

452-44

-> STEVE
RANDY
Karen file
CERLIA
off post activity

Phone con 16 MAY 94
called by NY Dist, MR. Ben
Watts wnt eminent,
called back @ 1445 hrs, left
message

BEN WATTS - 212/264-3359

ORGANIZATION NAME: CENAN-RE-DR * FORT DRUM
TELECOPY NUMBER: (315) 772-6919
NORTHERN NEW YORK REAL ESTATE FIELD OFFICE

TO: Jim Miller
OFFICE SYMBOL: Seneca Depot
TELECOPY NUMBER: 607 869-1362

FROM: Mary A. Finkle PHONE # 315-772-6786

NUMBER OF PAGES BEING TRANSMITTED: 3
(Total includes this cover letter)

SPECIAL INSTRUCTIONS:

DEPARTMENT OF THE ARMY
RIGHT-OF-ENTRY FOR SURVEY AND EXPLORATION

CERCLA PROJECT

see attached map

(Project, Installation or Activity)

(Tract Number or Other Property Identification)

The undersigned, hereinafter called the LESSEE, hereby grants to the UNITED STATES OF AMERICA, hereinafter called the "Government", a permit or right-of-entry upon the following terms and conditions:

1. The LESSEE hereby grants to the Government an irrevocable right to enter upon the lands hereinafter described at any time within a period of *see below* () months from the date of this instrument, in order to survey, make test borings, and carry out such other exploratory work as may be necessary to complete the investigation being made of said lands by the Government.

2. The permit includes the right of ingress and egress on other lands of the LESSEE not described below, provided such ingress and egress is necessary and not otherwise conveniently available to the Government.

3. All tools, equipment, and other property taken upon or placed upon the land by the Government shall remain the property of the Government and may be removed by the Government at any time within a reasonable period after the expiration of this permit or right-of-entry.

4. The Government agrees to be responsible for damages arising from the activity of the Government, its officers, employees, or representatives on said land, in the exercise of rights under this permit or right-of-entry, either by repairing such damage or at the option of the Government by making an appropriate settlement with the LESSEE in lieu thereof.

5. If aircraft flights over said lands, or entry upon the land by means of helicopter or other type aircraft, are necessary, the Government shall inform the LESSEE, in advance, of each such flight or entry.

6. The land affected by this permit or right-of-entry is located in the State of New York County of Seneca, and is described as follows:

As shown on attached Map Exhibit "A".

Term 7 January 1993 to 19 March 1994

WITNESS MY HAND AND SEAL this 7 day of January, 1993

Joe Nogle
JOE NOGLE

UNITED STATES OF AMERICA

By *Mary L. Helle*

2-1-94

1" = 400'

PARK BOUNDARY

STATE OF NEW YORK
(SAMSON STATE PARK)

44.1 A (C)
9
41804-99635

PARK BOUNDARY

See map

Proposed Well Locations

63.8 A (C)
1
41821-99500

*Albion
+
Tandy
Hickman*

996000 N
420000 E

(SENECA ORDINANCE D

UNITED STATES OF

(56 WIDE)

200
N.Y.S.
500

1520 (S)

SMITH

VINYARD

ROAD

(49.5 WIDE)

260 300 (S)

842 (S)

425 (S)

330
2.1A (C)
5
330 (S)

440 (S)

41791-99431

64 A (C)

283.3 A (C)
10
42053-99427

ARY 7

500

LEHIGH

DEPOT

VALL

PARK BOUNDARY

STATE OF NEW YORK
(SAMSON STATE PARK)

1" = 400'

44.1 A (C)
9
41804-99635

PARK BOUNDARY

Joe's Map

Proposed Well Locations

*Albert
Touhy
Hickman*

63.8 A (C)
1
41821-99500

(SENECA ORDNANCE D

UNITED STATES OF

1060 (S)

(66 WIDE)
815 (S)

200
N.Y.S.
500

1520 (S)
SMITH VINYARD ROAD (49.5 WIDE)
260 300 (S) 330 842 (S) 425 (S) 440 (S)

