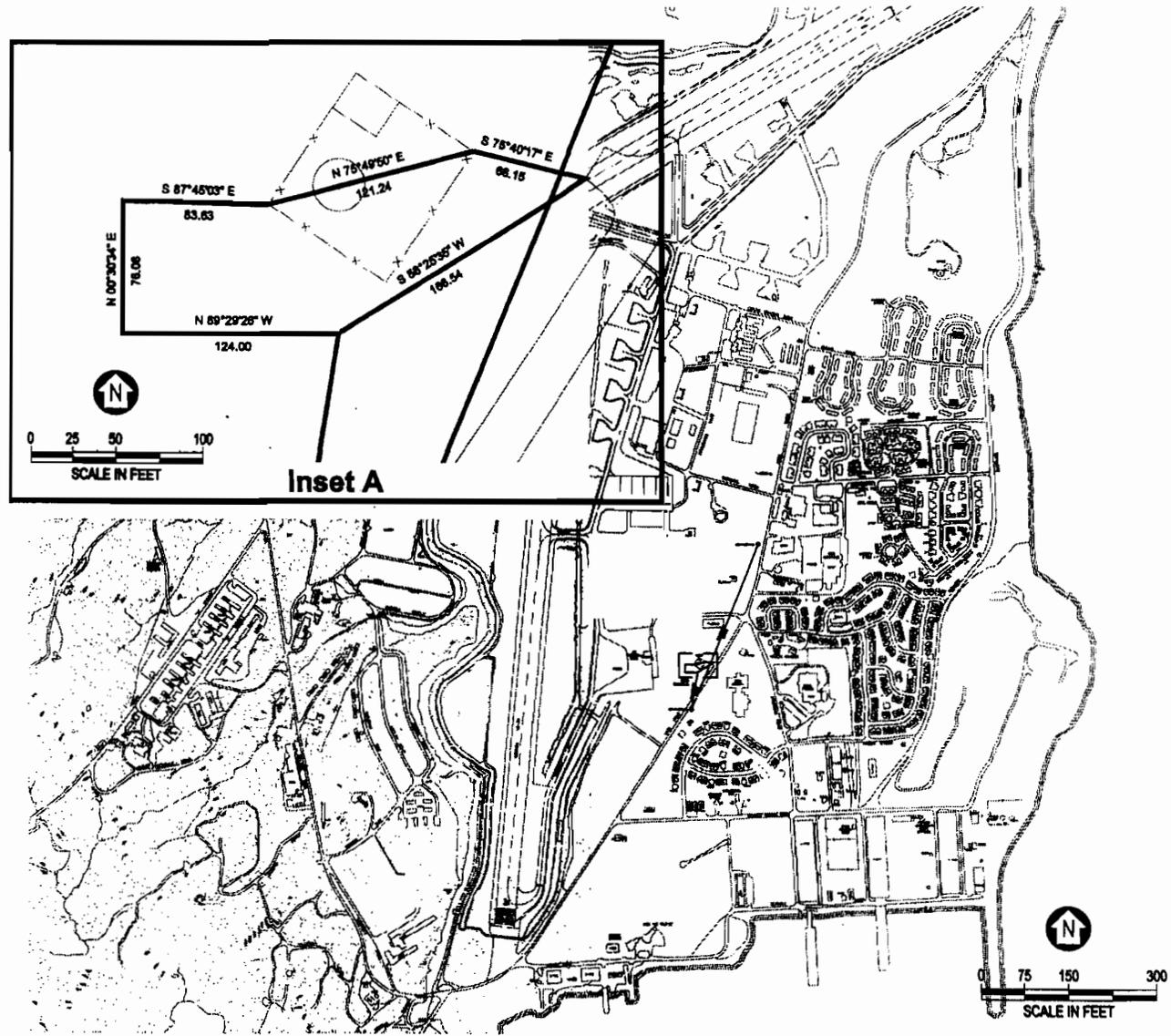
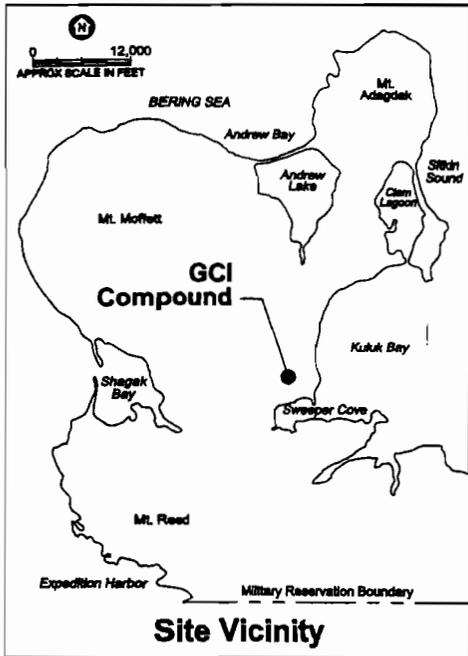
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-20



Scale as Shown

**Runway 5-23
Avgas Valve Pit**

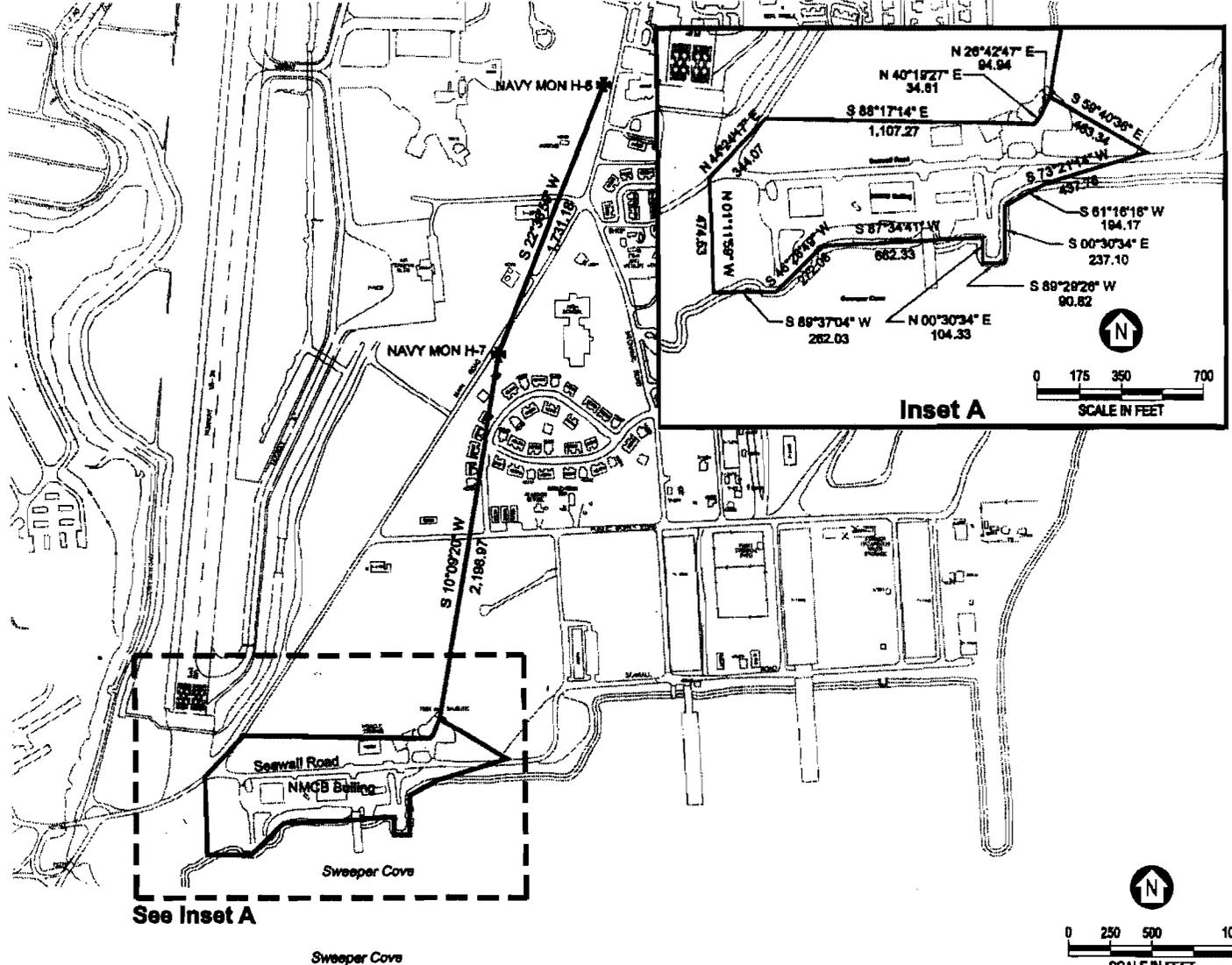
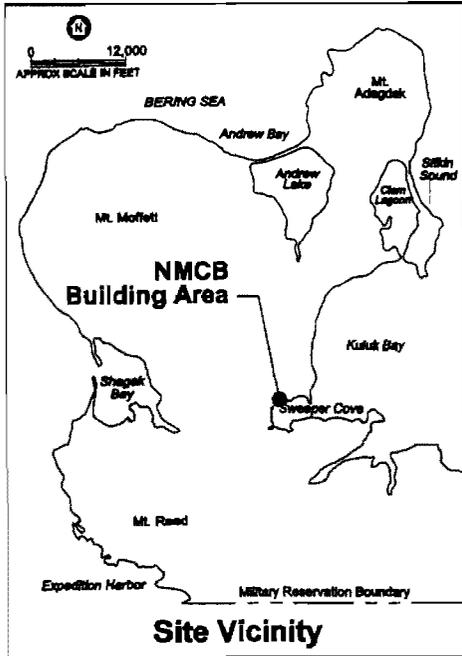
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-21



Scale as Shown

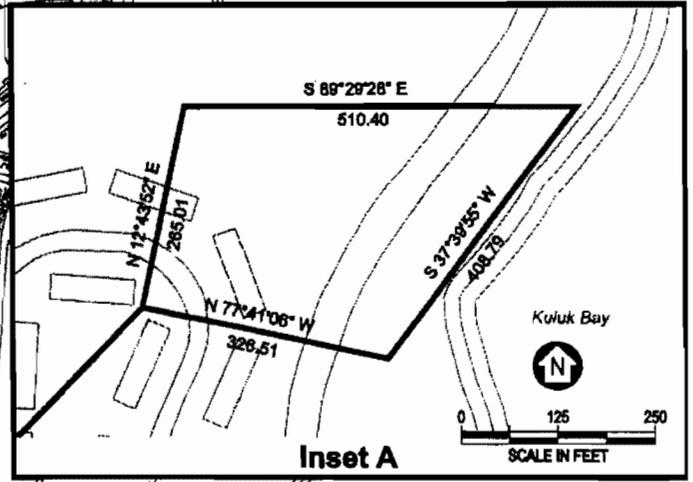
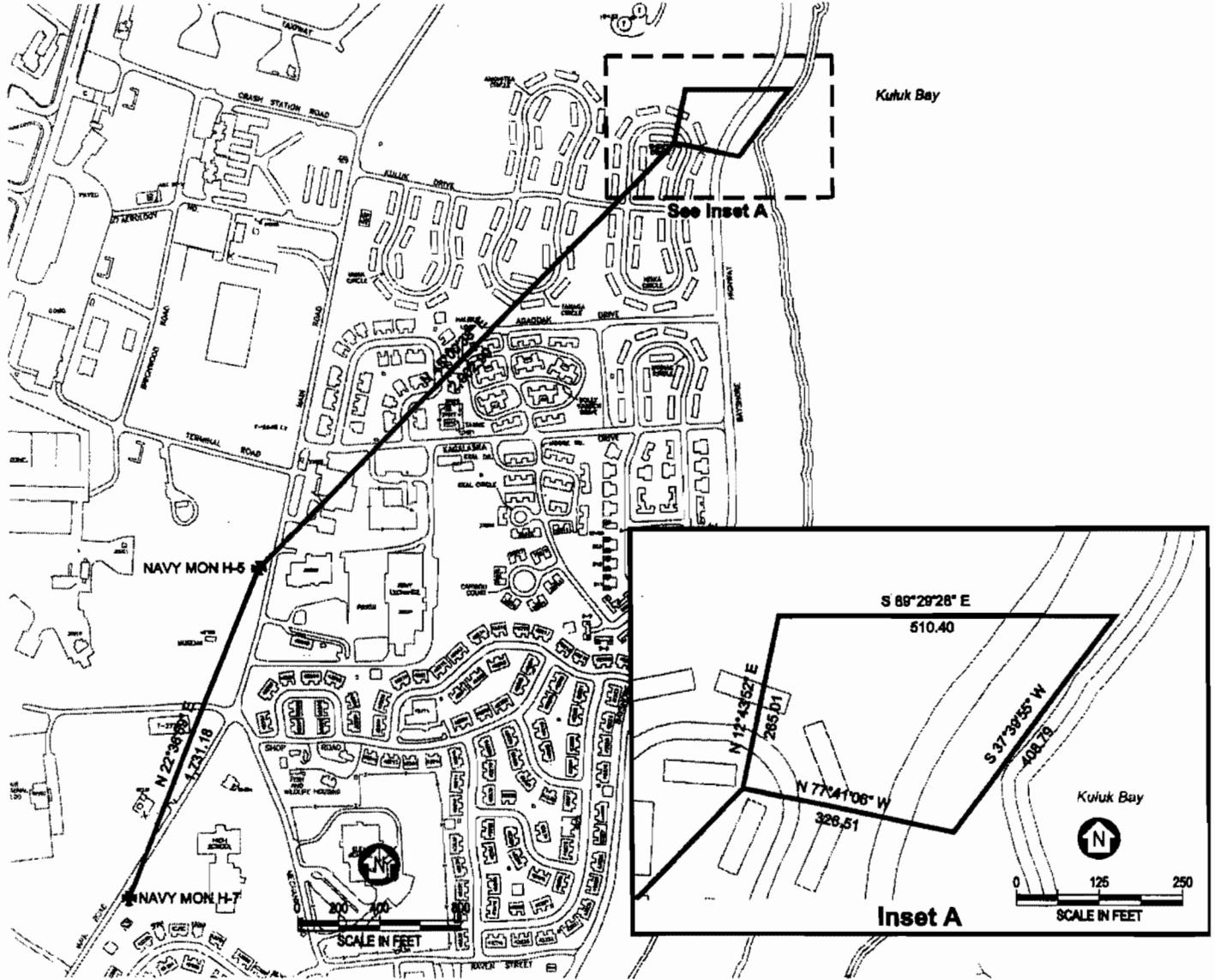
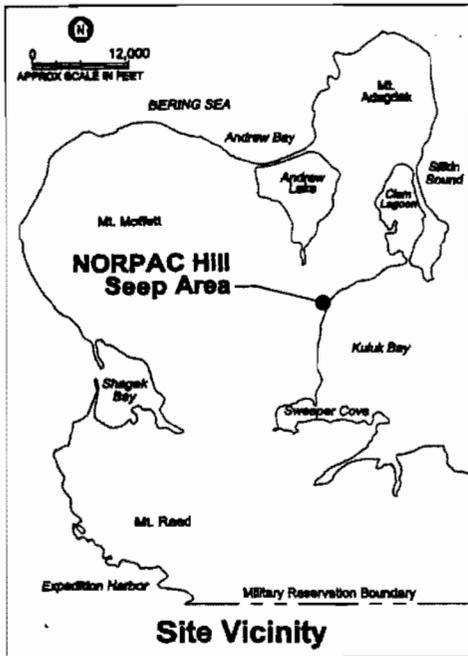
**GCI Compound,
UST GCI-1**

Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-22



**NMCB Building Area,
UST T-1416 Expanded Area**

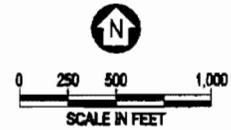
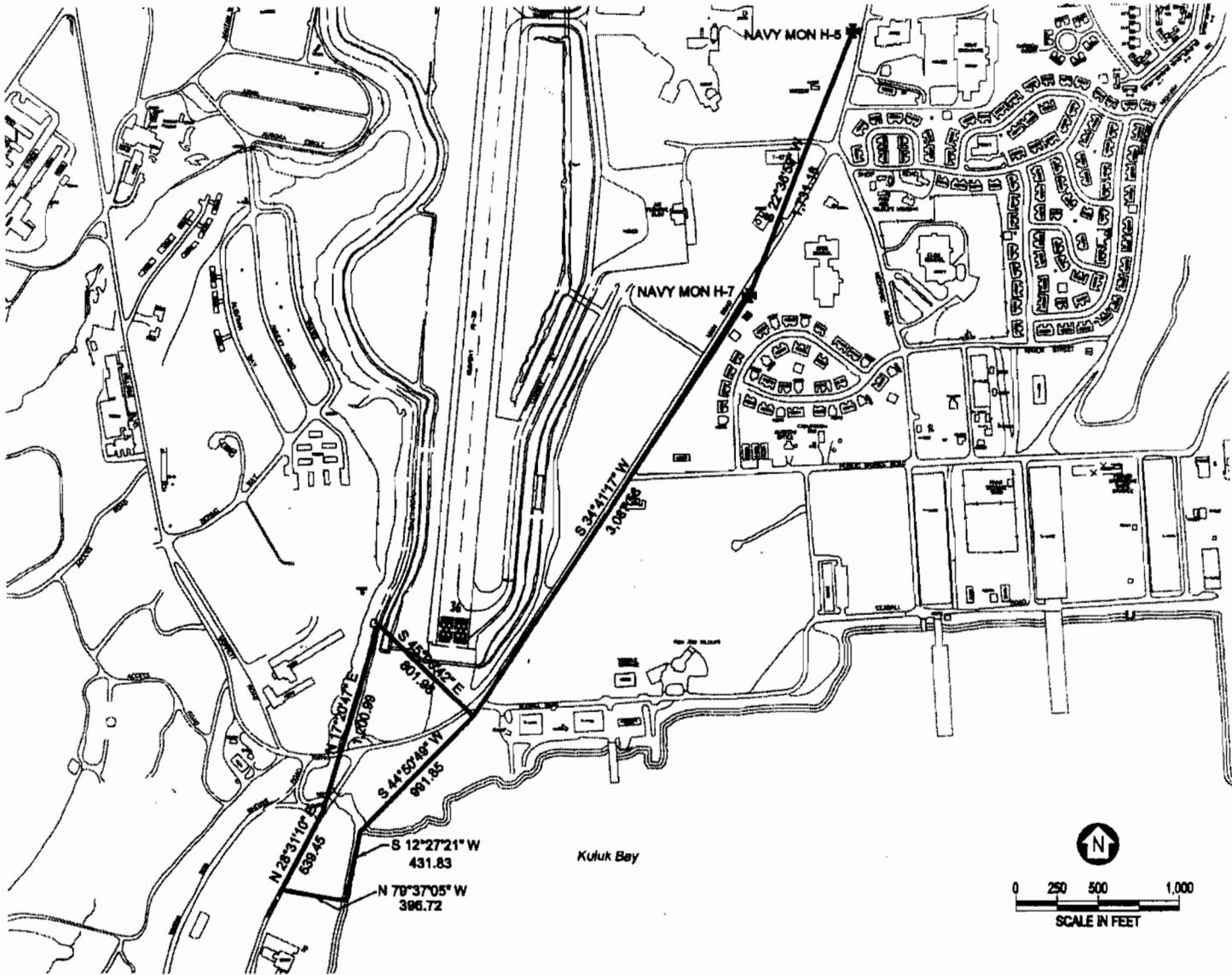
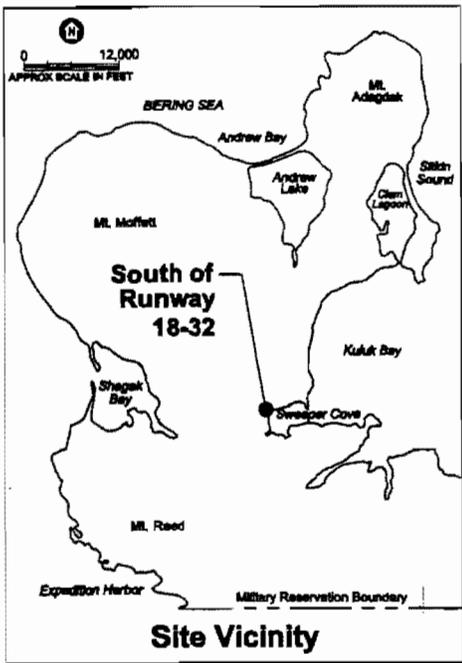
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-23



Scale as Shown

NORPAC Hill Seep Area

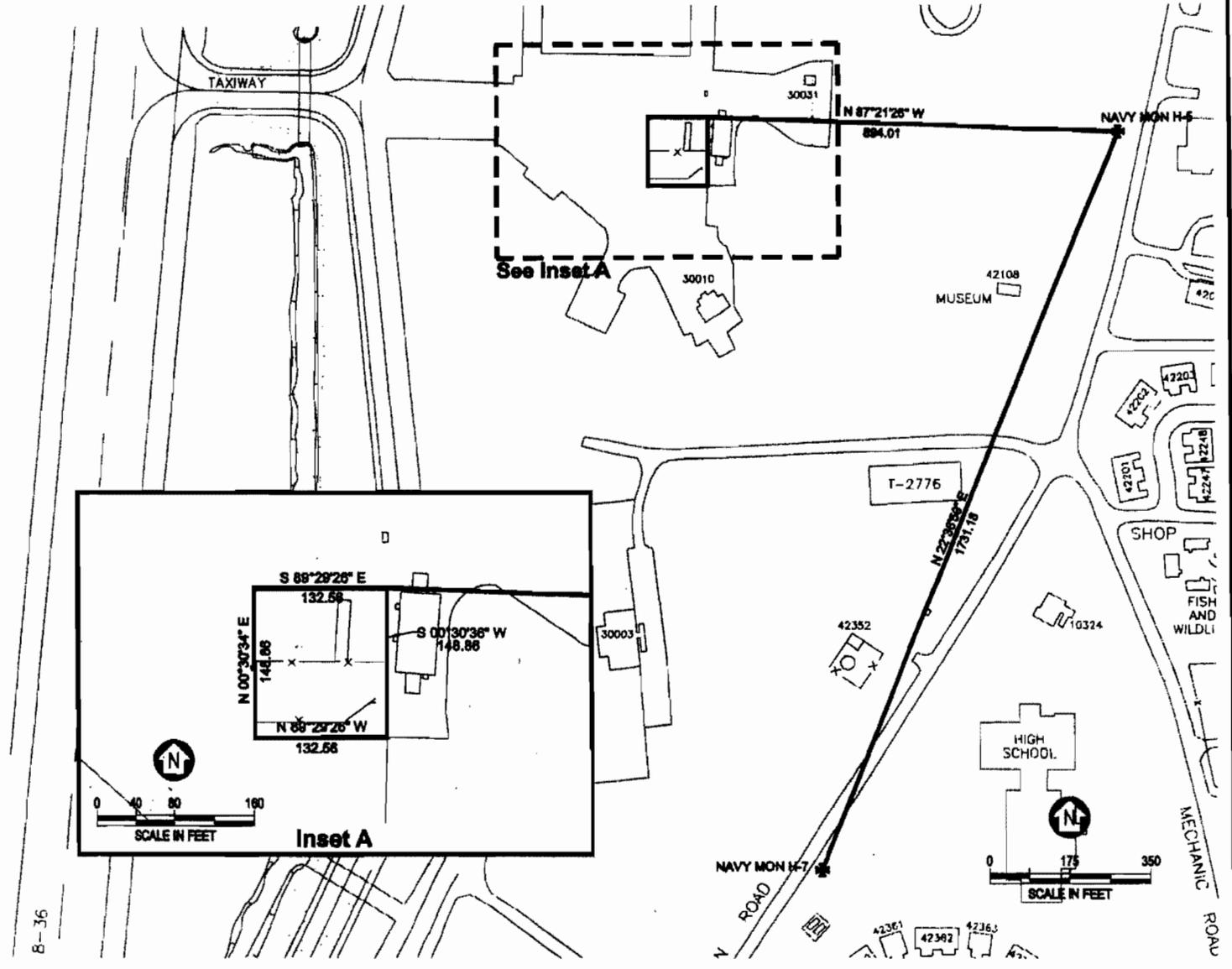
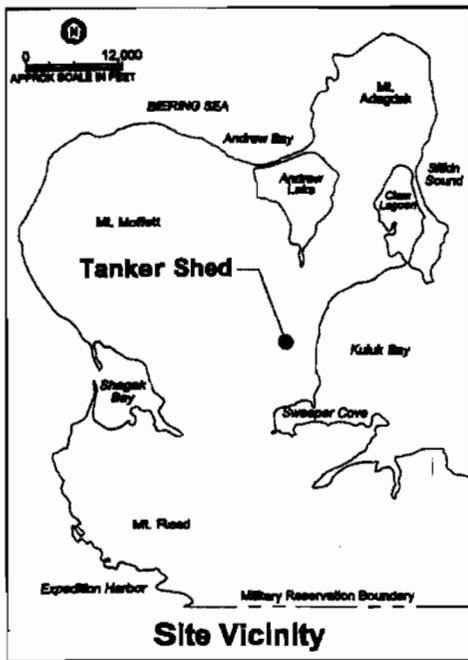
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-24



Scale as Shown

South Runway of 18-36 Area

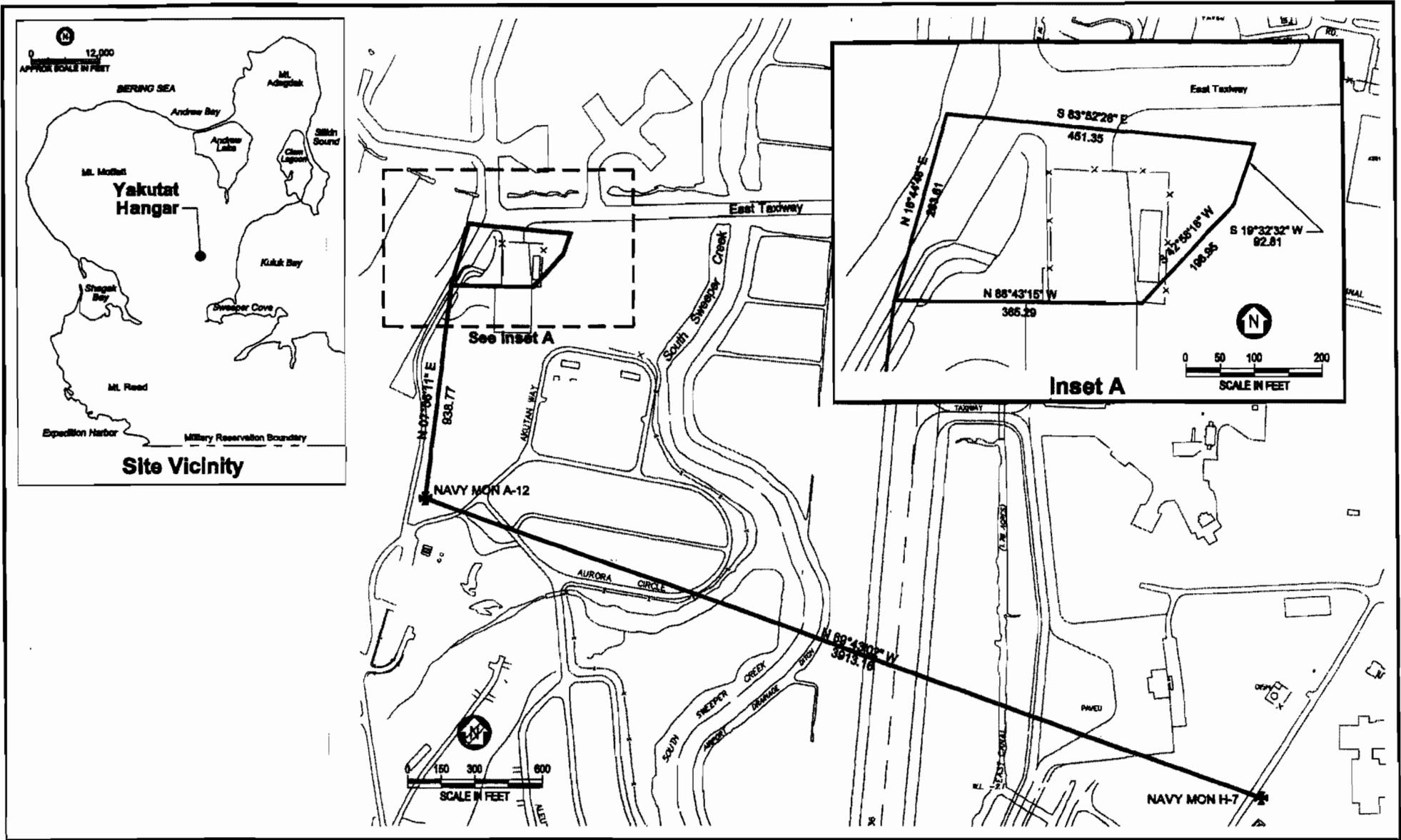
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-25



