



EARLY TRANSFER, FIXED PRICE REMEDIATION WITH INSURANCE FOR MUNITIONS AND EXPLOSIVES OF CONCERN

THE FORMER FORT ORD, MONTEREY COUNTY, CA



The former Fort Ord, on the California coast near Monterey, was used primarily as a training base since it was founded in 1917 until it was closed in 1994 as a result of the Base Realignment and Closure Commission. It contains an extensive amount of munitions and explosives of concern (MEC) and is on the National Priorities List (NPL) of hazardous waste sites.

Weston Solutions, Inc. (WESTON®) is part of a team with LFR, an environmental management and consulting firm, contracted to develop a technical approach and negotiate with the Army to effect the Early Transfer (ET) of the contaminated parcels on Fort Ord to the Fort Ord Reuse Authority (FORA). Subsequent to the transfer, WESTON will perform the necessary remediation for regulatory closure, which will allow the property to be put to beneficial reuse.

Early Transfer of Contaminated Property

Project Highlights

- Key role in the negotiations for the first ET of a munitions-contaminated NPL site
- Saved potentially tens of million of dollars by structuring a process that will allow the land to be returned to reuse more quickly
- Obtained regulatory approval on an innovative remediation approach featuring a rigorous quality process to allow residential reuse in an area with a shortage of housing
- Allowed almost one-third of the original proposed ET acreage to be found suitable for immediate transfer after a thorough analysis of environmental conditions and risks

With most of the noncontaminated property already transferred to FORA, approximately 5,000 acres remained from prior transfers due to their severely environmentally impaired status with MEC. However, the team's review of the environmental conditions and risks indicated that about 1,500 of those acres were actually immediately acceptable to the state and federal regulators for transfer. This allowed the acreage to be put into FORA's hands for immediate redevelopment and saved the Army a considerable amount of money.

The remaining 3,484 acres are the subject of the ET. Since June 2005, WESTON has worked with our partners to finalize the agreements that will set out the type and scope of the remediation, as well as the timing and the financing, with WESTON—capitalizing on experience gained in the ET process at Mare Island—playing a key role in the negotiation process. Stakeholders to the final agreement include FORA, the U.S. Army, Region 9 of the EPA, and the California Department of Toxic

Substances Control (DTSC). Of special note is that this will be the first ET of a "Superfund" property contaminated with MEC.

In August 2006, the LFR/WESTON team completed the technical negotiations regarding the appropriate MEC cleanup response and the associated funding to achieve the cleanup levels to support the future reuse of the property. To accomplish these negotiations, WESTON and our partners met numerous times over 15 months with the decisionmakers from the Office of the Assistant to the Army, the Office of the General Counsel for the Army, and BRAC Office in Washington, DC, as well as EPA and DTSC.

MEC Remediation

Once the cleanup process begins, WESTON will execute, under a Fixed Price Remediation Contract (with insurance to protect against overruns) valued at approximately \$90 million, the MEC remediation and closure of the property. WESTON will support the regulatory process (remedial investigations/feasibility studies and records of decision) and will manage all field investigation and remediation activities including surface and subsurface MEC clearance in residential, development, and habitat reuse areas. This process will include sifting approximately 300,000 cubic yards of soil, which when cleaned will ultimately be reused as material in the redevelopment.

The project is scheduled for completion in about 7 years—well ahead of the planned remediation schedule had the Army retained the property. This accelerated site closure allows the property to be returned to productive use and local tax rolls in the near term, creating a win/win for the residents and the stakeholders.

WESTON has identified a remediation approach, agreed to by the regulatory agencies, that will potentially result in the Army saving tens of millions of dollars. We will conduct a geophysical survey, using the best available and appropriate detection technologies, and will employ a rigorous quality process.

Ultimately, the transferred property will be for residential and commercial use, as well as open spaces for wildlife habitat. The intended residential reuse required extensive coordination with regulatory agencies to devise an intensive residential quality approach process that would satisfy concerns about residual MEC hazards on residential property.

WESTON's Role as Integrator

WESTON served a central role in the process, and performed the following functions:

- Analyzed the extent and types of contamination
- Developed the proposed technical approach and methodology for the remediation
- Prepared presentations on our remediation approach to share with all stakeholders
- Prepared detailed costing documents for negotiations
- Supported negotiations for a unique insurance package that will provide protection from cost overruns
- Took the primary role in negotiating the language for the legal transfer documents, including the Environmental Services Cooperative Agreement (ESCA), the Administrative Order of Consent, and the Findings of Suitability for Early Transfer

Additionally, on an ongoing basis, WESTON will be integral to the extensive public outreach and involvement program required to bring about regulatory closure.

With our previous ET experience, WESTON has knowledge of the process and stakeholders and proven experience in closing ET deals. Equally important, WESTON's relationship with the U.S. Army is one of mutual respect and cooperation—WESTON enjoys their confidence that we will complete the work, with the expertise to overcome any hurdles.