264 264
2.1A (C)
5
330 (S)
41791-99431

84 A (C)

283.3 A (C)
10
42053-99427

11/7/93
Alpelt

LEHIGH

DEPOT

VALL

996000 N
420000 E

330M PARSONS MAIN

NO 916078691362/25627

P003

2-1-6

ARY 7

500

Map 7

STATE OF NEW YORK
(SAMSON STATE PARK)

44 (A) (C)
9
41804-99635

PARK BOUNDARY

63.8 (A) (C)
1
41821-99600

260
N.Y.S.
600

284
218 (C)
5
41791-99431

844 (C)
4
41757-99400

1341A (C)
7
41821-99219

672A (C)
2
41826-99307

(SENECA ORDNANCE DEPOT)

UNITED STATES OF AMERICA

(SENECA
UNITED

LEHIGH

DEPOT

VALLEY

RAILWAY

BOUNDARY

COMPANY OF THE STATE OF NEW YORK

PARK BOUNDARY

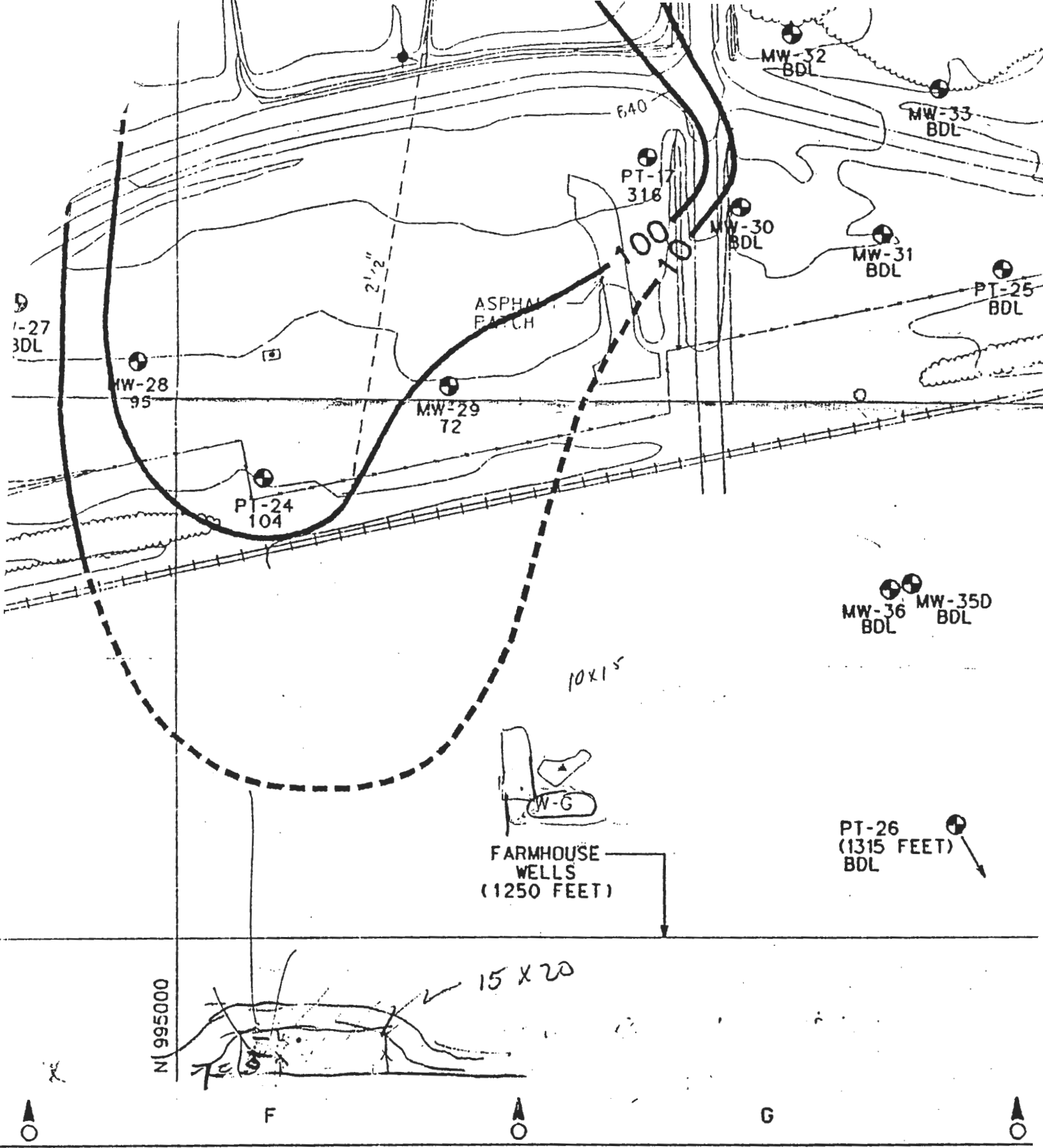
DEPOT

DEPOT

BOUNDARY



7-1-8
64 maps
lot 72)
73)



N 995000

FILE	STRUC	△	ARCH	HVAC	I & C	ELECT	MECH	CIVIL	STRUC	△	ARCH
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Real Estate Field Office
Fort Drum
New York
teletype 315 772-6919

To: Tom Emoff

teletype number: 607-867-1362

From: Mary J. Trable phone 315-772-6786

number of pages being transmitted

(total includes this cover letter)

DEPARTMENT OF THE ARMY
RIGHT-OF-ENTRY FOR SURVEY AND EXPLORATION

CERCLA PROJECT

see attached map

(Project, Installation or Activity)

(Tract Number or Other Property Identification)

The undersigned, hereinafter called the LESSEE, hereby grants to the UNITED STATES OF AMERICA, hereinafter called the "Government", a permit or right-of-entry upon the following terms and conditions:

1. The LESSEE hereby grants to the Government an irrevocable right to enter upon the lands hereinafter described at any time within a period of *see below* () months from the date of this instrument, in order to survey, make test borings, and carry out such other exploratory work as may be necessary to complete the investigation being made of said lands by the Government.

2. The permit includes the right of ingress and egress on other lands of the LESSEE not described below, provided such ingress and egress is necessary and not otherwise conveniently available to the Government.