Scale as Shown

**Tanker Shed
UST 42494**

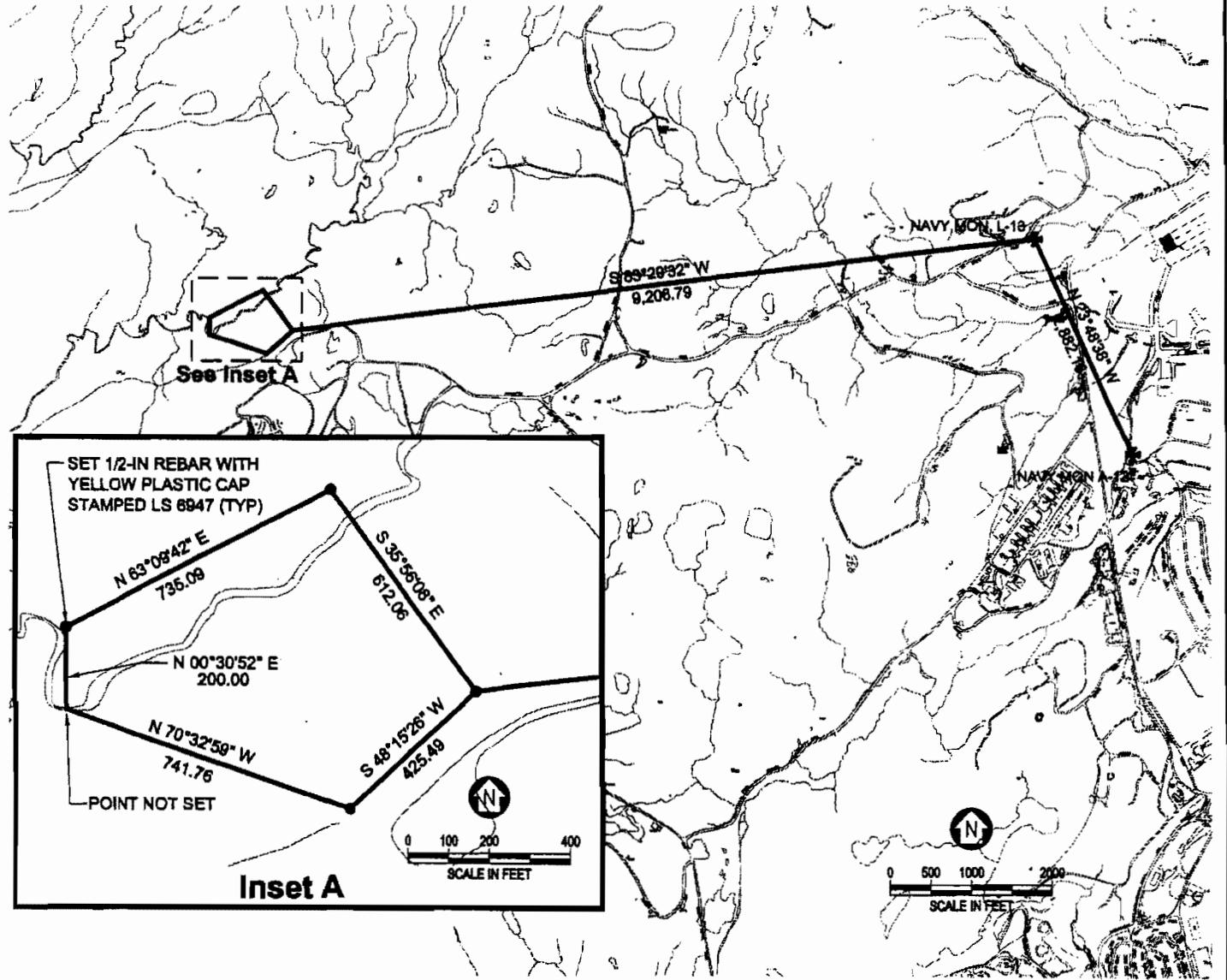
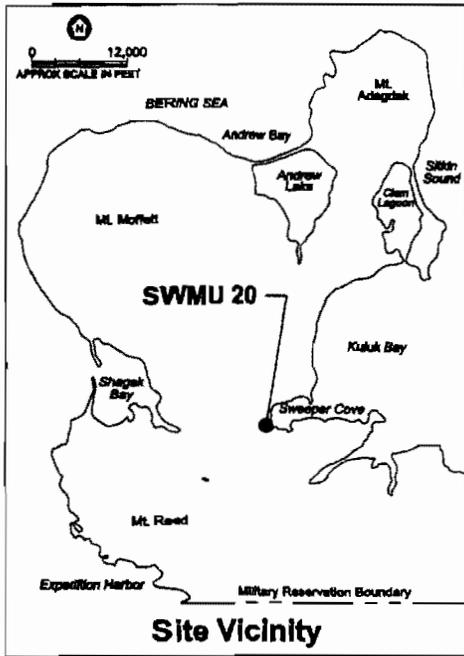
**Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-26**



Scale as Shown

**Yakutat Hangar
UST T-2039-A**

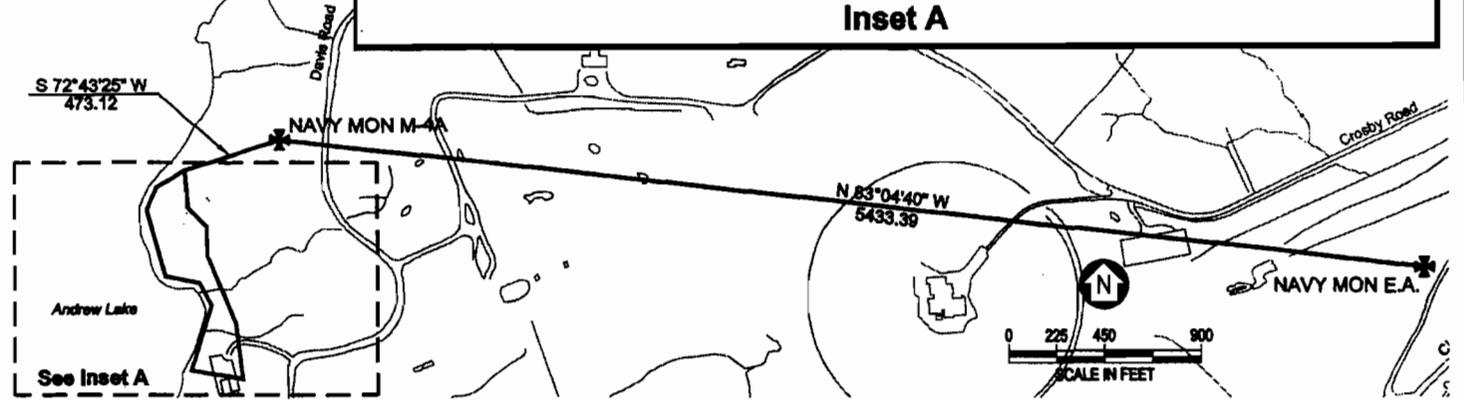
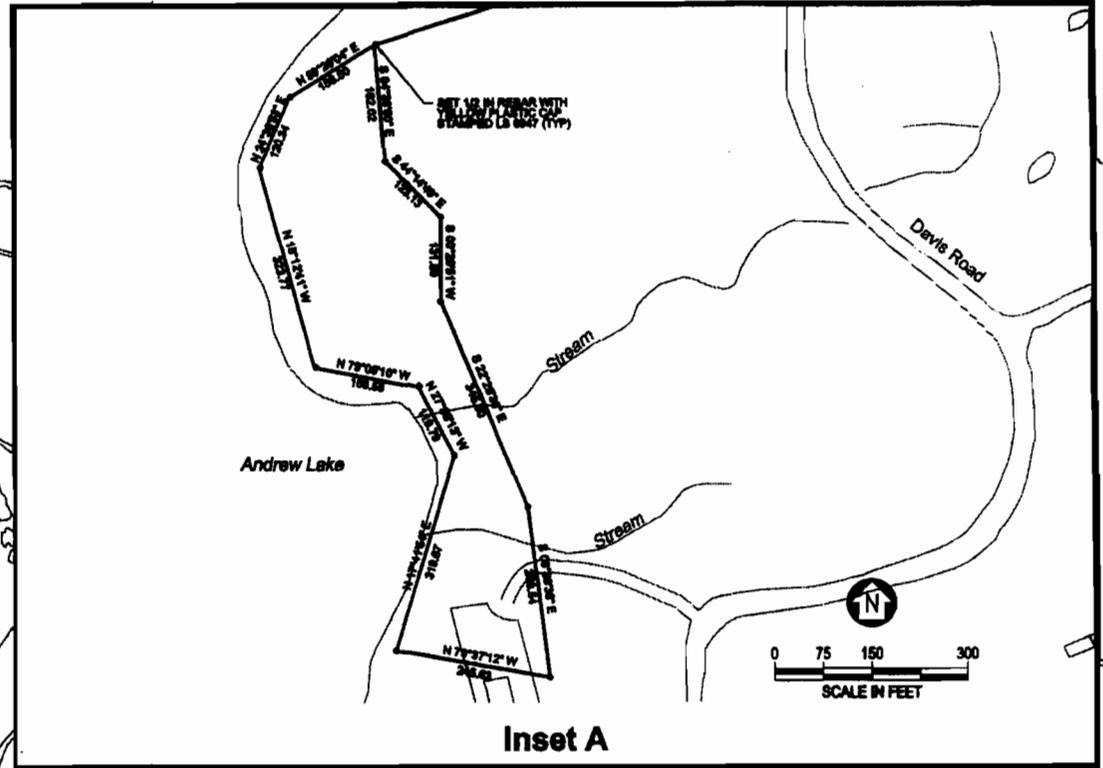
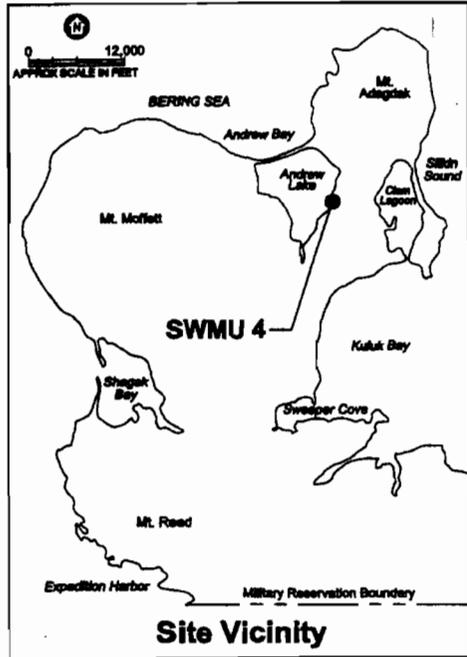
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-27



Scale as Shown

**SWMU 20,
White Alice/Trout Creek
Disposal Area**

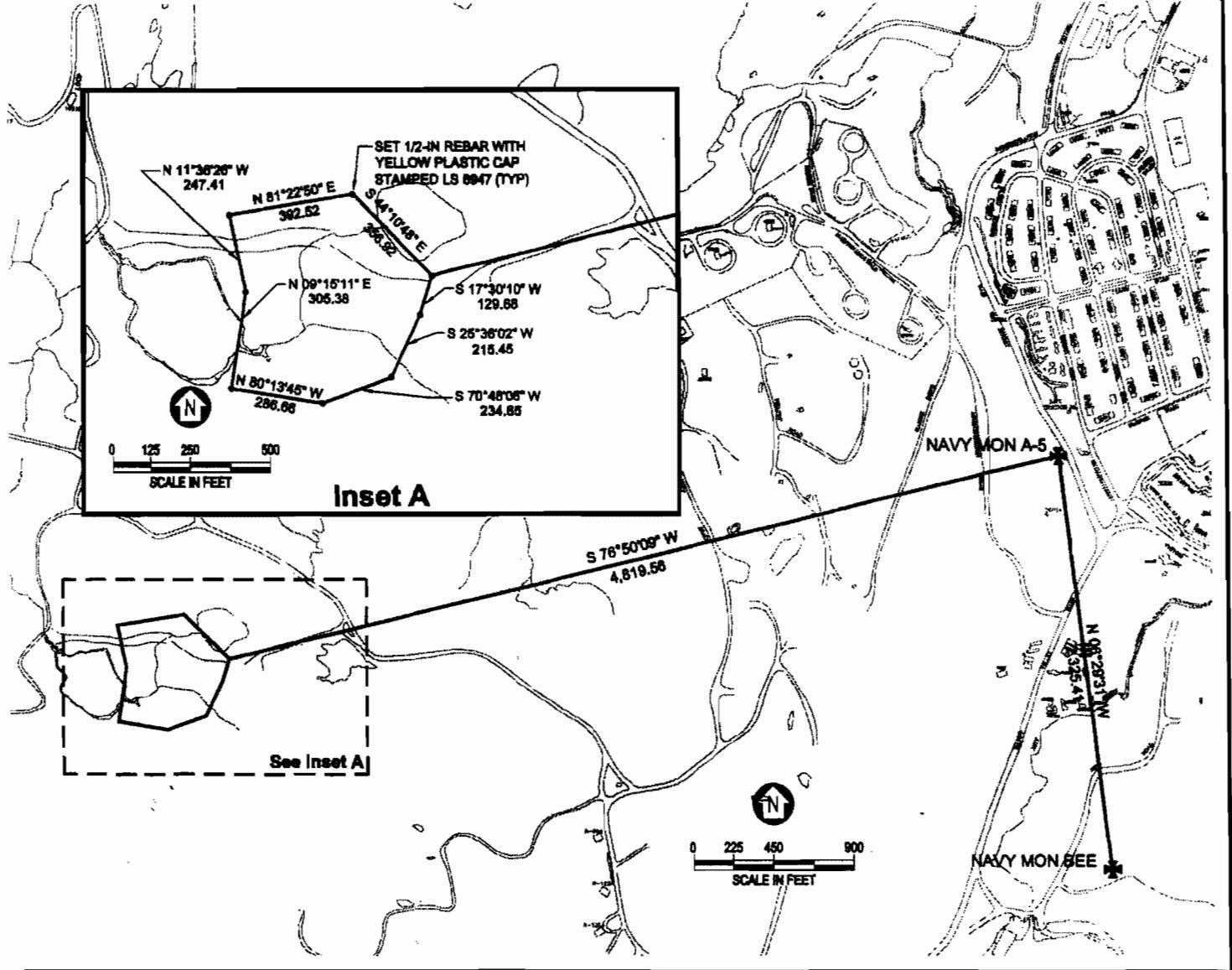
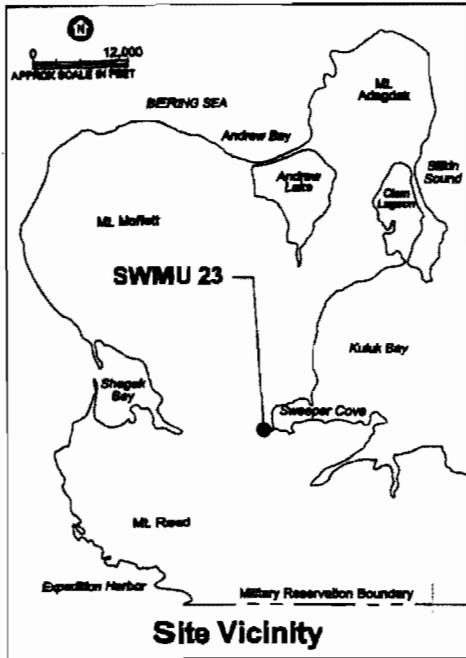
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-28



Scale as Shown

**SWMU 4,
South Davis Road Landfill**

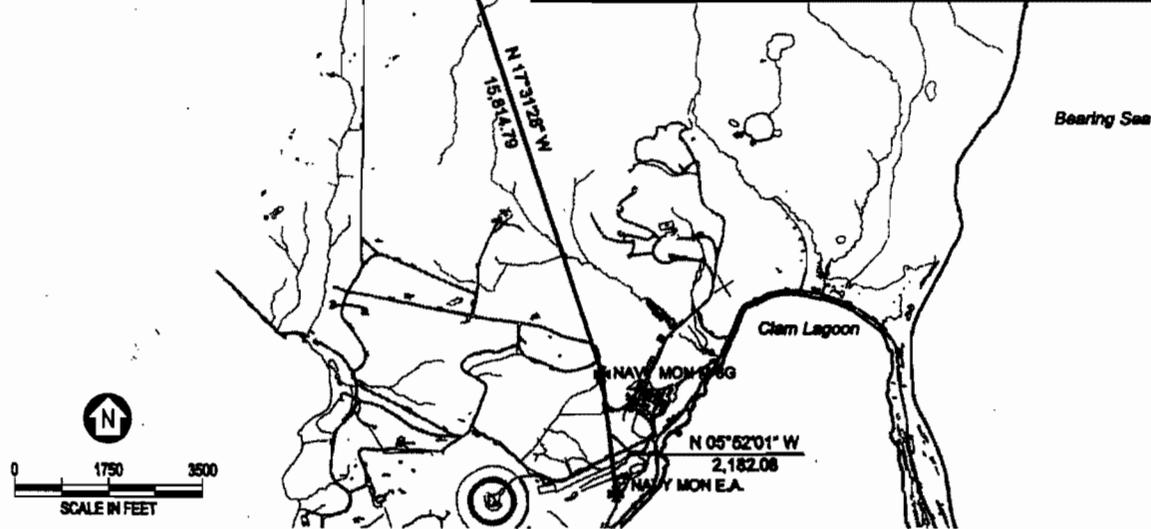
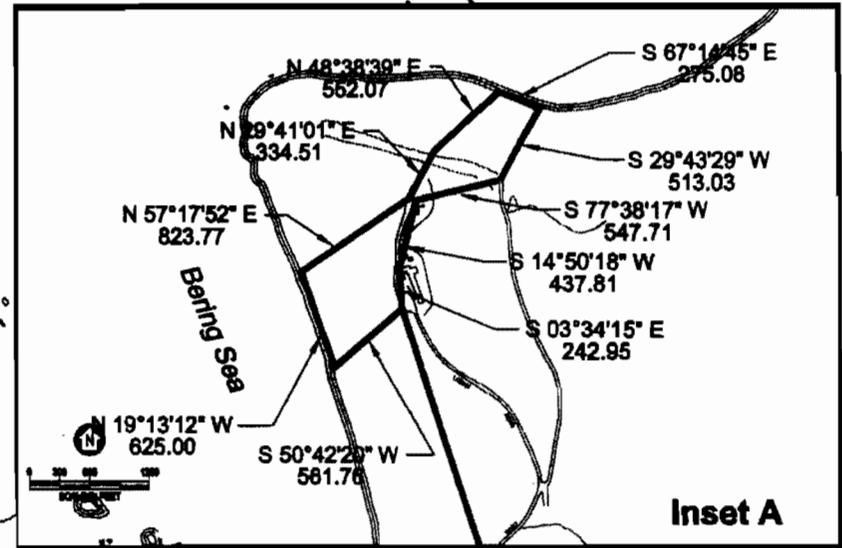
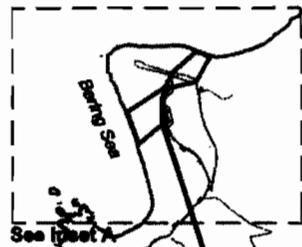
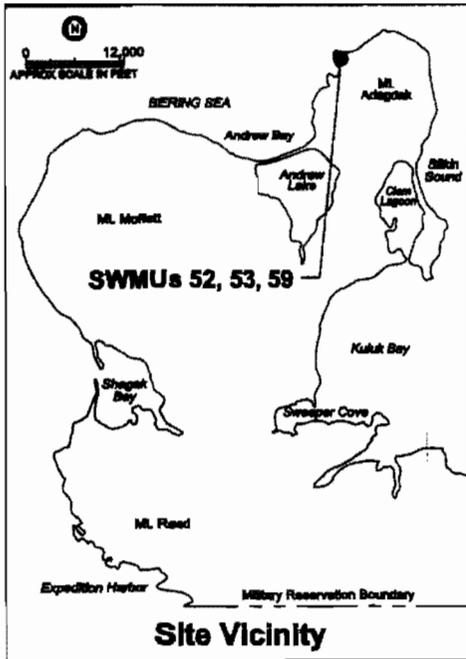
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-38



