



**US Army Corps
of Engineers
Baltimore District**

**BELLMORE LOGISTICS ACTIVITY
NASSAU COUNTY, NEW YORK STATE**

**FINDING OF SUITABILITY TO TRANSFER
(FOST)**

16.8 Acres BRAC Property

May 2001

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**FINDING OF SUITABILITY TO TRANSFER (FOST)
BELLMORE LOGISTICS ACTIVITY
NASSAU COUNTY, NEW YORK STATE**

1.0 PURPOSE

The purpose of this Finding of Suitability to Transfer (FOST) is to document the environmental suitability of transferring 16.79 acres of existing federal property located at the Bellmore Logistics Activity, New York State, by competitive bid sale, for use consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 120(h) and Department of Defense (DoD) guidance. The Bellmore Logistics Activity was selected by the Base Realignment and Closure Commission (BRAC 95) for closure (P.L. 101-510). The specific BRAC language stated: "...Close Bellmore Logistics Activity". In addition, the FOST identifies use restrictions as specified in the attached Environmental Protection Provisions necessary to protect human health and the environment after such transfer.

2.0 PROPERTY DESCRIPTION

The Bellmore Logistics Activity is located in the Town of Hempstead, Nassau County, New York State, approximately 45 miles east of New York City. The existing federal property consists of 16.79 acres with eight buildings, which total 139,971 square feet (site map included at Enclosure 1). The Bellmore Reuse Planning Group (BRPG) has developed a reuse plan for the development of housing and open space areas on the property. The purpose of this FOST is to ensure that the Bellmore Logistic Activity property is suitable for transfer, in conformance to applicable Federal and State laws, and applicable DoD guidance.

The BRPG has developed a reuse plan for the Bellmore Logistics Activity property for the development of 34 single-family homes, on 0.15 individual acre lots, and 40 semi-detached senior housing units occupying 0.08 acre lots each, and the development of a small park area. The residential density under this scenario would be approximately 4.5 residences per acre, within the parameters of medium-low intensity under BRAC intensity range criteria.

The Bellmore Logistics Activity, which has an address of 2755 Maple Avenue, is located in the Town of Hempstead, Nassau County, State of New York. The entire Bellmore facility has been closed since 1994, and is presently in a caretaker status. Table I identifies the existing buildings located at Bellmore, the year constructed and vacancy date.

Table I
Existing Buildings
Bellmore Logistics Activity

Building	Description	Year Vacant	Year Built
Building 100	Maintenance Facility	1994	1959
Building 200	Administrative Support	1994	1959
Building 300	Administrative Supply	1994	1927
Building 400	Security Station	1994	1958-59
Building 401	Security Station	1994	1958-59
Building 600	Garage	1994	1962
Building 700	Water Tower	1991	1958-59
Building 900	Flammable Storage Shed	1994	1967

The Bellmore property was originally purchased as two separate parcels by the National Broadcasting Company (NBC) between 1927 and 1930. On February 28, 1927, NBC acquired a six-acre parcel in the southeast corner of the property. On July 28, 1930, NBC acquired an additional 10-acre parcel. The installation was leased to the U.S. Navy during World War II. The U.S. Government, Department of Navy acquired the property on November 13, 1945. The U.S. Army acquired the Bellmore Logistics Activity property from the Navy when it was excessed in 1955.

The Bellmore Logistics Facility (Bellmore) became part of the U.S. Army Command Center, which included Forts Totten, Hamilton, Wadsworth and Tilden, all located within a 28-mile radius of each other, in the New York City metropolitan area. The Bellmore Logistics Facility was used for maintenance, repair and support of the NIKE-AJAX and NIKE-HERCULES missile systems between 1959 to 1974. The installation also served as a base for a radio communications listening facility, and maintenance and repair facility. The Bellmore facility was used for the staging and repair of mechanical and electrical equipment, vehicles, armaments, generators, radar and photographic equipment, and construction equipment. In 1976, the U.S. Army Reserves, under the 77th Army Reserve Command, also began operations on the site. In October 1994, functions at Bellmore were moved to Fort Dix, New Jersey, and the entire Bellmore facility was secured and winterized, in caretaker status. A security fence restricts access to the installation.