3. All tools, equipment, and other property taken upon or placed upon the land by the Government shall remain the property of the Government and may be removed by the Government at any time within a reasonable period after the expiration of this permit or right-of-entry.

4. The Government agrees to be responsible for damages arising from the activity of the Government, its officers, employees, or representatives on said land, in the exercise of rights under this permit or right-of-entry, either by repairing such damage or at the option of the Government by making an appropriate settlement with the LESSEE in lieu thereof.

5. If aircraft flights over said lands, or entry upon the land by means of helicopter or other type aircraft, are necessary, the Government shall inform the LESSEE, in advance, of each such flight or entry.

6. The land affected by this permit or right-of-entry is located in the State of New York County of Seneca, and is described as follows:

As shown on attached Map Exhibit "A".

Term - 7 January 1993 To 19 March 1994

WITNESS MY HAND AND SEAL this 7 day of January, 1993

Joe Nogle
JOEL NOGLE

UNITED STATES OF AMERICA

By *Mary L. Fieble*

DEPARTMENT OF THE ARMY

UPDIKE

RIGHT-OF-ENTRY FOR SURVEY AND EXPLORATION

CERCLA Project

~~Block(s)~~
MAP 7 BLK 1

Lot ~~2~~

The undersigned, hereinafter called the 'Owner', hereby grants to the UNITED STATES OF AMERICA, hereinafter called the 'Government', a permit of right-of-entry upon the following terms and conditions:

1. The Owner grants to the Government an irrevocable right to enter upon the lands hereinafter described at any time within a period of thirty-six (36) months from the date of this instrument, for the sum of One Dollar (\$1.00) or other valuable considerations, the sum and sufficiency of which is hereby acknowledged, in order to survey, make test borings, and carry out such other exploratory work as may be necessary to complete the investigation being made of said lands by the Government.