Scale as Shown

**SWMU 23,
Heart Lake Drum Disposal Area**

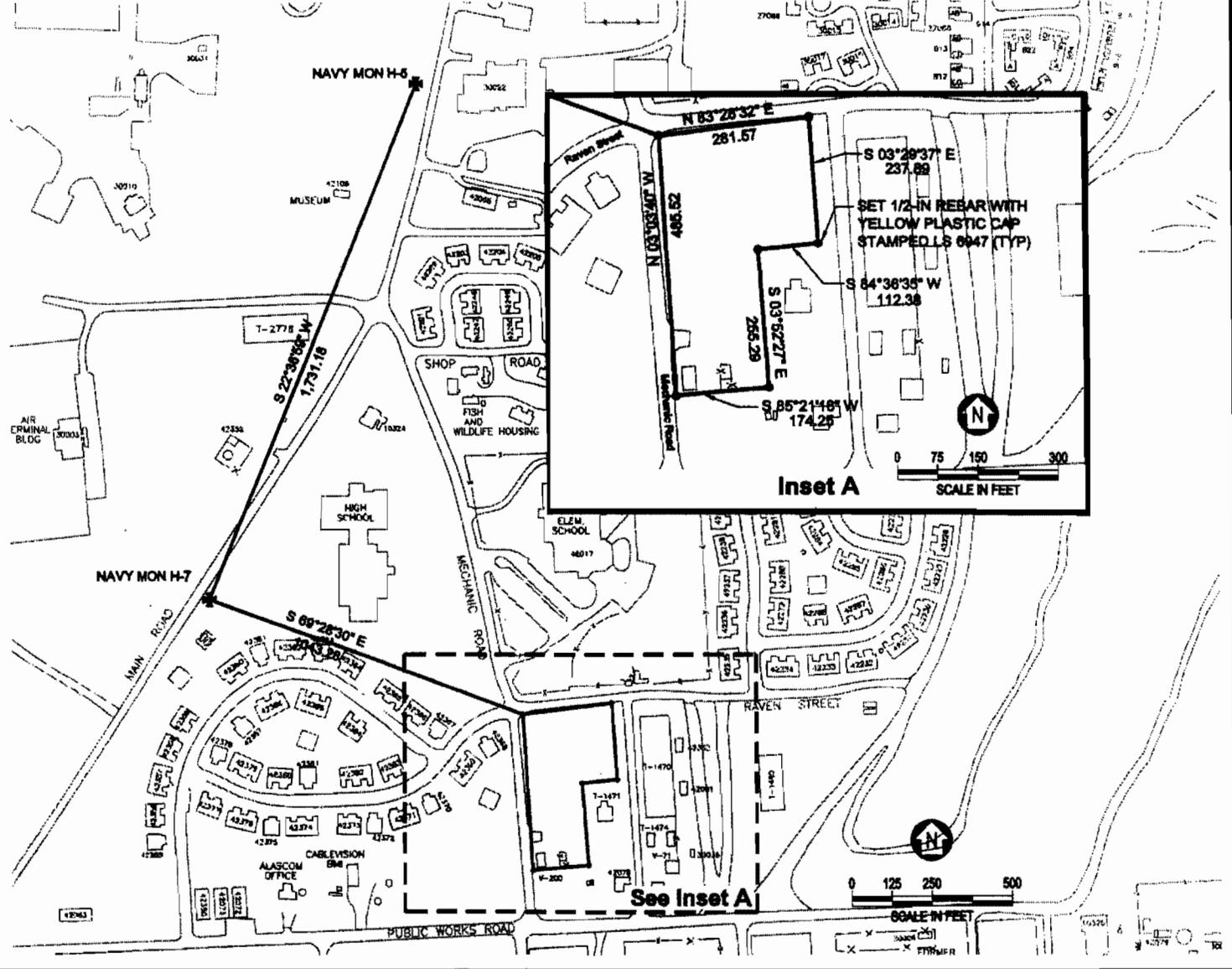
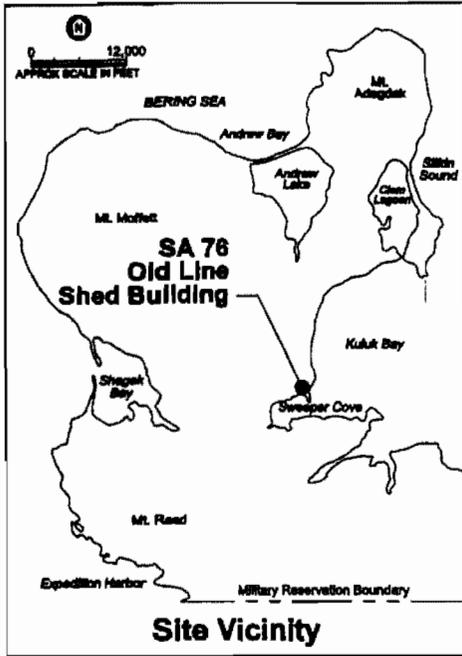
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-29



Scale as Shown

**SWMUs 52, 53, 59,
Former Loran Station**

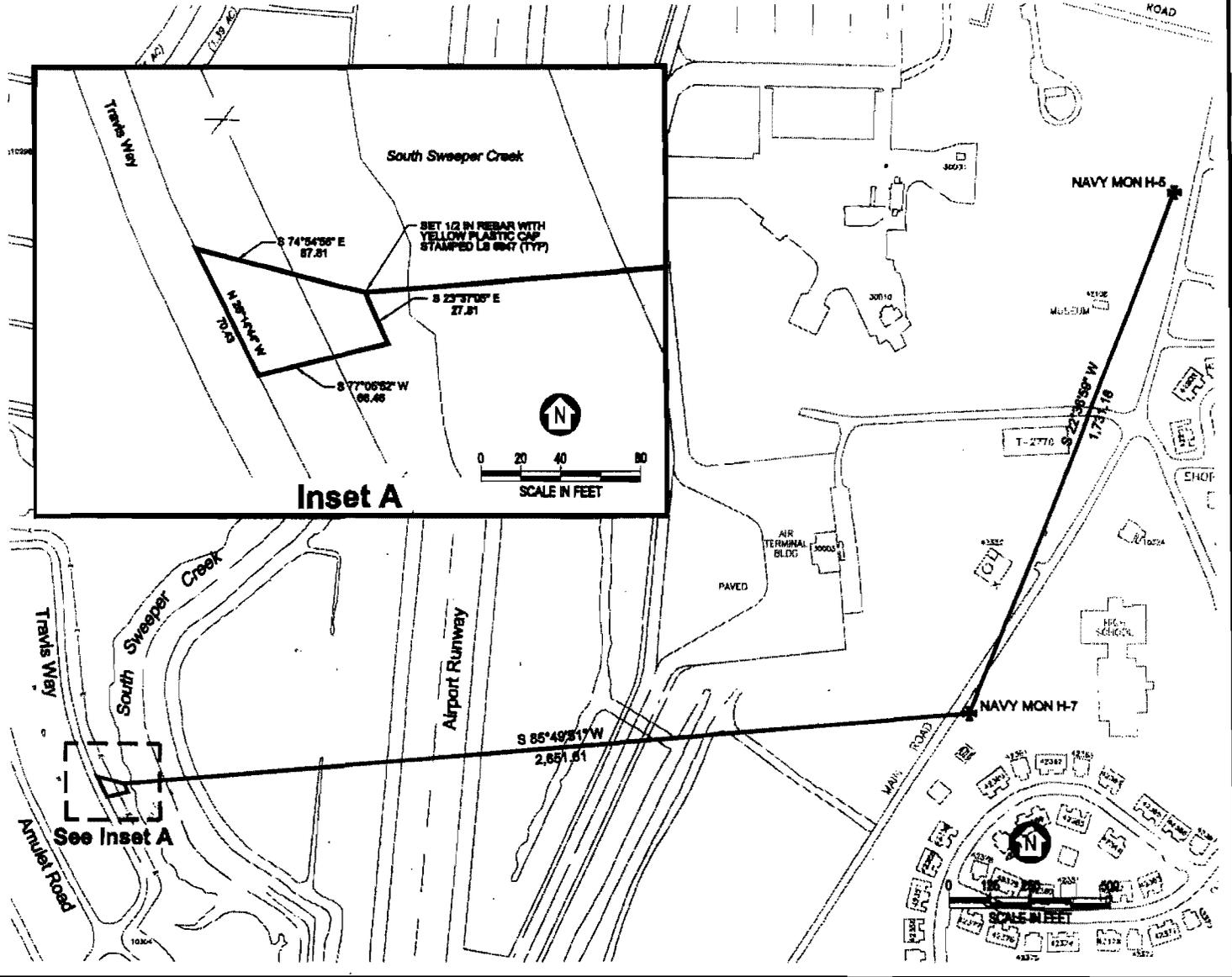
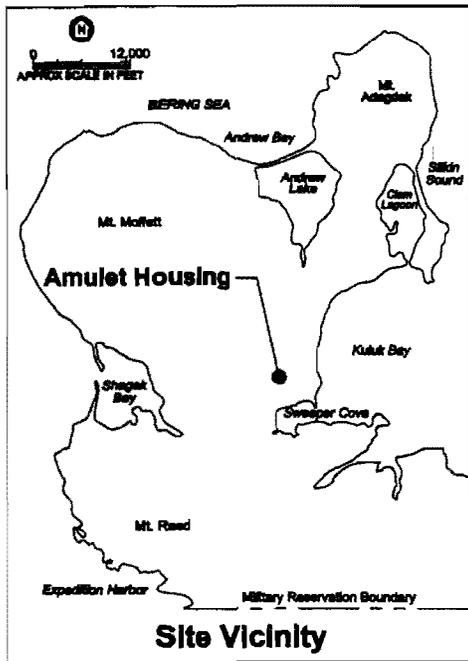
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-30