3.0 ENVIRONMENTAL CONDITION OF THE PROPERTY

A determination of the environmental condition of the facilities has been made primarily based on the following reports:

- *U.S. Army Base Realignment and Closure 95 Program, Environmental Baseline Survey Report, Bellmore Maintenance Facility, New York State, Woodward-Clyde Inc., February 1997;*

- *Environmental Assessment for the BRAC 95 Disposal and Reuse of Bellmore Logistics Activity, New York State, U.S. Army Corps of Engineers, Mobile District, Tetra Tech Inc., June 1998;*

The information provided is a result of a complete search of agency files during the development of these environmental surveys. The following documents also provided information on the environmental conditions of the property (ECOP):

- *Bellmore, U.S. Army Facility, Site Investigation and Remediation, Final Report, May 1997. ICF Kaiser Engineers;*
- *U.S. Department of Defense Program, Ordnance, Ammunition and Explosives BRAC Archives Search Report, Conclusions and Recommendations, Bellmore Maintenance Facility, Long Island New York State, June 1997, prepared by U.S. Army Corps of Engineers, Huntsville District;*
- *Bellmore, U.S. Army Facility, Phase II Site Investigation and Remediation Report, April, 1998, prepared by ICF Kaiser Engineers;*
- *Industrial Radiation Historical Data Review, Review No. 27-MH-6065-H-96, prepared by USACHPPM, 1996.*

3.1 ENVIRONMENTAL CONDITION OF PROPERTY CATEGORIES

The following environmental categories were developed jointly by representatives from the Office of the Secretary of Defense, the Military Services and the U.S. Environmental Protection Agency (USEPA) to describe the DoD Environmental Condition of Property (ECOP). These classifications are required by Community Environmental Response Facilitation Act (CERFA) and DoD during property transfer activities. After an analysis of the available data, each parcel can be classified into one of the following seven categories:

Category 1. - areas where no release or disposal of hazardous substances or petroleum products has occurred (including no migration of these substances from adjacent areas). However, the area may have been used to store hazardous substances or petroleum products.

Category 2. - areas where only a release or disposal of petroleum products and/or their derivatives has occurred (including migration of petroleum products from adjacent areas).

Category 3. - areas where a release, disposal, and/or migration of hazardous substances has occurred, but at concentrations that do not require a removal or remedial action.

Category 4. - areas where a release, disposal, and/or migration of hazardous substances has occurred, and all remedial actions necessary to protect human health and the environment have been taken.

Category 5. - areas where a release, disposal, and/or migration of hazardous substances has occurred, and removal or remedial actions are underway but all required remedial actions have not yet taken place.

Category 6. - areas where a release, disposal, and/or migration of hazardous substances has occurred, but required actions have not yet been implemented.

Category 7. - areas that are not evaluated or require additional evaluation.

A detailed summary of the ECOP categories for specific buildings and property parcels at Bellmore Logistics Activity as delineated in the EBS, along with environmental concerns is contained in Table II Description of the Property (Enclosure 2). The EBS, initially completed in 1997, identified 23 BRAC parcels, based on their respective environmental condition.

The EBS identified only 1.02 acres of the total 16.7 acres as falling within CERFA categories 1 through 4, which connotes that the specific parcels are suitable for transfer. The remaining 15.77 acres of Bellmore property was designated as category 5 through 7, indicating the need for either further investigation, and/or remediation, before such property can be transferred. A brief overview of the remediation efforts occurring from 1996 to 2001, by the Department of the Army is contained in Section 5.0. The U.S. Army prepared a BRAC Cleanup Plan (BCP) abstract that provided details of remedial actions to be completed on the property. The Army followed the requirements of CERCLA §120(h) to determine if remedial action would be required to protect human health and the environment before transfer of the property. An updated CERFA category map can be found at Enclosure 3.

3.2 Storage, Release, or Disposal of Hazardous Substances

Hazardous or non-hazardous substances have been stored within Buildings 100, 200, 300, 600, and 900 over the years. Table III (Enclosure 4) contains information on the hazardous substance storage, release and disposal known to have occurred within the existing buildings at Bellmore. The release and disposal of hazardous substances in these buildings and adjacent parcels has either been remediated in the past, or recently as a result of this BRAC action. All necessary response action has been taken at such sites.