2. The permit includes the right of ingress and egress on other lands of the Owner not described below, provided such ingress and egress is necessary and not otherwise conveniently available to the Government.

3. All tools, equipment, and other property taken upon or placed upon the land by the Government shall remain the property of the Government and may be removed by the Government at any time within a thirty (30) day period after the expiration of this permit or right-of-entry.

4. The Government agrees to be responsible for damages arising from the negligence of the Government, its officers, employees, or representatives on said land, in the exercise of rights under this permit or right-of-entry, either by repairing such damage or at the option of the Government by making an appropriate settlement with the Owner in lieu thereof.

5. The land affected by this permit or right-of-entry is located in the State of NEW YORK, County of SENECA and is described as follows: All that tract or parcel of land as delineated in ~~map~~^{black} on maps, marked Exhibit A, attached hereto and made a part hereof.

6. Person(s) to be contacted ALBERT UPDIKE,
at Area Code (607) 532-4277

WITNESS MY HAND AND SEAL this 20th day of MARCH, 1991

BY Albert Updike
ALBERT UPDIKE ~~SEAL~~

BY Trudy Updike
TRUDY UPDIKE ~~SEAL~~

UNITED STATES OF AMERICA

By R.P. Blake
for ROGER P. BLAKE
Chief, Real Estate Division

7-1-2

PARK BOUNDARY

STATE OF NEW YORK
(SAMSON STATE PARK)

1" = 400'

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41804-99635

PARK BOUNDARY

996000 N
420000 E

Proposed Well Locations

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(SENECA ORDNANCE
UNITED STATES OF

200
N.Y.S.
500

(66 WIDE)
815 (S)

1520 (S)
SMITH VINYARD ROAD (49.5 WIDE)
260 300 (S) 330 842 (S) 425 (S) 440(S)

254
254
2.1A(C)
5
330(S)
41791-99431

64A(C)

ARY 7

LEHIGH VALLE DEPOT

283.3 A (C)
10
42053-99427

SDSTO-SEI-PE (405)

30 March 1994

MEMORANDUM FOR Commander, NY District Corps of Engineers, ATTN: CENA-RE
(Mr. J. Hecht), 26 Federal Plaza, New York, NY 10278-0090

SUBJECT: Extension of Right-of-Entry for Monitoring of Groundwater Monitoring Wells at Off-Post Property at Seneca Army Depot Activity

1. Reference memorandum, NY District Real Estate Division, CENA-RE, 1 Dec 92, SAB.
2. Right-of-Entry expired 19 Mar 94 on property described in para 1 of reference.
3. Request your office proceed with obtaining an extension to existing right-of-way for a period of two (2) additional years minimum.
4. Monitoring of groundwater is required under a signed InterAgency Agreement with EPA, DEC and the Army. This is to support ongoing investigations required under CERCLA (Comprehensive Environmental Response, Compensation and Liability Act of 1980).
5. Currently, the groundwater monitoring wells have been installed and will require periodic sampling. The sampling frequency for access to the wells is not yet defined, however, a quarterly visit may be required.
6. If you have any questions or require additional information, contact Thomas Enroth at 607-869-1519.

FOR THE COMMANDER:

STEPHEN M. ABSOLOM
Chief, Public Works

CF:

Commander, Tobyhanna Army Depot, ATTN: SDSTO-EM, Tobyhanna, PA 18466-5100

*** ACTIVITY REPORT ***

TRANSMISSION OK

TX/RX NO.	6702
CONNECTION TEL	663157726919
CONNECTION ID	
START TIME	03/30 14:27
USAGE TIME	00'38
PAGES	1
RESULT	OK

A temporary and assignable easement in, on, over and across the land described in Exhibit "A" for a period of 120 months beginning with the date possession of the land is granted to the United States, consisting of the right of the United States, its representatives, agents, contractors and assigns to enter upon said land and to construct two clusters of monitoring wells, each cluster consisting of three wells, and the right to enter upon the land on a regular basis to sample the said wells; together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles as required in connection with said work; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines; reserving, however, to the landowners, their heirs, executors, administrators, successors and assigns, all such right, title, interest and privilege as may be used and enjoyed without interfering with or abridging the rights and easement hereby acquired.