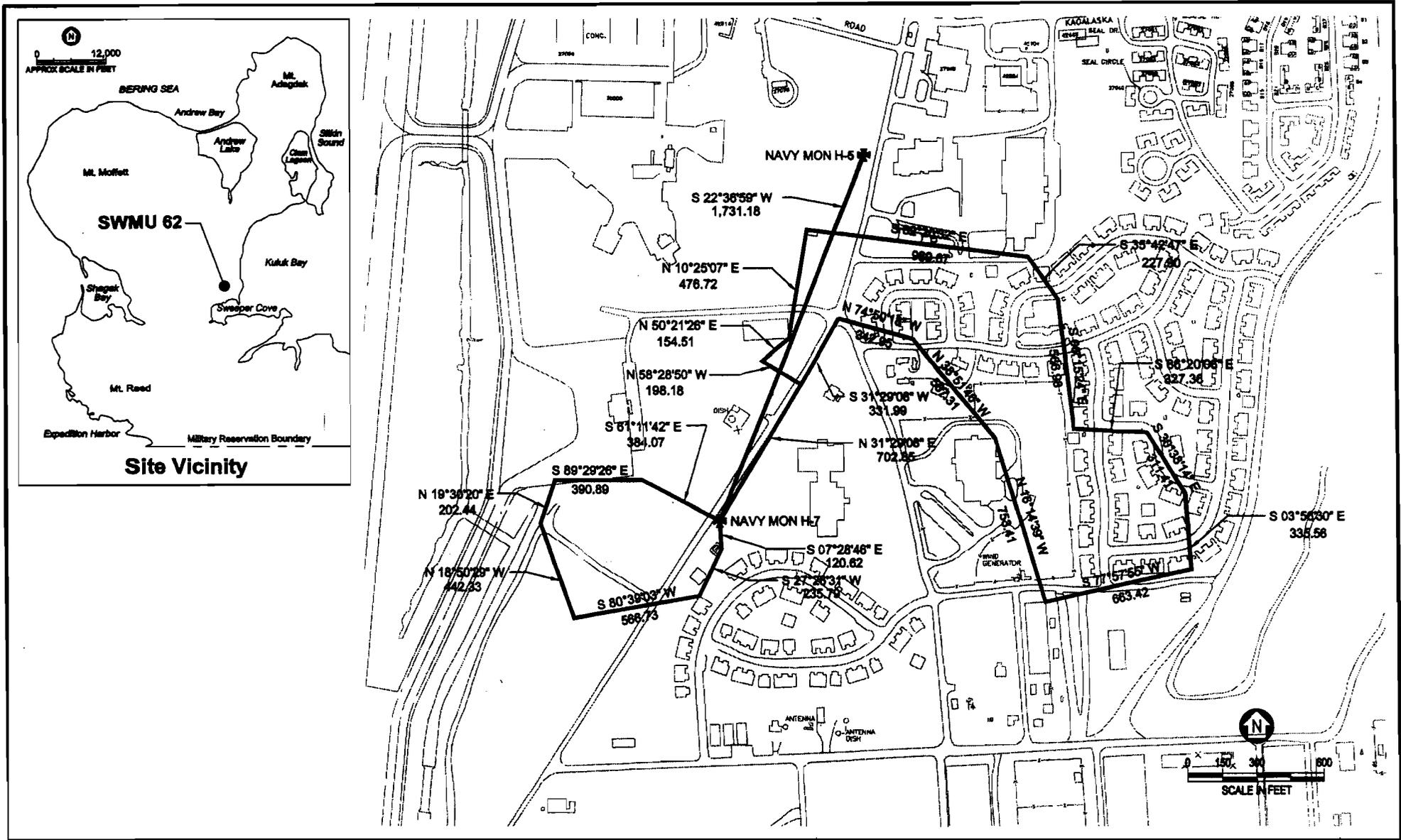


**SA 76,
Old Line Shed Building**

Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-31

Scale as Shown

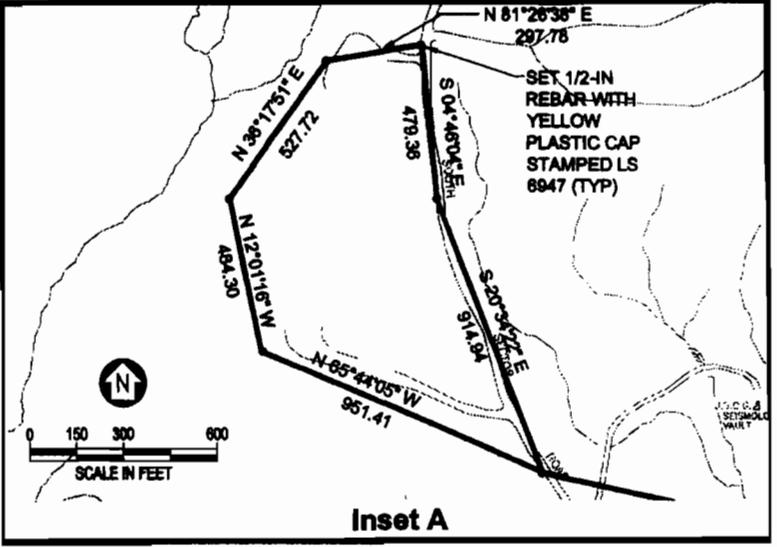
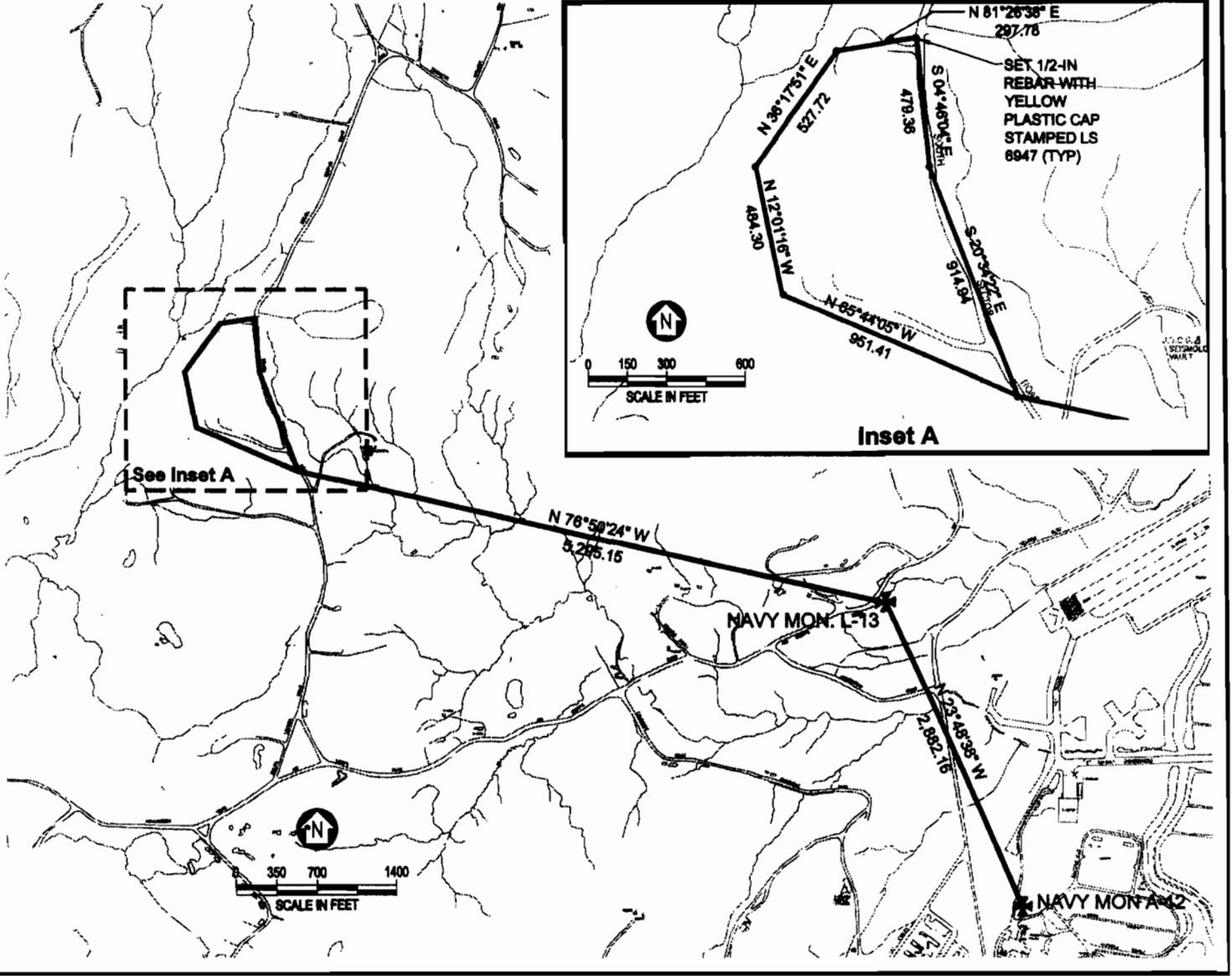




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**SWMU 62,
New Housing Fuel Leak**

Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-34

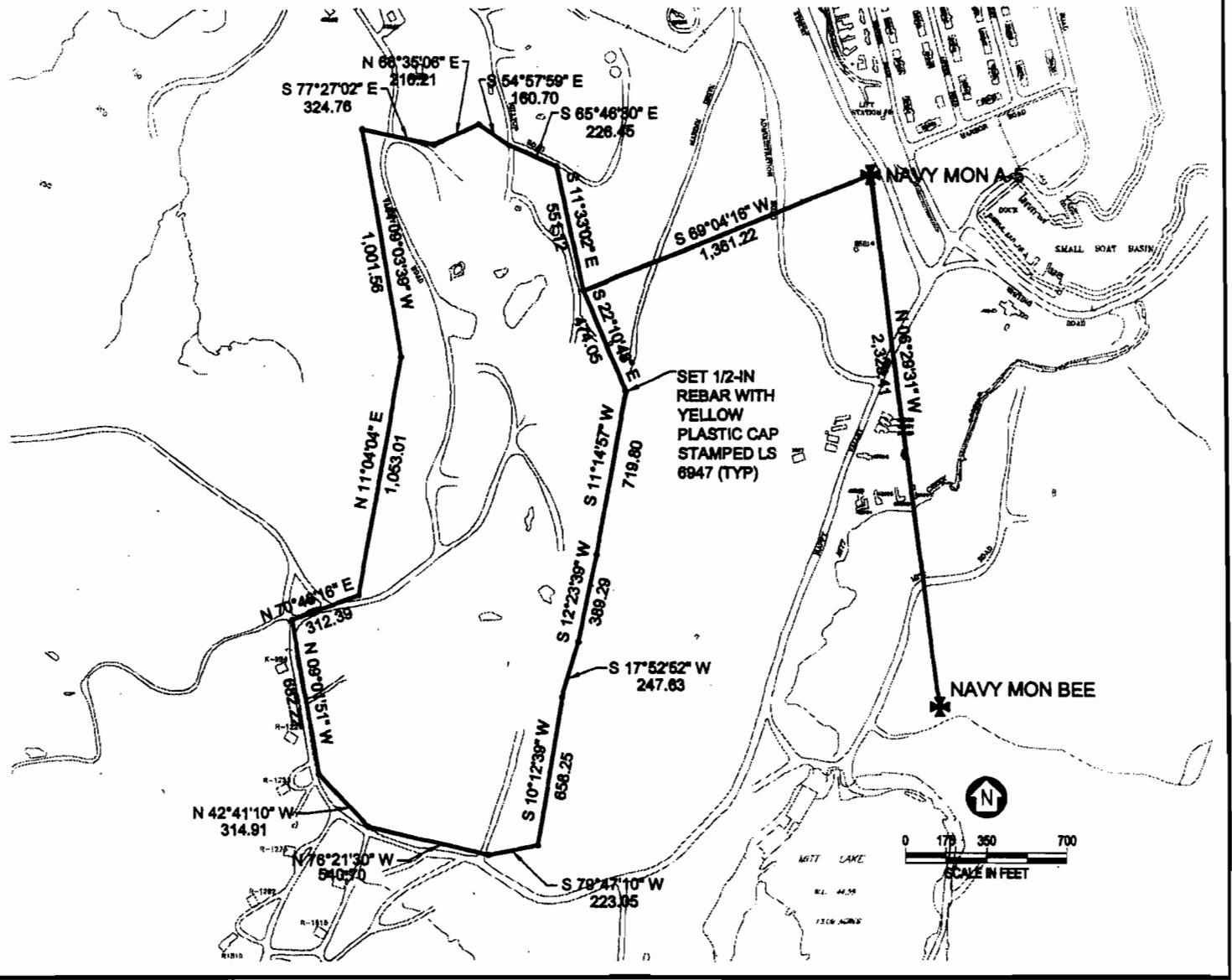
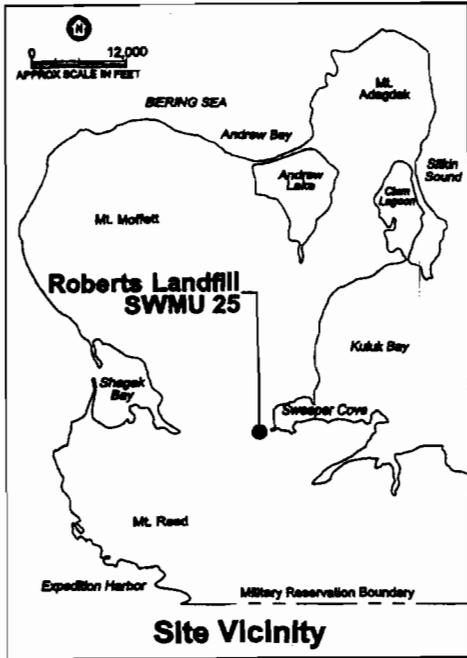


SET 1/2-IN
REBAR WITH
YELLOW
PLASTIC CAP
STAMPED LS
6947 (TYP)

**SWMU 18/19,
White Alice Landfill**

Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-35

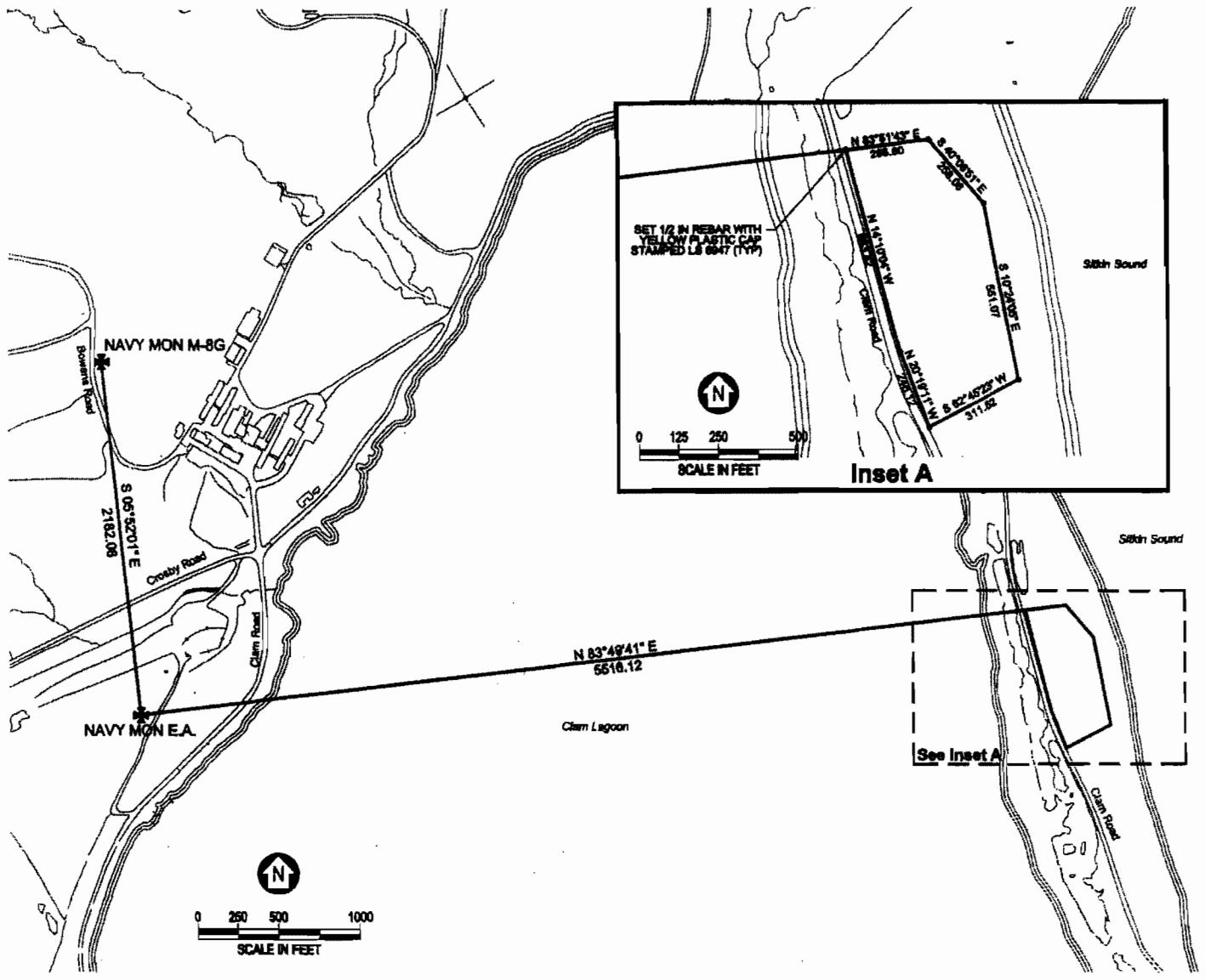
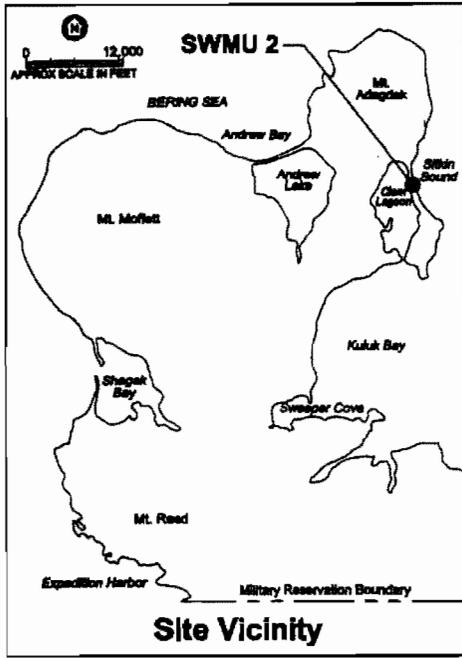
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Scale as Shown