3.3 Petroleum and Petroleum Products

3.3.1 Underground and Above-Ground Storage Tanks (USTs/ASTs)

- **Current UST/AST Sites** - There are no USTs or ASTs currently on the property. There is no evidence of petroleum product releases at these sites.
- **Former UST/AST Sites** - As part of the remedial actions, two ASTs inside Building 300 were removed. Two 25,000 number 2 fuel oil USTs were removed near Building 100. A 1,080 gallon number two fuel oil UST was removed near Building 300. Two other USTs located near

Building 100 were closed in place with sand. An abandoned fuel oil UST next to building 300 was removed. There was no evidence of petroleum product being released at these sites. An abandoned gasoline UST located next to building 600, product had been released from this UST and was remediated.

3.4 Polychlorinated Biphenyls (PCB) Equipment

As part of a 1992 initiative, all PCB containing electrical equipment was removed from the Bellmore facility, including 17 transformers containing oils with PCB concentrations exceeding 50 ppm. Eight PCB containing transformers were removed and replaced by LCW Pole Line Construction. Seven of the eight transformers had PCB levels of less than 500 ppm and were issued certificates of destruction to that effect. One transformer had a PCB level of greater than 500 ppm and was destroyed separately. All remaining transformers at Bellmore have been determined to have concentrations below 50 ppm. There are currently no PCB containing transformers or other PCB containing equipment located on the property and no evidence of unremediated releases from PCB equipment.

In 1986, a spill of PCB containing oil with PCB concentrations in excess of 50 ppm occurred inside and outside of Building 300. Clean up actions were taken after the spill in 1989. Sampling taken outside of the Building indicated that the PCB levels in the soil were below regulatory limits in parcel 12.

3.5 Asbestos (ACM)

Based upon information obtained in the EBS, a number of asbestos surveys were conducted at Bellmore. Surveys were completed on Buildings 100, 200 and 300 in 1989. Thermal system insulation (TSI) and floor tiles in these buildings were found to contain non-friable ACM. Surveys completed in 1994 focused on buildings 100, 200 and 300 thermal systems. Friable asbestos was identified in building 100 in fittings associated with pipe insulation. An extensive survey/inspection was performed for TSI only in buildings 100, 200 and 300. An additional asbestos survey was performed by AET Environmental Inc., only along the north south section of the interior of building 100 and included confirming the 1994 survey results and noting additional asbestos containing materials (ACM) by either visual inspection or bulk samples. A total of 45 bulk samples were collected and analyzed. Surveys have found ACM in the floor tiles, hot and cold water lines and insulation in buildings 100 and 200.

There appears to be ACM in buildings 100 and 200 in floor tiles and insulation. The ACM does not currently pose a threat to human health or the environment. Friable asbestos has not been removed or encapsulated, but does not pose an unacceptable risk to human health, since the reuse plan calls for all buildings on the property to be demolished. The deed will include the asbestos warning and covenant included in the Environmental Protection Provisions (enclosure 5).

3.6 Lead Based Paint (LBP)

LBP is likely to have been used in all the buildings at the Bellmore facility, since all buildings were constructed prior to 1978. LBP was used in former building 700 (250,000-gallon water tower removed in 1991); removal of lead contamination in the soil surrounding the water tower was completed in 1994. A LBP survey was completed in 1997 as a part of site remediation activities. LBP was found present in Buildings 100 and 200, and in the sentry station in the southeast corner of the property. LBP was removed from the exterior surface of building 900. Building 900 was repainted and concrete slabs from the building interior and exterior surfaces were removed and lead contaminated soil was removed. No further remediation of the soil was required based on NYSDEC cleanup objectives. The deed will include lead-based paint warnings and covenant provided in the Environmental Protection Provisions (enclosure 5).

3.7 Radiological Materials

The U.S. Army Reserve Medical Detachment (Dental), a former tenant at the Bellmore facility, occupied building 200 until 1993. They may have used the facility for repair and maintenance of medical and dental equipment. Dental equipment and medical supplies may have been stored in at least two rooms located in the east wing of building 200. Two rooms are listed as an X-ray room and a medical supply room. It is not known if radiological sources were used in medical and/or dental X-ray machines(s) handled or stored at the Bellmore facility.

The historical data/record search and interviews (telephonically and in person) with key persons revealed that there were no incidents of radioactive materials usage or storage at Bellmore Maintenance Facility (*Industrial Radiation Historical Data Review, Review No. 27-MH-6065-H-96*, prepared by USACHPPM, 1996).