*Jimmy M.
for the
Sale*

*Renew
→ CERCLA
→ Off Post
Activity*



U. S. Army Corps of Engineers
New York District

MARY L. FRABLE
Realty Specialist

NNY Area Office
Real Estate Division
P. O. Box 770
Black River, NY 13612

(315) 772-6130
(315) 772-6786

IAG

sanction which it may have according to law related to said penalty.

23. SITE ACCESS

23.1 Without limitation on any authority conferred on EPA or NYSDEC by statute or regulation, EPA, NYSDEC, and/or their authorized representatives shall have authority to enter the Site at all reasonable times for the purposes of, but not limited to, the following:

- (a) inspecting records, files, photographs, operating logs, contracts and other documents relevant to implementation of this Agreement;
- (b) reviewing the progress of the Army, its response action contractors or lessees in implementing this Agreement;
- (c) conducting such tests as the EPA and NYSDEC Project Managers deem necessary;
- (d) verifying the data submitted to EPA and NYSDEC by the Army;
- (e) observing the performance of any sampling, testing, response action, Removal Action, Remedial Action, pilot study and/or any other action taken at Seneca Army Depot pursuant to the terms of this Agreement; or
- (f) using sound, optical or other types of recording equipment to document activities which have been or are being conducted pursuant to this Agreement.

23.2 The Army shall honor all reasonable requests for access by EPA and NYSDEC to exercise their rights of access pursuant to Subpart 23.1 above, conditioned only upon presentation of proper credentials to the Army. However, such access shall be obtained in conformance with the Army and SEAD security and safety regulations and in a manner minimizing interference with any military operations at Seneca Army Depot.

23.3 The Army assumes all responsibility for obtaining access to all areas within the boundaries of Seneca Army Depot, such as any real property and/or structure occupied by non-Army entities, for the purposes of performing all activities and implementing all other measures required by this Agreement.

23.4 The Army shall use its best efforts to obtain access promptly to all areas located outside the legal boundaries of Seneca Army Depot onto which access is needed to perform any activities under this Agreement, including obtaining access for the Army, EPA, and/or NYSDEC onto all real property and

structures which are not owned by the United States or the Army. "Best efforts," for the purposes of this Subpart, shall include identifying and locating the owner(s) and lessees of areas, offering reasonable consideration to the owner(s) and/or lessees for access to areas, making attempts to obtain access agreements from the owners and/or lessees of all areas onto which access is needed under this Agreement, and asserting all authority which the Army possesses under Section 104(e) of CERCLA, 42 U.S.C. 9604(e), including issuing administrative orders and initiating judicial action(s) to obtain access pursuant to the authority of the Army under Section 104 and other Sections of CERCLA.

23.5 The Army shall ensure that all response measures, groundwater rehabilitation measures, or remedial actions of any kind which are undertaken pursuant to this Agreement on any areas which (a) are presently owned by the United States and occupied by the Army or leased by the Army to any other entity or (b) are in any manner under the control of the Army or any lessees or agents of the Army shall not be impeded or impaired in any manner by any transfer of title or change in occupancy or any other change in circumstances of such areas.

23.6 With respect to non-Army property upon which monitoring wells, pumping wells, treatment facilities, or any other response actions are to be located or conducted, any access agreements obtained shall also provide that no conveyance of title, easement, or other interest in the property shall be consummated for the duration of the access agreement without provisions for the continued right of entry and continued operation of such wells, treatment facilities, or any other response actions on the property. The access agreements shall also provide that the owners of any property where monitoring wells, pumping wells, treatment facilities, or any other response activities are conducted shall notify the Army, EPA, and NYSDEC by certified mail at least thirty (30) days prior to any conveyance, or of the property owner's intent to convey any interest in the property, including the identification of the provisions made for the continued operation of the monitoring wells, treatment facilities, or any other response activities conducted pursuant to this Agreement.