**SWMU 25,
Roberts Landfill**

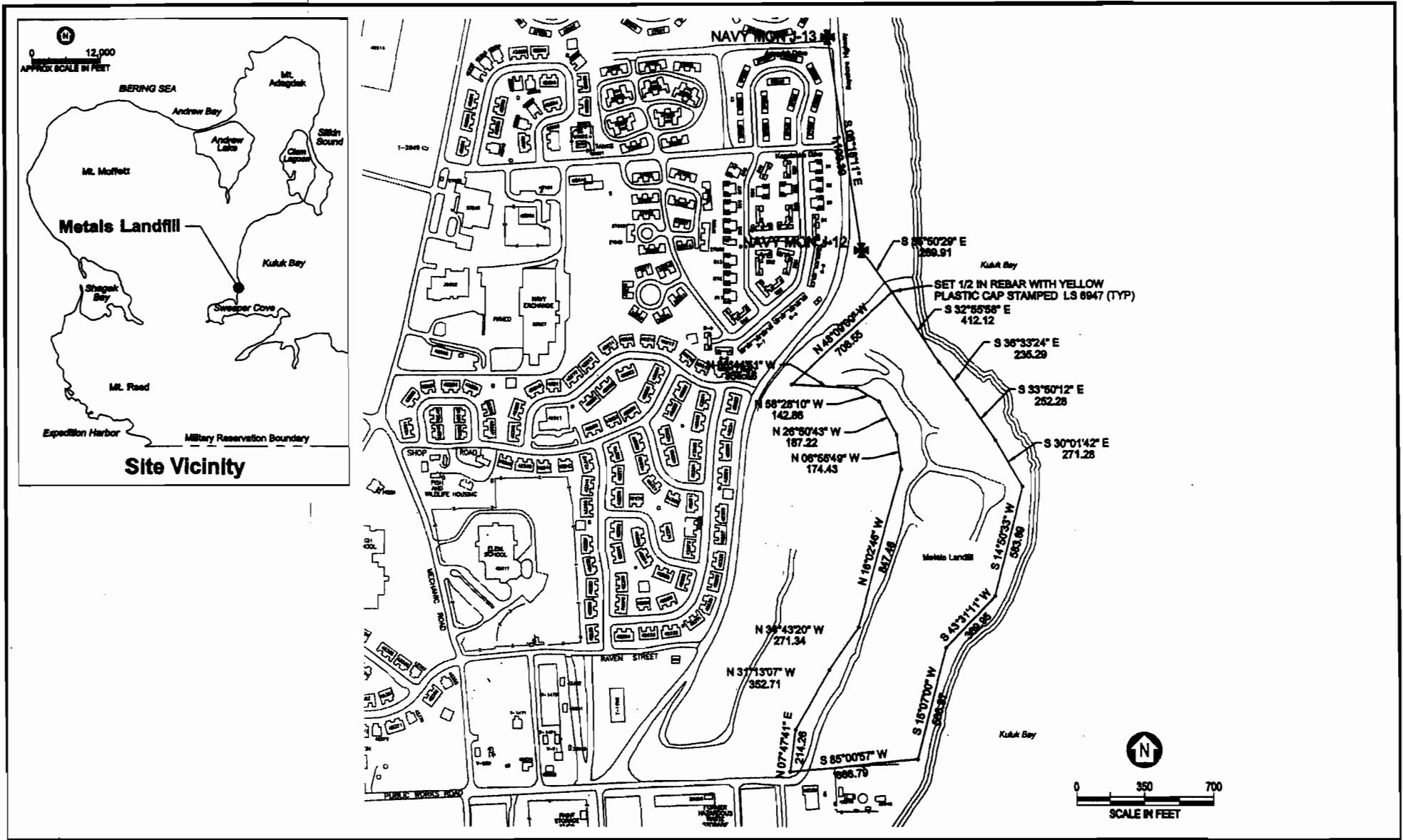
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-36



Scale as Shown

**SWMU 2,
Causeway Landfill**

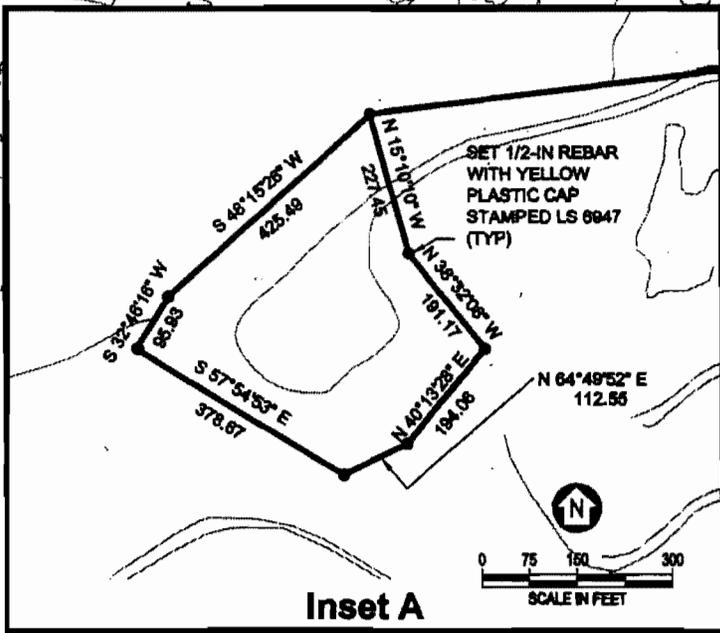
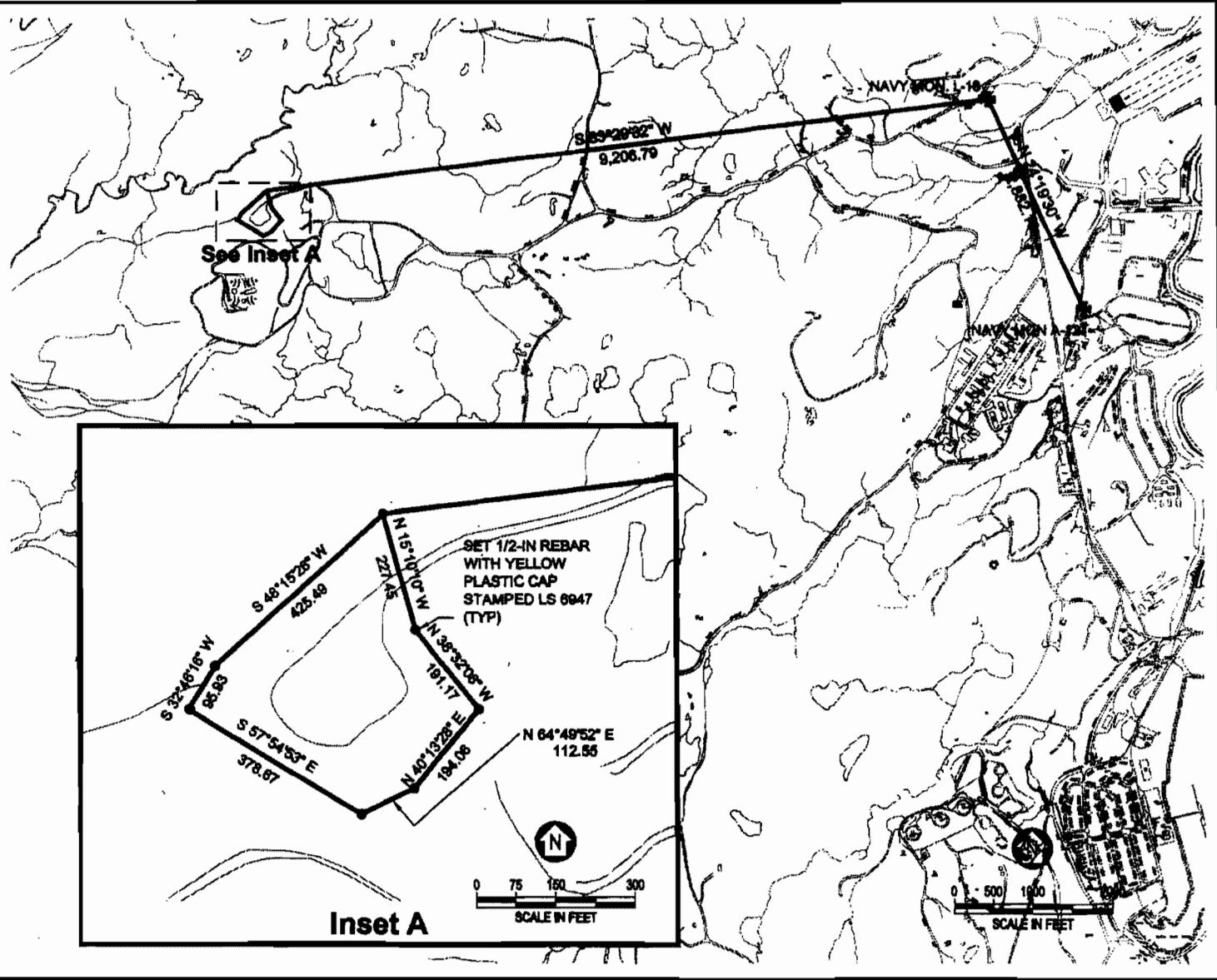
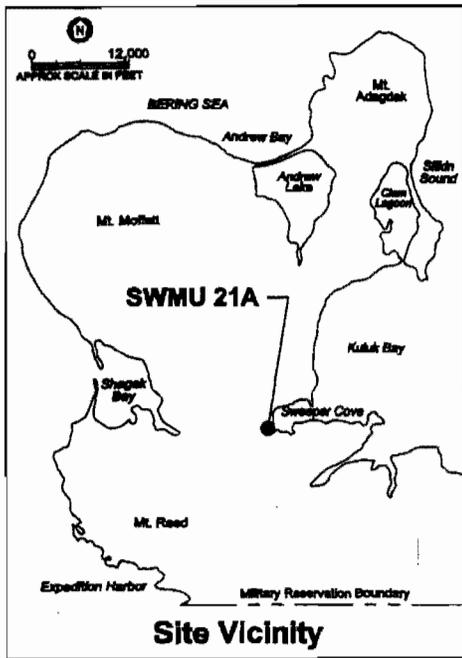
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-37



Scale as Shown

SWMU 13, Metals Landfill

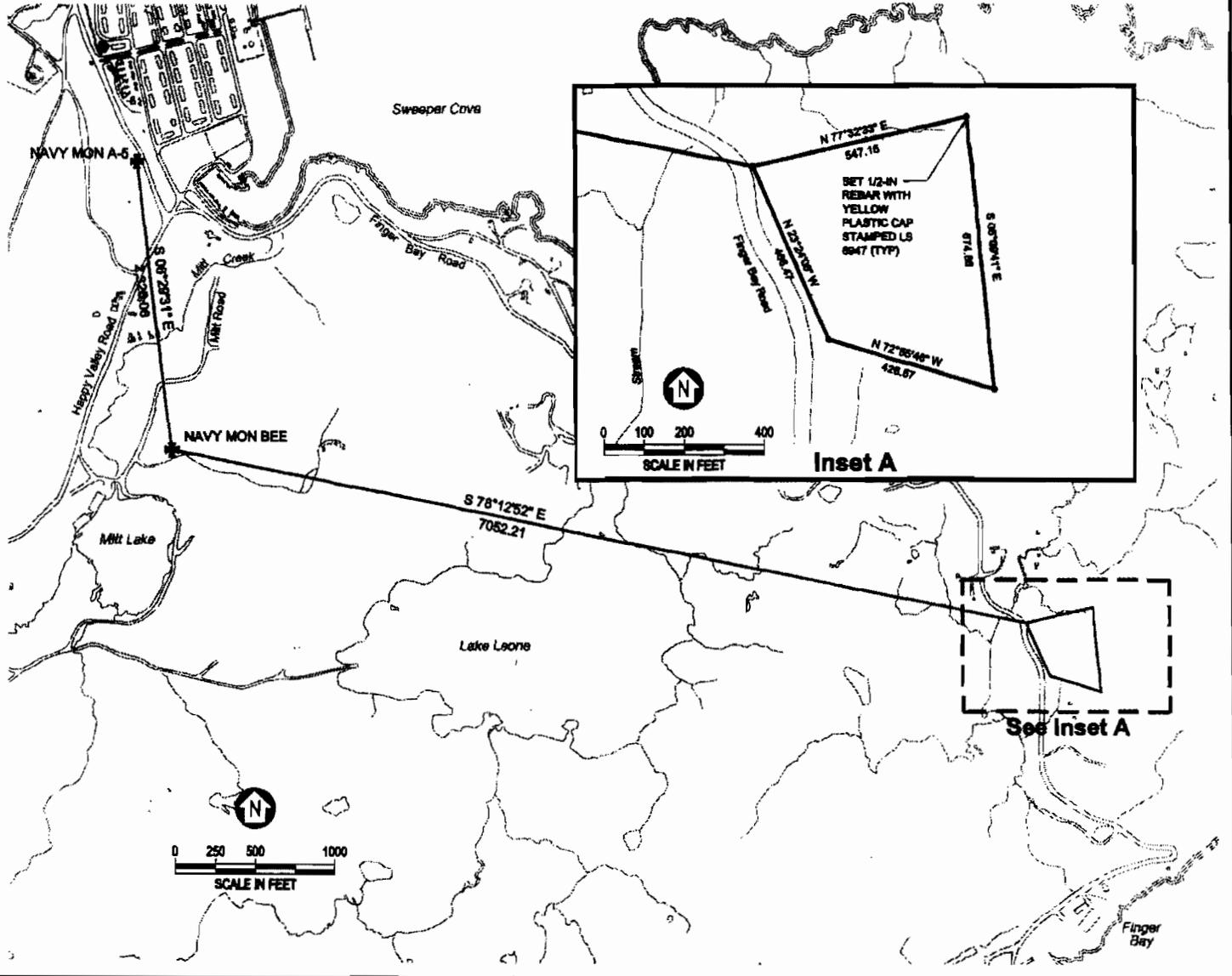
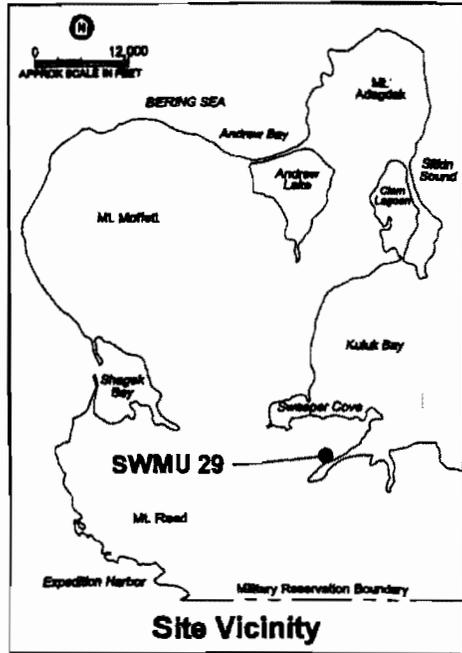
Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-39



Scale as Shown

**SWMU 21A,
White Alice Upper Quarry**

Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-40



Scale as Shown

**SWMU 29,
Finger Bay Landfill**

Exhibit C
EQUITABLE SERVITUDE, EASEMENT,
AND RIGHT OF ENTRY LANGUAGE
Page C-41

EXHIBIT 2

**NOSSA/DDESB LETTER OF CONCURRENCE WITH FOST FOR
ORDNANCE-RELATED ISSUES**



DEPARTMENT OF THE NAVY
NAVAL ORDNANCE SAFETY & SECURITY ACTIVITY
FARRAGUT HALL BLDG D-323
23 STRAUSS AVENUE
INDIAN HEAD MD 20640-5555

8020
Ser N7112/3273
14 Apr 03

From: Commanding Officer, Naval Ordnance Safety and Security Activity
To: Commanding Officer, Engineering Field Activity Northwest, Naval Facilities Engineering Command (Code 05ER)
Subj: DRAFT AFTER-ACTION REPORT (FOR OPERABLE UNIT B-1 SITES) FOR 2002 FIELD SEASON, FORMER NAVAL AIR STATION, ADAK, ADAK ISLAND, ALASKA [N60462/M-115]
Ref: (a) ENGFLDACT NW ltr 5090/ADAK OUB1 14.3 Ser 05ER.2MM/1760 of 4 Feb 03
(b) DoD 6055.9-STD
(c) ENGFLDACT NW Declaration of Record of Decision, Former Adak Naval Complex, Operable Unit B-1, CERCLIS ID #AK4170024323

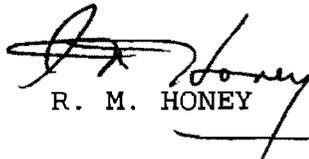
1. Reference (a) presented the results from the 2002 field investigation conducted at sites suspected of ordnance and explosives (OE) contamination in Operable Unit B-1 portions of the Outback Areas of the former Naval Air Facility (NAF) on Adak Island, Alaska. This investigation provided OE contamination data to support decisions for reuse of the property.