3.8 Radon

Various locations of the Bellmore facility were randomly selected for radon testing. The testing was conducted by installation personnel between July 6, 1993 and April 14, 1994. Analytical results reveal that no radon values in the areas tested (limited to portions of Buildings 100, 200, 300) exceeded 4 picocuries per liter (pCi/L). Radon surveys conducted were not above the EPA residential action level of 4 picocuries per liter (pCi/L) in the buildings surveyed.

3.9 Unexploded Ordnance

The Bellmore facility provided repair and maintenance support to missile systems and armaments (small guns and artillery). The repairs were mostly mechanical or electronic in nature. No records were found in the existing environmental documentation to indicate whether explosive materials were or were not removed before missile components or armaments were transported to the Bellmore facility. Records were found that indicate the U.S. Army units that utilized the Bellmore facility stored arms in the warehouse areas of building 100. All stored materials have been removed.

An Archives Search Report was completed in 1997 by the USACE, St. Louis District, finding that no testing of weapons or ammunition was performed at the Bellmore Maintenance Facility, nor any disposal of ordnance related activity on the site. No ordnance related hazards were discovered during the site inspection, nor were reports of unexploded ordnance found during the site inspection. Based on a review of existing records and available information, none of the buildings or surrounding land proposed for transfer are known to contain unexploded ordnance.

4.0 ADJACENT HAZARDOUS CONDITIONS

The property surrounding the Bellmore Logistics Activity is a densely populated suburban residential area. The residential community is bounded on the north by Southern State Parkway, to the east by the Wantagh State Parkway, to the west by Sycamore Avenue and Cedar Swamp and to the south by Sunrise Highway. There are two leaking UST sites located .28 miles from Bellmore. There are RCRA large and small generators located .43 miles from Bellmore. The South Farmingdale Plating Plant, now a NPL site under remediation, is located five miles from Bellmore, and is responsible for a groundwater plume 4,200' x 1000', which does not appear to affect the Bellmore property. There does not appear to be any hazardous condition on the property or adjacent parcels, which requires remediation for the property to be suitable for its intended use.

5.0 REMEDIATION

A Site Investigation and Remediation Phase I effort was performed by ICF Kaiser Engineers in October 1996 through December 1996. Remediation and cleanup of contaminated sites was completed under the Army's Base Closure and Realignment program and CERCLA. The following environmental remediation activities were conducted on the property:

- Removal of a wash rack and associated oil/water separator, site 100A, northeast;
- Building 100 area: removal of three oil/water separators associated with drywells;
- Removal of eight drywells;
- Removal of a gasoline UST;
- Lead based paint abatement building 900, removal of lead contaminated soil;
- Removal of petroleum, oil and lubricants inside building 100;
- Sampling of eight groundwater monitoring wells;
- Completion of 12 soil borings;
- Collection of 20 shallow or surface soil samples

An additional Phase II Site investigation and remediation report was completed in September 1998. Additional remediation measures included:

- Removal of 3' x 3' foot soil area along 1,100' drainage ditch behind building 100;
- Ten dry wells and associated contaminated soil were removed in August 1999, including SW700, N100, N100E, E100A, E100B, S800A-north, S800A-Middle, S800A-South, S800B.
- Building 100 Remediation: 17 floor drains were filled, hydraulic lifts were removed, battery room was pressure washed;

- Building 300: sampling beneath the concrete flooring was conducted to determine if contamination from a 1986 PCB spill was present. Two - 275 ASTs from the northeast end of the building were removed. An oil fill/ UST (S300) was removed.
- 1,500 gallon UST was removed near Building 600 in 1996.
- UST's removal: 25,000-gallon from the E100F and E100D locations.
- Former water tank (Building 700) coated with lead based paint was removed in early 1991. Approximately 145 cubic yards of soil was removed from the ground surface below the tower.

To date, all necessary remediation activities on the property have been completed.

6.0 REMEDIAL ACTIONS AFTER TRANSFER

There are no environmental remediation orders or agreements applicable to the property being transferred. While no remedial actions are currently planned to be conducted by the Army after the transfer of the property, in accordance with CERCLA Section 120 (h)(3)(A)(ii)(II), the Army warrants that any additional remedial action found to be necessary, with respect to pre-existing hazardous substances, after the date of transfer shall be conducted by the United States.