23.7 If, after using its best efforts as provided above, the Army shall have failed to obtain voluntary access, the Army shall utilize its authority to issue an Administrative Order providing for such access as may be required or shall refer the access issue to the Department of Justice. Such referral shall request a judicial order providing for such access as may be required. EPA shall assist in obtaining access by providing testimony or documents or in other ways, as appropriate.

23.8 The Army shall ensure that EPA and NYSDEC and their authorized representatives shall be allowed to enter and move

EPA
Notification
↓


AMSDS-IN-E (AMCEN-A/18 Sep 92) 1st End
SUBJECT: Amended Initial Guidance for Environmental Reviews for
Parcelling

CDR, U.S. Army Depot System Command, Chambersburg, PA 17201-4170

FOR SEE DISTRIBUTION

1. Basic memorandum, with enclosure, is forwarded for your information and action, as necessary.
2. This guidance applies only to disposal of uncontaminated parcels of lands. Contaminated parcels, or parcels on which releases of reportable quantities of hazardous substances are known or suspected, must be included in the Army Installation Restoration Program.
3. Particularly note the consultative role (Section III, paragraph C3 and 4) of the regulatory agencies, and the public notification requirements (Section III, paragraph C4). Recommend this guidance be distributed to your real estate, legal and BRAC offices.
4. Point of contact is Mr. David J. Villinger, AMSDS-IN-E, DSN 570-9427, FAX 570-8264.

FOR THE COMMANDER:


THOMAS M. SEKULA
Chief, Environmental
Management Division

Encl
nc

DISTRIBUTION:

CDR,
ANAD, ATTN: SDSAN-DEL-EM
CCAD, ATTN: SDSCC-HEA
LBAD, ATTN: SDSLB-IOE-E
LEAD, ATTN: SDSLE-EN
RRAD, ATTN: SDSRR-WE
SAAD, ATTN: SDSSA-EL
~~SEAD, ATTN: SDSSE-HE~~
SIAD, ATTN: SDSSI-ENV
TOAD, ATTN: SDSTO-EM
TEAD, ATTN: SDSTE-IRE

AMSDS-IN-E

SUBJECT: Amended Initial Guidance for Environmental Reviews for
Parcelling

CF:

CDR,

HQDESCOM, ATTN: AMSDS-SP-R (Mr. Miller)

ATTN: AMSDS-CC (Mr. Citron)

ATTN: AMSDS-EN (Mr. Suta)

FWDA, ATTN: SDSTE-FW-CO

NADA, ATTN: SDSTE-AZXA-AS-E

PUDA, ATTN: SDSTE-PU-IE

UMDA, ATTN: SDSTE-UAI-EO

SVDA, ATTN: SDSLE-VA



DEPARTMENT OF THE ARMY
 HEADQUARTERS, U.S. ARMY MATERIEL COMMAND
 5001 EISENHOWER AVENUE, ALEXANDRIA, VA 22333 - 0001

*Dave
Matt*



REPLY TO
 ATTENTION OF

AMCEN-A

1 8 SEP 1992

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Amended Initial Guidance for Environmental Reviews for
 Parcelling

1. Reference memorandum, OCE, DAEN-ZCI-B, subject as above (encl).
2. The above reference is provided for your information and appropriate actions, as necessary.
3. POCs are Mr. Pete Cunanan for cleanup actions and Mr. Stan Lowe and Ran Sharma for NEPA issues.
4. AMC -- America's Arsenal for the Brave.

FOR THE COMMANDER:

Encl

Andres Talts

ANDRES TALTS, P.E.
 Chief, Environmental Quality Div
 Office of the Deputy Chief of Staff
 for Engineering, Housing,
 Environment, and Installation
 Logistics