2. Enclosure (1) of reference (a) complies with the reporting requirements of reference (b), Department of Defense (DoD) Ammunition and Explosives Safety Standards, Chapter 12, and is consistent with DoD and Navy explosives remediation policies and procedures. Investigation and remediation of the subject sites, as reported to four feet below ground surface, is consistent with the requirements of reference (b) for unlimited use under the specific conditions of the Adak land transfer, as documented in reference (c). Unlimited use is predicated upon deed notification requirements, inclusion of an ordnance awareness education plan, and other institutional controls documented in reference (c) and previous Navy correspondence for this property.

3. Reference (a), and all other documents related to explosives decontamination and remediation of the former NAF Adak property, must be retained in the permanent Naval Facilities Engineering Command (NAVFACENGCOC) remediation files. Any comments from other stakeholders that might adversely impact compliance with DoD explosives safety or environmental requirements should be provided to this Command for further consideration.

Subj: DRAFT AFTER-ACTION REPORT (FOR OPERABLE UNIT B-1 SITES)
FOR 2002 FIELD SEASON, FORMER NAVAL AIR STATION, ADAK,
ADAK ISLAND, ALASKA [N60462/M-115]

4. Naval Ordnance Safety and Security Activity (NOSSA) point of contact for explosives safety issues is Mr. Edward Klinghoffer, P.E., (N7112), at DSN 354-4966, commercial (301) 744-4966, or e-mail: klinghofferem@navsea.navy.mil. NOSSA point of contact for ordnance environmental issues is Mr. John Dow, (N51), at DSN 354-4450/4906, commercial (301) 744-4450/4906, or e-mail: dowjp@ih.navy.mil.


R. M. HONEY

Copy to:
DDESB (DDESB-KO) (w/Executive Summary of ref (a), encl(1))
CNO (N411, N45)
COMNAVFACENGCOM (EN, ENC, BRAC)
NOSSA ESSOPAC (N7P)

EXHIBIT 3

**ENVIRONMENTAL CONDITION CLASS OF CHEMICAL,
PETROLEUM, AND ORDNANCE SITES, AND TEMPORARY
ACCUMULATION POINTS (TAPS)**

EXHIBIT 3
**Environmental Condition of Property Classifications of CERCLA, Petroleum-Release,
 and Other Environmental Sites on Adak by CERFA Parcel**

Site Designation	Site Name	Regulatory Process	Type of Contaminant Released	Current Status (as of Report Date)	Environ. Condition Class ^a
PARCEL 1B, ADAK EXCHANGE LANDS—2001 NON-TRANSFERABLE (Ordnance Sites)					
BI-01	Bay of Islands Impact Area – Firing Point	CERCLA	—	Site located within MM-04. RI/FS not complete.	1
BI-02 ^b	Bay of Islands Impact Area – Range Safety Fan	CERCLA	—	Historical range safety fan for 155mm gun. Area overlies LEPs 1A, 1B and 2. NOFA selected in OU B-1 ROD.	1
C1-02	Combat Range #1 – Time Fuze Site	CERCLA	ordnance	Site located within historical maneuver area. Mechanical Time Fuze found during site investigation. Remediation completed.	4
C1-03 ^b	Combat Range #1 – Remainder	CERCLA	ordnance	Historical Maneuver Area. Remediation completed.	4
C2-01A	Combat Range #2 – Fragment Area	CERCLA	ordnance	Site located within historical maneuver area. Fragment found during site investigation. Remediation completed.	4
C2-01B	Combat Range #2 – Fragment Area	CERCLA	ordnance	Site located within historical maneuver area. Fragment found during site investigation. Remediation completed.	4
C2-02	Combat Range #2 – Remainder	CERCLA	ordnance	Historical Maneuver Area. Remediation completed.	4
MM-01	Mt. Moffett Impact Area – Southern 155mm Impact Area	CERCLA	—	No OE/UXO found. RI complete. NOFA selected in OU B-1 ROD.	1
MM-02	Mt. Moffett Impact Area – Southwestern Sector	CERCLA	ordnance	Single piece of abandoned OE found and removed. RI complete. NOFA selected in OU B-1 ROD.	4
MM-03	Mt. Moffett Impact Area – Frag Area #1	CERCLA	—	No OE/UXO found. RI complete. NOFA selected in OU B-1 ROD.	1

Site Designation	Site Name	Regulatory Process	Type of Contaminant Released	Current Status (as of Report Date)	Environ. Condition Class ^a
MM-21 ^b	Mt. Moffett Impact Area – Range Safety Fan #7	CERCLA	—	Historical range safety fan for 155mm gun. Area overlies LEPs 1A & B and 4. NOFA selected.	1
MM-22	Mt. Moffett Impact Area – 75mm Cartridge Casing Site	CERCLA	—	No OE/UXO found. RI complete. NOFA selected in OU B-1 ROD.	1
MM-23	Mt. Moffett Chemical Mortar Site	CERCLA	ordnance	Remediation completed; NOFA recommended.	4

^a Environmental condition classifications (DoD 1996):

- ECP 1: Areas where no release or disposal of hazardous substances or petroleum products has occurred (including no migration of these substances from adjacent areas).
- ECP 2: Areas where only release or disposal of petroleum products has occurred.
- ECP 3: Areas where release, disposal, and migration of hazardous substances has occurred, but at concentrations that do not require a removal or remedial action.
- ECP 4: Areas where release, disposal, and migration of hazardous substances has occurred, and all remedial actions to protect human health and the environment have been taken.
- ECP 5: Areas where release, disposal, and migration of hazardous substances has occurred and removal or remedial actions are under way, but all required actions not yet taken.
- ECP 6: Areas where release, disposal, and migration of hazardous substances has occurred, but required actions have not yet been implemented.
- ECP 7: Areas that are unevaluated or that require additional evaluation.

^b These areas are contained within two or more land exchange parcels.

NS = Not shown; range safety fan overlapping multiple parcels and/or AOCs or a small-caliber gun grouped with others at multiple locations.

CERCLA – Comprehensive Environmental Response, Compensation, and Liability Act of 1980

LEP – Land Exchange Parcel

NOFA – no further action (required)

OE – ordnance and explosives

UXO – unexploded ordnance

EXHIBIT 4
EPA CONCURRENCE WITH OPS DETERMINATION



DEPARTMENT OF THE NAVY
ENGINEERING FIELD ACTIVITY, NORTHWEST
NAVAL FACILITIES ENGINEERING COMMAND
19917 7TH AVENUE N.E.
POULSBRO, WASHINGTON 98370-7870

5090-ADAK
Ser 05ER.2MM/0720
January 15, 2002

Mr. Kevin Oates
US Environmental Protection
222 West 7th Street
Mail Stop 19
Anchorage, AK 99513

Dear Mr. Oates:

**SUBJECT: CERCLA OPERATING PROPERLY AND SUCCESSFUL
DETERMINATION**

The purpose of this letter is to confirm our discussions regarding EPA (Interim) Guidance for Evaluation of Federal Agency Demonstrations that Remedial Actions are Operating Properly and Successfully (OPS) under CERCLA Section 120 (f)(3) August 1996, and the application of this guidance to completion of the Finding of Suitability to Transfer real estate on the military reservation at Adak Island, Alaska.

In summary, based on previous discussions, the Navy and EPA are in agreement that no OPS demonstration is required for OU-A and OU-B1 on Adak because the Navy is in a position to provide the CERCLA 120 (f)(3) covenant that all necessary remedial actions have been taken. Documentation that remedies in place have achieved remedial action objectives is provided by the recently approved Five Year Review for the CERCLA site at Adak Island.

The Navy will prepare the Finding of Suitability to Transfer for Parcel 1A to reflect the above application of EPA's guidance relevant to demonstration of OPS. Should you have any further questions regarding this matter please contact me at (360) 396-0070.

Sincerely,

MARK S. MURPHY
Remedial Project Manager
By direction of the
Commanding Officer

Copy to: Elim Yoon, Alaska Dept. of Environmental Conservation

EXHIBIT 5
PUBLIC NOTICE OF DRAFT FOST

Public Notice

Draft Finding of Suitability to Transfer (FOST) for Parcel 1B and the sites described in the Addendum to the Final FOST for Parcel 1A Former NAF Adak

The U.S. Navy invites you to participate in a public comment period concerning the Intent to Sign the Finding of Suitability To Transfer (FOST) for Parcel 1B and the Addendum to the Final FOST for Parcel 1A within the former NAF Adak. This FOST and the addendum describe the proposed transfer of real property from the Navy to the Department of the Interior for conveyance to The Aleut Corporation (TAC).

Public Comment Period

Wednesday, March 14, 2003, through Friday, April 14, 2003

AVAILABILITY TO THE PUBLIC

This FOST and addendum and other significant documents concerning the closure and transfer of real property within the former military base on Adak Island are available to the public at the following locations:

**The Library Reserve Room
University of Alaska, Anchorage
3211 Providence Drive
Anchorage, Alaska 99508
Contact: Librarian, Reserve Room
Phone: 907-786-1871**

**Engineering Field Activity NW
Naval Facilities Engineering Command
19917 - 7th Avenue NE
Poulsbo, WA 98370-7570
Contact: Mark Murphy
Phone: 360-396-0070**

The deadline for submitting comments concerning the FOST is April 14, 2003. Send comments to: **Mark Murphy, PE, Engineering Field Activity Northwest, 19917 – 7th Avenue NE, Poulsbo, Washington 98370-7570, Fax: 360-396-0857.** Electronic comments can be delivered to: murphyms@efanw.navfac.navy.mil

Public input will be considered prior to the signing of the FOST. The BRAC Cleanup Team (BCT), comprising the Navy, the U.S. Environmental Protection Agency, and the Alaska Department of Environmental Conservation, will review and address all comments received within the 30-day comment period.

EXHIBIT 6
LIST OF COMMENTERS ON DRAFT FOST

List of Commenters on Draft FOST

1. The Aleut Corporation
2. Aleutian Pribilof Island Association
3. Alaska Department of Environmental Conservation
4. U.S. Environmental Protection Agency, Region 10

EXHIBIT 7
RESPONSIVENESS SUMMARY

CTO: 0070 Adak		Document Title: Final FOST for Parcel 1B	
Date: May 20, 2003		Review Organization: EPA	Reviewer: Kevin Oates
Comment No.	Section or Page	Reviewer's Comment	Response to Comment
1	Page 2-1, fifth bullet.	The text states that Parcel 4 is approximately 4,515 acres, while the latest EBS document states parcel four is 5,260 acres (see page 1-2 of the EBS). Also, Figure 2-1 of this document indicates Parcel 4 contains 5,260 acres. Recommend reviewing the documents for consistency.	Parcel size will be checked. It has changed several times due to transfer of area between parcels and efforts to reconcile the boundaries with those of USFWS. It should be noted that based on the legal description for Parcel 4, the total area of Parcel 4 is 5,624 acres.
2	Page 5-1 first paragraph.	The text states that OUB-2 contains 31 sites. The OUB2 RI/FS contains 23 sites. Please review for consistency and revise as needed.	Sites sent to NOFA in the first round of analysis are included in the total count of OUB-2 sites, while they are not included in the RI/FS.
3	Page 5-3 Last paragraph.	The text indicates that Exhibit 2 contains a NOSSA/DDESB approval for the Parcel 1B FOST. However, Exhibit 2 contains a concurrence letter from DDESB for the transfer of Parcels 1A, 2, and 3 with respect to ordnance remediation requirements. That letter also contains requirements for completion of work in 3 sites in Parcel 1A and one in Parcel 3. This document should indicate how those requirements have been addressed. In addition, it appears that the Navy require a similar letter of concurrence from DDESB for Parcel 1 B that should be included in the next version of the FOST for Parcel 1B.	The addendum to the 1A FOST describes remedial actions for the 3 Parcel 1A sites mentioned in the comment as well as other sites that are now within the redrawn boundaries of Parcel 1A. A letter from NOSSA documenting approval of the Parcel 1B FOST has been included in the final version of the FOST.
4	Section 5.3 Risk Analysis.	The text states that..."All CERCLA sites within Parcel 1B have acceptable levels of risk under the current and future reuse scenarios." Earlier on page 5-1, the text states that Parcel 1B contains no hazardous substance or petroleum sites. Those are the type of sites where "risk analyses" are typically discussed. In Parcel 1B, there are several ordnance sites where the selected remedies have been implemented. However, the Adak Project Team has consistently avoided using terms like "acceptable levels of risk" when referring to ordnance sites, especially in the context of explosive safety hazards. Given the intensity of the national debate on this and related topics, EPA strongly recommends using alternative language in this section to indicate	Comment noted. Revisions as suggested will be incorporated in the final FOST.

CTO: 0070 Adak		Document Title: Final FOST for Parcel 1B	
Date: May 20, 2003		Review Organization: EPA	Reviewer: Kevin Oates
Comment No.	Section or Page	Reviewer's Comment	Response to Comment
		that the required remedial actions for OUB1 sites in Parcel 1B have been completed in accordance with ROD requirements to support the current and expected future land uses.	
5	Page 5-7.	EPA generally agrees with the statements concerning completion of remedial actions for OUB1 sites in Parcel 1B. Comment resolution meetings and follow on discussions have been very positive and productive. Therefore, EPA expects that the Final Adak 2002 Field Season After Action Report will adequately address all Agency comments. It should be noted that the final was not available at the time of this review.	Comment noted. The final AAR will reflect the conclusions reached during discussions and document the adequacy of remedial actions taken for Parcel 1A and 1B sites.
6	Section 6.1.	Description of the Sites. There are two sites in this section which require further review for consistency in the text in this document and in the EBS. These are C8-05B and LJ-05. The EBS in Section 6.1.2 indicates that Parcel 4 area of these sites are not eligible for transfer. The text in the FOST indicates that these sites were transferred from Parcel 4 back to Parcel 1A after the 2002 field season. See FOST text on pages 6-5 and 6-6. This needs to be reviewed for consistency and accuracy.	Text will be clarified. The portions of each site that had all remedial actions completed in 2002 were transferred back into Parcel 1A after the field season.
7	Section 6.4, last sentence.	See previous comment on NOSSA/DDESB approvals. Will there be a formal written approval for the Parcel 1A sites addressed in this section of the report?	See previous response.
8	Section 6.4.2 Risk Analysis.	See previous comment on the use of the term "acceptable levels of risk" when describing ordnance sites. Please revise the text at both locations as recommended.	Text will be modified by substituting the word hazard and discussing approved investigation and remediation approaches.
9	Exhibit 1 Equitable Servitude.	The Adak Institutional Controls Management Plan indicates that the final Equitable Servitude (ES) will be contained in the final FOST. The current version contains the draft ES from April 2002. As noted in comments on previous version of the FOST, EPA will need to review the <u>final</u> ES language to ensure the enforceable provisions of CERCLA requirements for institutional controls will be met.	The State of Alaska has provided an opinion regarding the enforceability of the ESRE (Memo dated April 22, 2003). This memo states, "the ES/E/RE language is sufficient to create a valid and enforceable interest in the event that the affected parcels are described adequately." No substantive changes to the ESRE as submitted with the Draft Parcel 1B FOST are anticipated.