7.0 REGULATORY/PUBLIC COORDINATION

The U.S. EPA Region II, State of New York Department of Environmental Conservation, Nassau County Department of Health and the public were notified of the initiation of the FOST. Regulatory/public comments received during the FOST development were reviewed and incorporated as appropriate. A copy of the regulatory/public comments is included in the FOST (enclosure 6).

8.0 NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) COMPLIANCE AND CONSISTENCY WITH LOCAL REUSE PLAN

The environmental impacts associated with the proposed transfer of the property have been analyzed in accordance with the National Environmental Policy Act (NEPA). The results of this analysis have been documented in *Final Assessment for BRAC95 Disposal and Reuse of the Bellmore Logistics Activity, Long Island, New York*, prepared for U.S. Army Forces Command by U.S. Army Corps of Engineers, Mobile District, with Technical Assistance from Tetra Tech, Inc.(dated June 1998). Any encumbrances or conditions identified in such analysis as necessary to protect human health or the environment have been incorporated into this FOST document. In addition, the proposed transfer is consistent with the intended reuse of property as set forth in the BRPG Reuse Plan.

9.0 FINDING OF SUITABILITY TO TRANSFER

Based on the above information, I conclude that all removal or remedial actions necessary to protect human health and the environment have been taken and the property is transferable under CERCLA Section 120(h)(3). In addition, the DOD requirement to reach a Finding of Suitability

to Transfer has been met subject to the terms and conditions set forth in the above Environmental Protection Provisions which shall be included in the deed for the property. The deed will also include the following CERCLA Section 120(h)(3) covenants and access provisions:

As specified in CERCLA Section 120(h)(3)(A)(ii)(I), that all remedial action 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 transfer;

As specified in CERCLA Section 120(h)(3)(A)(ii)(II), that any additional remedial action found to be necessary after the date of transfer shall be conducted by the United States;

As specified in CERCLA Section 120(h)(3)(A)(iii), the Army shall retain access to the property, and use such access in any case in which a response action or corrective action is found to be necessary after the date of transfer.

Finally the hazardous substance and petroleum product notification shall be included in the deed as required under CERCLA Section 120(h) and DOD FOST Guidance. This parcel may be used pursuant to the use restrictions specified in the proposed deed.



RICHARD C. YATES
Assistant Deputy Chief of Staff
for Support

Date: 9 Jan 2002

Enclosures

- Encl. 1 Site Map of the Property
- Encl. 2 Table II Environmental Description of the Property
- Encl. 3 CERFA Map
- Encl. 4 Table III Hazardous Substance Storage, Release and Disposal
- Encl. 5 Environmental Protection Provisions
- Encl. 6 FOST Correspondence: Unresolved Comments

Enclosure 1

**SITE MAP
OF THE PROPERTY**

Enclosure 2

**Table II a
BRAC PARCEL DESCRIPTIONS
BELLMORE LOGISTICS ACTIVITY, NEW YORK**

BRAC PARCEL NUMBER AND LABEL	LOCATION (COORDINATES)	APPROXIMATE SIZE (ACRES)	ENVIRONMENTAL CONDITION CATEGORY NUMBER	BASIS	EBS SOURCE OF EVIDENCE	REMEDATION/ MITIGATION
1(4)PS/PR/HS/HR	4,4	2.02	4	Associated with a leaching trench, several dry wells, a UST, and two ASTs. The leaching trench (Site W100B) was used for the disposal of battery acids, waste oil, and other unspecified solvents. Dry wells (Site W100D, Site W100G, Site W100H, and Site W100I [two wells]) received wastes generated from vehicle painting and maintenance operations in Building 100. Oil/water separators are associated with Sites W100D, W100H, and W100I. Analytical results for samples collected from W100D and W100G indicated the presence of priority pollutant metals, TPH, and VOCs at concentrations above the regulatory limits.	1, 2	The ASTs and UST have been removed. Removal of the oil/water separators and dry wells W100D, W100G, and W100H is complete. Additional soil removal from W100I and W100D is complete. Investigation of the leaching trench (Site W100B) is complete. Soil removal along the entire length of the leaching trench is complete.
2(4)PR(P)/HR(P)	7,4	0.23	4	Associated with a dry well (SW700). SW700 may have received stormwater runoff from potentially contaminated areas. Additional evaluation is warranted.	2, 12	Dry well (SW700) has been sampled. Soil removal is complete.