CF:
 AMXEN-U

MATT LEWIS

DISTRIBUTION LIST
 COMMANDER

- AMCCOM, ATTN: AMSMC-EQ, Rock Island, IL 61299-6000
- ARL, ATTN: AMSLC-RK-E, Adelphi, MD 20783-1145
- ATCOM, ATTN: SATAI-A, St. Louis, MO 63120-1798
- CECOM, ATTN: AMSEL-SF-REE, Ft. Monmouth, NJ 07703-5109
- DESCOM, ATTN: AMSDS-IN-E, Chambersburg, PA 17201-4170
- MICOM, ATTN: AMSMI-EQ, Redstone Arsenal, AL 35898-5340
- TACOM, ATTN: AMSTA-XEM, Warren, MI 48397-5000
- TECOM, ATTN: AMSTE-EQ, Aberdeen Proving Ground, MD 21005-5055
- PM-RMA, ATTN: AMXRM-SHE, Commerce City, CO 80022-2180



DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF ENGINEERS
WASHINGTON, D.C. 20310-2600

Frankly
8/24

REPLY TO
ATTENTION OF

DAEN-ZCI-B (200-1c)

17 AUG 1992

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Amended Initial Guidance for Environmental Reviews for
Parcelling

1. Reference:

- a. Memorandum, DACS-DMB, 14 Jul 92, Subject as Above.
- b. Memorandum, DASA(EOSH), 29 Jun 92, Subject as Above.

2. IAW the references, modification to the initial guidance is hereby transmitted to Army activities involved in the Base Realignment and Closure program. The DoD Guidance is at the Enclosure. Amended additions, as of June 11, 1991, are identified in bold while deletions have been lined through. Implementation is effective immediately.

3. Major changes to the initial guidance include a statement that the guidance applies to uncontaminated parcel disposal actions, and a definition of Army notification and EPA's consultative role in the process.

4. Request further transmission of this amended guidance to applicable offices within your command.

5. POC for this action is Mr. Douglas E. Macherey, DAEN-ZCI-B, Commercial 703-693-5039, DSN 223-5039.

FOR THE CHIEF OF ENGINEERS:

Encl

John F. Sobke
JOHN F. SOBKE
Major General, USA
Assistant Chief of Engineers

CARY JONES
DEPUTY ASSISTANT
CHIEF OF ENGINEERS

DISTRIBUTION:

HQDA:

DAAR-FMF
DALO-TSTA
DAPE-MBB
NGB-ZA
SGFP-DD

DAEN-ZCI-B (200-1c)

SUBJECT: Amended Initial Guidance for Environmental Reviews for
Parcelling

DISTRIBUTION (Cont)

COMMANDER

Forces Command, Attn: FCJ8-BC, FCEN-CED-M

U.S. Army and Air Force Exchange Service, Attn: EN-A

U.S. Army Corps of Engineers, Attn: CEMP-MB, CERE-C, CEMP-RI

U.S. Army Criminal Investigation Command, Attn: CILO-EN, CIPP-ZA

U.S. Army Engineering and Housing Support Center, Attn: CEHSC-F

U.S. Army Health Services Command, Attn: HSOP-FF

U.S. Army Information Systems Command, Attn: ASEN, ASTT

~~U.S. Army Materiel Command, Attn: AMCSO, AMCEN-F~~

U.S. Army Military District of Washington, Attn: ANRM-RO, ANEN-M

U.S. Army Military Traffic Management Command, Attn: MTLO-F

U.S. Army Recruiting Command, Attn: RC-CS-BR

U.S. Army Training and Doctrine Command, Attn: ATCS-R, ATBO-GCC

U.S. Army Pacific, Attn: APRM-MC

Defense Medical Facilities Office

7th Signal Command, Attn: ASQN-SE-B

CF: w/o encl

DACS-DMB

ENVR-EH

CEMP-RF

CETHA-BC

MFR:
CF AMCEN-A 3 -R

JL
8/24/92

JUN 11 1992

Amended June 11, 1992 additions in bold-deletions with strikeout

DoD GUIDANCE ON THE ENVIRONMENTAL REVIEW

PROCESS TO REACH A

FINDING OF SUITABILITY TO TRANSFER

- I. INTRODUCTION This policy provides general guidance to the Military Departments on the necessary process to identify and document parcels of real property that are environmentally suitable for transfer at bases undergoing closure. The military departments will develop implementation procedures which can contain additional requirements based on their own specific needs and unique requirements. **This guidance applies to transfer of uncontaminated property by deed.**