CTO: 0070 Adak		Document Title: Final FOST for Parcel 1B	
Date: May 20, 2003		Review Organization: EPA	Reviewer: Lori Cora
Comment No.	Section or Page	Reviewer's Comment	Response to Comment
1	General	<p>The Navy has chosen to produce piecemeal FOSTs that document the cleanup and environmental condition of properties addressed in each CERCLA Operable Unit. A Final FOST was issued in April 2002 for some but not all of the property contained in Parcel 1A. The draft FOST currently under review covers properties addressed by the Record of Decision for Operable Unit B1, which includes properties within Parcel 1A, requiring an Addendum to the "Final" Fost issued in April, 2002. The effect of this approach creates, at best, confusion and, at worst, ambiguity concerning the findings being made about each site and the information being disclosed as to each site.</p> <p>i. The "Addendum to the FOST for A1" as Section 6 of the document is confusing and unnecessarily complicated. Page 1-2 states the addendum is provided as Chapter 6. Does none of Sections 1 - 5, 7 - 11, relate to the Parcel 1A sites? Does the remainder of the FOST only concern Parcel B1 sites?</p> <p>ii. It would be more easily understood for future owners/operators and the public if the Addendum to the FOST for Parcel A1 was attached to the FOST for Parcel A1, rather than intermixing the Addendum with information and findings in the FOST for Parcel B1.</p>	<p>For ease of future use, the Navy will bundle the Parcel 1B FOST (and the Parcel 1A addendum) along with the Parcel 1A FOST in a single notebook with tabs.</p>
2	Page 1-3, next to last paragraph	<p>Per General Comment above, the Addendum to FOST for Parcel 1A should be attached and cross referenced to relevant information contained in the FOST, not intermixed with the FOST for Parcel IB. Separating the findings and conclusions for the twelve sites in Parcel 1A requires the public to jump from one document to another to find information concerning Parcel 1A. By intermixing the sites, it is confusing for the reader and potentially misleading as to what information in either the FOST for Parcel 1A or Fost for Parcel for BI is relevant to the sites addressed by the Addendum.</p>	<p>See response to General Comment 1. Due to history of conditional approvals of the Final 1A (i.e. contingent upon completion of remedial actions at FB-01, C3-01A, and C3-01E), and the acknowledgement of the need for an addendum to the Final Parcel 1A FOST, the Navy will proceed as outlined in the response to specific comment 1.</p>

CTO: 0070 Adak		Document Title: Final FOST for Parcel 1B	
Date: May 20, 2003		Review Organization: EPA	Reviewer: Lori Cora
Comment No.	Section or Page	Reviewer's Comment	Response to Comment
3	Page 2-1, Section 2, Description of Parcel 1B, first paragraph	This paragraph illustrates the problem with the piecemeal approach being taken with numerous FOSTs. A comparison of the descriptions of Parcels 1A, 1B, 2 through 4 between the Draft Parcel 1A FOST and Draft Parcel 1B FOST results in different descriptions due to the additional sites being put into Parcel 1A subsequent to the "finalization" of the FOST for Parcel 1A. The Navy should update the FOST for Parcel 1A according to current configuration and present all relevant information about all of the sites currently comprising Parcel 1A in one FOST. It should not be left to the public to sort out the intricacies of the evolution of the Parcels and multiple FOSTs.	See response to General Comment 1. Due to history of conditional approvals of the Final 1A (i.e., contingent upon completion of remedial actions at FB-01, C3-01A, and C3-01E), and the acknowledgement of the need for an addendum to the Final Parcel 1A FOST, the Navy will proceed as outlined in the response to specific comment 1.
4	Page 2-1, second paragraph	The statement that "Parcel 4 . . . will be addressed . . .when remediation necessary to support transfer has been completed" gives me concerns that EPA and the Navy interpret this sentence differently because of the recent RI/FS for Parcel 4. Have we worked out an appropriate investigation and cleanup schedule with the Navy on Parcel 4? If the Navy's interpretation of this sentence is it need not do cleanup until someone wants the property, then it needs to be changed because that is not the standard under CERCLA to reduce risks posed by releases or threats of releases of hazardous substances, pollutants or contaminants.	The Parcel 1B FOST accurately represents the current status of Parcel 4 (i.e., not yet suitable for transfer; continued management as an access restricted area by Navy). Finalization of the OU B-2 RI/FS, Proposed Plan, and ROD have not yet occurred. Upon completion of the ROD for OU B-2, the schedule for execution of the remediation of OU B-2 sites within Parcel 4 will be developed according to the framework provided by the Adak Federal Facilities Agreement.
5	Page 5-1, second paragraph	This paragraph is confusing because it talks about OU B-1 and Parcel 1B and some sites are in OU B-1 but located in Parcel 4, etc. How much of that is relevant to this FOST? Not much in my view. All that is necessary is to say that Parcel 1B contains 27 OE/UXO areas of concern addressed as part of OU B-1.	Some sites straddle the boundary between Parcel 1B and Parcel 4 with the majority of the area lying within Parcel 1B (MM-04, MM-10 and MM-11 for example). In some cases, remedial actions have been completed only for those portions of these sites that are within Parcel 1B. The Parcel 4 portion of these sites has not yet been remediated; therefore it cannot be stated that all remediation for the 27 OU B-1 sites has been completed. Appropriate clarifications will be made to the final FOST for Parcel 1B.

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6	Page 5-1, third paragraph	Likewise, why not end that paragraph with the affirmative statement that "remedial actions, if any, required by the OU B-1 ROD for the 27 OU B-1 sites located in Parcel 1B, were completed in 2002."	See response to comment 4.
7	Page 5-7, Section 5.4, second paragraph	Delete first sentence as it is not accurate. UXO/OE and their constituents are hazardous substances under CERCLA. I suggest moving the first sentence of the third paragraph up to begin the second paragraph.	Comment noted. Without responding to the assertion that OE/UXO are specifically identified as HS under CERCLA, the suggested revision will be incorporated.
8	Page 7-1, Section 7.1.1, and Exhibit 1	Per my comment last year, EPA has not received confirmation from the Alaska Attorney General's office or a licensed Alaska attorney that the equitable servitude language conforms with state law and will be enforceable in state court. Additionally, it is my understanding that other stakeholders may have requested revisions to the equitable servitude language. If the equitable servitude language in the draft FOST is changed, EPA requests and anticipates that it will be provided the opportunity to review and, if appropriate, comment on any changes to the equitable servitude.	Comments from State of Alaska Attorney General on the enforceability have been submitted to the Navy with copies to EPA. To the extent that changes (other than minor editorial changes) are made to the ESRE, EPA will be provided an opportunity to review and comment.
9	Page 7-2, Section 7.1.3, Inspections and Reporting	Does this section reflect the agreement reached in the dispute resolution on C3-01A, re: inspections of the excavated area? The Addendum to Parcel 1A should discuss the inspection and reporting requirements, if any, for the twelve sites addressed in OU B1.	The Navy's agreement was to provide inspection of OU B-1 sites to verify that the future land use assumptions that were the basis of the remedy selection were accurate as well as documenting the continued effectiveness of the ordnance education and awareness program. Appropriate revisions to this section will be incorporated to reflect this agreement.

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1	General	<p>As the state, the Navy, and TAC have discussed over the last year, the state has been uncomfortable with the Navy being the exclusive holder of an equitable servitude (ES) to oversee the institutional controls, and the state has suggested that an ES regarding at least selected aspects of the agreed controls be executed in favor of the state. Such an ES would have to be granted by TAC rather than the United States, but could be made part of the exchange transaction. The parties have not been able to resolve their differences on this issue.</p> <p>Recently, the EPA made a constructive suggestion that may provide a way forward, pointing out that the Navy could delegate some or all powers to administer the ES to the state (retaining the right to withdraw the delegation). The parties should explore this option. The ES should be modified in two ways to accommodate potential delegation:</p> <ol style="list-style-type: none"> 1. Under "Prohibited Activities," wherever the phrase "authorized in writing by the Department of the Navy" appears, add "or its delegee". 2. In the first line of the "Right of Entry" section, after "United States" insert "or its delegee". 	<p>The federal government does not have the authority to grant an Equitable Servitude to the State. The Navy has not posed any objection to TAC granting the State an Equitable Servitude as a matter between the parties.</p> <p>At the present time the Navy is unwilling to make the suggested revisions. As an initial matter, the Navy has concerns that a delegation would, ultimately, not allow the Navy to successfully seek judicial enforcement of the Equitable Servitude. The Navy is willing to consider the legal and policy implications of delegation. To facilitate this discussion, the Navy requests the State to provide a detailed proposal listing the specific administrative duties they are requesting the Navy delegate to them under the ES. The proposal should also describe the manner in which the State intends to carry out these duties and the responsibility the State will assume for ensuring the efficacy of remedies, including institutional controls.</p> <p>Should the parties agree that delegation is appropriate, revisions to the Equitable Servitude will be made at a later date.</p>
2	Section 1.1, page 1-2	<p>This section mentions the certification of remedial actions at sites C3-01 and FB-03 through the addendum as given in Chapter 6. However, in Section 1.4 Document Outline, Section 6, and in Section 6, 10 sites are listed other than C3-01 and FB-03. Please clarify.</p>	<p>The additional sites are within the revised boundaries for parcel 1A. As of the date of the final FOST for parcel 1A (April 2002) these sites were within parcel 4 and remedial actions had not been completed. However,</p>

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			remedial actions were completed at these sites in 2002 (and documented in the 2002 AAR) and the sites have since been incorporated within the boundary of parcel 1A.
3	Section 2.	Description of Parcel 1B: An explanation of how the Parcels were divided is needed in the introductory paragraph. In the descriptions, the total acreage investigated is given for Parcel 1A; please include the total also investigated acreage for Parcel 1B.	The primary basis for the delineation of parcel 1A was to include all areas where remedial actions were expected to be completed as of the end of the 2001 field season. As suggested in the comment, the total acreage included in parcel 1B investigations will be included in the revised text.
4	Figure 2-1:	The acreages given in this figure do not match the description given on page 2-1. Please revise.	The acreage will be checked for consistency and revised as necessary.
5	Figure 2-2:	This figure does not stand-alone. Please indicate that the numbers refer to Point IDs as given in Table 2-1 and represent boundary corners.	Concur.
6	Exhibit 1, Right of Entry:	Recommend including the <i>Agreement Concerning the Conveyance of Property at the Adak Naval Complex, Adak, Alaska, dated September 20, 2000</i> as an exhibit to this appendix	Reference to the Conveyance Agreement is not integral to the ESRE and will be removed.
7	Exhibit 2:	Recommend the addition of a letter from the Commanding Officer that follows the 2001 summer field work and approves all the sites under Parcels 1A, 2, and 3. This gap is obvious.	Navy intends to provide updated approval signatures from NOSSA and EFA NW concerning the suitability for transfer of all real estate in parcel 1A and 1B. A letter from the commanding officer of NOSSA has been included in the final FOST as Exhibit 2.
8	Exhibit 3:	The footnotes address more information than is demonstrated in the chart such as the inclusion of ECP 5-7, OE/UXO chemicals, and references to SAERA. Suggest revising footnotes to address the site information specified by this document for simplification and reader ease.	Concur.
9	List of Commenters:	Suggest change in title to "List of Agency Commenters on Draft FOST" unless other commenters are included.	TAC and APIA are not agencies and they are currently on the list of commenters.

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A/PIA	General	A/PIA has submitted a letter concurring with the FOST for purposes of transfer.	Comments noted.
TAC – 1 (V. Tutiakoff)	General	There should be a written agreement that outlines who will be responsible for repairing monitoring wells or recovery wells if they are damaged. In the case where they have been placed too close to existing underground utilities and they get damaged during needed repairs that burden should not be with whomever is attempting the repair.	The ESRE prohibits activities that could potentially damage monitoring or recovery wells. As a practical matter, monitoring wells and other remediation/recovery system appurtenances have been placed so as not to interfere with existing utilities.
TAC – 2 (V. Tutiakoff)	General	There should be a written special authorization for emergency repairs to utilities so that there will be no delays in handling emergency repairs.	There is nothing in the FOST or ESRE that creates an impediment to emergency utility repairs. Section 4.2 of the Final Institutional Control Management Plan states, "In the event of an emergency excavation for utility repairs, the requester shall notify the Navy after the emergency has been completed." No further written authorization to address emergency repairs is necessary.
TAC – 3 (V. Tutiakoff)	General	<p>Generally the permission to dig that will be granted by the Navy cannot be efficiently administered from a far distant site. TAC fears that Navy administration of the excavation restrictions on the Equitable Servitude and the accompanying dig permit system will result in unacceptable delays.</p> <p>In this regard, the Navy in the past was required to approve landing permits for aircraft on Adak. While the Navy has always been reasonable in granting permission for aircraft to land, the distant administration of the landing permit system has resulted in at least one instance where a permit was granted, but took so long to be granted that a commercial opportunity was lost, because the shipper decided to go elsewhere in the interim.</p> <p>TAC is concerned that the same type of problems could arise with administration of the excavation requirements in the</p>	The dig permit system is applicable only to landfill sites listed in paragraph 3 of the prohibited activities section of the ESRE. For other locations listed in paragraph 2 of the ESRE, the Final ICMP requires the responsible party to notify the Navy a minimum of three days prior to initiating excavation and does not prohibit excavation provided the purpose of the excavation is not inconsistent with the residential land use prohibition at these sites. The Navy will provide a written response within this three day time period. If necessary, this will be clarified in the upcoming revision of the ICMP.

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		equitable servitude and the dig permit system. Accordingly, TAC advocates that administration of the excavation restrictions in the Equitable Servitude and the dig permit system be subcontracted to an entity such as the State of Alaska, which will be much more accessible to people in Adak, and will be able to respond more quickly.	
TAC – 4 (V. Tutiakoff)	General	TAC is also concerned that there is as yet no established protocol for how contaminated soils and/or water will be handled in the event that excavation is necessary and does unearth contaminated materials. There needs to be a written agreement that spells out how these contaminated materials will be handled if they are encountered during excavation. This agreement should specifically address the requirements governing the placement of contaminated materials back into the ground from which they came.	Section 7 of the “Agreement Concerning the Conveyance of Property at the Adak Naval Complex, Adak, Alaska” addresses the issues described in the comment. It is the responsibility of TAC to establish the basis for determining a site is contaminated and the need for remedial actions based upon current cleanup levels. If it is established that contamination attributable to past Department of Defense activities exists at a site and remedial action is needed, the “come back” policy referenced in the Land Transfer Agreement is applicable.

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TAC (R. DuBrock)	Section 1(c) Draft Final Equitable Servitude and Easement Language, Page 2 of Exhibit 1 to the Draft FOST.	<p>In telephone conversations with federal officials, TAC has been assured that this section of the equitable servitude was only intended to protect the physical integrity of the recovery systems and monitoring wells. If so, this is a restriction that TAC can live with.</p> <p>We were told that the equitable servitude would be re-drafted to address TAC's concerns, and that section 1(c) would be worded so as to limit the restriction to protection of the physical integrity of the recovery systems and monitoring wells. The exhibit which is attached to the draft FOST, however, does not appear to have been re-drafted.</p> <p>Accordingly, TAC proposes that section 1 (c) be re-drafted to read as follows:</p> <p style="padding-left: 40px;">(c) Any action or use of the Downtown Area, including, without limitation, subsurface utility repairs, construction or excavation activities, that results in physical damage to, or is reasonably likely to interfere with the physical integrity of, Groundwater monitoring wells or recovery systems or devices constructed at the Property for cleanup.</p> <p>As we have previously informed the Navy, TAC cannot agree to an equitable servitude that could be construed to prevent it from excavating merely because subsurface drainage patterns might be altered and consequently the monitoring wells or recovery systems might be affected. TAC has been assured that such is not a concern for the Navy, and that the Navy is concerned only with protection of the physical integrity of the wells or the recovery systems.</p>	The Navy will make this clarification.