BRAC/PARCEL NUMBER/AND LABEL	LOCATION (X,Y COORDINATES)	APPROXIMATE SIZE (ACRES)	ENVIRONMENTAL CONDITION CATEGORY NUMBER	BASIS	EBS SOURCE OF EVIDENCE	REMEDIATION/ MITIGATION
3(4)PS/IPR/HS/H R	7,3	0.46	4	Associated with a former 1,080-gallon waste oil UST (Site N100A), a dry well (Site N100C), a drum storage area, and a flammable materials storage building (Building 900). Levels of TPH and metals exceeding regulatory limits have been documented.	1, 2	Tank N100A and one truckload of contaminated soil were removed and disposed of in 1993. Remediation verification sampling results found no contamination above the regulatory limits. Additional remediation consisting of removal of dry well (N100C) and soil around Building 900 is complete. Groundwater monitoring is complete. Remediation is not required.
4(1)	7,3	0.08	1	There is a potential for the groundwater quality in this area to be affected by on-site and/or potential upgradient off-site contaminant sources.	1, 10	Groundwater monitoring is complete. Remediation is not required.

**Table II a
BRAC PARCEL DESCRIPTIONS
BELLMORE LOGISTICS ACTIVITY, NEW YORK**

BRAC PARCEL NUMBER AND LABEL	LOCATION (COORDINATES)	APPROXIMATE SIZE (ACRES)	ENVIRONMENTAL CONDITION CATEGORY NUMBER	BASIS	SOURCE OF EVIDENCE	REMEDIATION/MITIGATION
5(4)PR(P)	7,3	0.46	4	Associated with two dry wells, Sites N100D and N100E, located within a concrete area used for parking military vehicles and other equipment in need of repair. It is suspected that these dry wells were used to receive stormwater runoff that may have contained petroleum products.	1, 2	Dry wells (N100D and N100E) have been sampled. Soil removal is complete.
6(4)PR/HR	6,2	0.64	4	Associated with a dry well pair (Site N100F) and a vehicle wash rack (Site E100A). Sample results from the dry wells indicated the presence of elevated levels of metals and TPH. Site E100A includes a vehicle wash rack, an oil/water separator, and a dry well that received wastes generated from the vehicle washing operations.	1, 2	Removal of dry wells (N100F) and the wash rack (Site E100A) and its associated oil/water separator is complete. Dry well at Site E100A has been sampled. Soil removal is complete.
7(4)HR	5,2	0.44	2	Associated with a dry well/drainage ditch (Site E100B). Documented evidence of oil stains and spills from vehicles and the storage of equipment exists.	1	Dry well (Site E100B) has been sampled. Soil removal is complete.
8(1)	6,2	0.23	1	There is a potential for the groundwater quality in this area to be affected by on-site and/or potential upgradient off-site contaminant sources.	1, 10	Groundwater monitoring is complete. Remediation is not required.

BRAC PARCEL NUMBER AND LABEL	LOCATION (X,Y COORDINATES)	APPROXIMATE SIZE (ACRES)	ENVIRONMENTAL CONDITION CATEGORY NUMBER	BASIS	EBS SOURCE OF EVIDENCE	REMEDIAL/MITIGATION
9(1)	6,3	0.56	1	There is a potential for the groundwater quality in this area to be affected by on-site and/or potential upgradient off-site contaminant sources.	1, 10	Groundwater monitoring is complete. Remediation is not required.
10(2)PS/PR(P)	5,3	0.09	2	Associated with a closed-in-place, 10,000-gallon fuel oil UST (Site E100C). No evidence of leaking; however, because of the age of the tank (installed in 1957), release is probable, but like Parcel 21, concentrations are probably below regulatory requirements.	1, 2	Soil borings have been sampled from Site E100C. No remediation required.
11(1)PS	5,3	0.19	1	Associated with an active 25,000-gallon UST (Site E100D) located near Building 100, the maintenance shop. No evidence of release, disposal, or migration has occurred.	1, 2	UST removal is complete. No further remediation is required.
12(3)PR(P)/HS/HR	5,2	1.68	3	Associated with a leaching field system (Site N300B, NE800, N300A, and N800) and a dry well/catch basin (NE300A). Contaminants of concern are TPH, metals, and solvents. Sampling results indicated SVOCs and metals above regulatory limits. Additional evaluation is planned.	1, 2	Four soil borings and one downgrade monitoring well have been sampled. No remediation is required.
13(4)HR	4,2	0.02	4	Associated with PCB-contaminated soil (Site NE300B) that resulted from a transformer oil spill.	13, 14, 1, 2	Approximately 7 cubic yards of contaminated soil were removed and disposed of. Remediation verification sampling results indicated PCB levels were below the regulatory requirements.