- II. OBJECTIVES
 - A. Develop a DoD-wide environmental process to identify and document properties which are suitable for transfer.
 - B. Ensure that transfer of properties does not interfere with cleanup actions being conducted at National Priority List (NPL) sites under the provisions of a Federal Facilities Agreement or at non-NPL sites under the provisions of other types of agreements.
 - C. Assure compliance with all applicable environmental requirements and allow the Department to make the covenant required by the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) Section 120(h) before properties are transferred. This process is structured to provide adequate public and regulatory participation without unduly encumbering the Department's authority and mandate to make property available for reuse in a timely manner.

III. DEED TRANSFERS

- A. Documentation Required. An Environmental Baseline Survey for Transfer (EBST) will be prepared for each transfer. Similar to a CERCLA Preliminary Assessment, the EBST will be based on all existing environmental information related to storage, release, or disposal of hazardous substances on the property. In certain cases additional data may need to be developed to support transfer of parcels.
- B. Contents of an EBST:
1. Executive Summary briefly stating the areas of real property evaluated and the conclusions of the survey.
 2. Parcel identification (i.e., address, assessor parcel number, legal description, etc.) including any available maps.
 3. Description of past and current activities at the parcel.
 4. Description of hazardous substance/waste management practices at the parcel based on a review of available information similar to a CERCLA Preliminary Assessment, a review of available records in the possession of the military departments or made available by the regulatory agencies to include any additional study information (e.g., surveys for asbestos, radon, lead-based paint, transformers containing PCB, Resource Conservation and Recovery Act Facility Assessments and Investigations (REA & RFI), etc.) which may be available.
 5. Report of visual inspections noting sewer lines, runoff patterns, evidence of environmental impacts (e.g., stained soil, stressed vegetation, dead or ill wildlife) and other observations which indicate actual or potential release.
 6. Identification of sources of contamination on the base which could migrate to the parcel.

C. Transfer

1. A senior-level environmental official, equivalent to at least a Deputy Assistant Secretary from the military department, based on review of the EBST, will certify one of the following conditions through a Finding of Suitability of Transfer (FOST):
 - a. The requirements of 120(h)(3) have been met for this parcel, **because the EBST has concluded that no known reportable quantity release has occurred; ~~(i.e., all remedial action necessary to protect human health and the environment has been taken);~~**
 - b. No hazardous substances were stored for one year or more, known to have been released, or disposed of on the parcel.
2. The EBST should be included or attached to required reuse/disposal National Environmental Policy Act (NEPA) documentation.
3. Regulatory agencies will be notified at the initiation and completion of the EBST and will be included in a consultative role throughout its development.
4. The public and regulatory agencies will be notified of the intent to sign a FOST. ~~This will take place at the earliest possible time, but no later than 30 days prior to a transfer.~~ The notification and EBST will be mailed to the regulatory agencies and made available to the public. **This will take place at the earliest possible time, but no later than 30-days prior to a transfer.** Additional supporting documentation will be made available upon request. The military departments will address relevant comments from regulatory officials or other appropriate entities that have been received within this 30 day period. After consideration of all relevant comments **(unresolved comments will be included as an appendix to the FOST)** and signing of the FOST, the military departments will include the signed FOST

in the administrative record and may proceed to convey the property by deed.

5. Conditions will be included in the transfer deed to ensure:
 - a. Environmental investigations and remedial activities will not be disrupted at any time. Such conditions will include, but are not limited to:
 - (1). Provide for continued access for DoD and regulatory agencies to monitor the effectiveness of cleanup, perform five-year reviews, and/or take additional remedial or removal actions.
 - (2). Ensure that reuse activities will not disrupt any remediation activities, past, present or future, such as:
 - (a) Surface application of water that could impact the migration of contaminated ground water;
 - (b) Subsurface drilling or use of ground water unless DoD determines that there will be no adverse impacts on the cleanup process; or,
 - (c) No construction that would interfere with, negatively impact, or restrict access for cleanup work.
 - b. That human health and the environment are protected by preventing the inappropriate use of the property.