BRAC PARCEL NUMBER AND LABEL	LOCATION (COORDINATES) X,Y	APPROXIMATE SIZE (ACRES)	ENVIRONMENTAL CONDITION CATEGORY NUMBER	BASIS	EBS SOURCE OF EVIDENCE	REMEDICATION/MITIGATION
14(4)HR	4,2	0.02	4	Associated with the 1986 PCB spill in Building 300 (Site N300D).	13, 14, 1, 2	Immediately after the spill occurred, floor tiles were removed and the concrete surface was triple-washed with kerosene and subsequently sealed with epoxy. In 1989, additional concrete sections were removed and replaced and a floor drain sealed. Additional sampling indicates that remediation is not required.
15(2)	4,2	0.13	1	There is a potential for the groundwater quality in this area to be affected by on-site and/or potential upgradient off-site contaminant sources.	1, 10	Groundwater monitoring is complete. Remediation is not required. Abandoned gasoline tank found and was removed from site NW600. Fill pipe area release of gasoline remediated.
16(2)PR(P)	4,2	0.14	2	Associated with a former gasoline dispensing station (Site NW600) located adjacent to Building 600. Documented evidence indicates that a UST may have been installed in this area some time prior to 1956. No information on the tank's contents or capacity, or if it was removed, was found.	1, 2	A gasoline UST was located and removed. Additional soil removal around fill port area is complete. No additional remediation is required.

BRAC PARCEL NUMBER AND LABEL	LOCATION (X,Y COORDINATES)	APPROXIMATE SIZE (ACRES)	ENVIRONMENTAL CONDITION CATEGORY NUMBER	BASIS	EBS SOURCE OF EVIDENCE	REMEDICATION/MITIGATION
17(4)PS	3,2	0.45	4	Associated with two petroleum USTs (Site S300 [1,080-gallon] and Site NW300A [1,300 gal.] and a possible gasoline distribution point (Site N300E) located near Building 300. No evidence of release, disposal, or migration has occurred.	1, 2	UST (Site S300) was removed, no contamination was found. Investigation of NW300A area is complete. UST was found and removed. No contamination was found. It has been determined that N300E was not a gasoline distribution point. It was a fill pipe for a generator room in Bldg. 300.
18(4)PR(P)	3,3	1.12	4	Associated with a series of dry wells/catch basins (Site S800A), dry wells (Site S800B), and a drainage ditch (Site S800C). These features received runoff from a vehicle and associated equipment parking area. No environmental samples have been collected in this area.	1	Dry wells Site S800A and S800B have been sampled. Soil removal is complete.
19(1)	2,2	7.26	1	There is a potential for the groundwater quality in this area to be affected by on-site and/or potential upgradient off-site contaminant sources.	1	Groundwater monitoring is complete. Remediation is not required.
20(1)PS	2,3	0.20	1	Associated with an active 25,000-gallon fuel oil UST (Site E100F) located adjacent to Building 100, the maintenance shop. No evidence of release, disposal, or migration has occurred.	1	UST removal is complete. No further remediation is required.

BRAC/PARCEL NUMBER AND LABEL	LOCATION X-Y (COORDINATES)	APPROXIMATE SIZE (ACRES)	ENVIRONMENTAL CONDITION CATEGORY NUMBER	BASIS	EBS SOURCE OF EVIDENCE	REMEDICATION/MITIGATION
21(2)PS/PR	2,3	0.07	2	Associated with a closed-in-place, 15,000-gallon fuel oil UST (Site E100E) located near Building 100, the maintenance shop. Results from soil samples indicated the presence of TPH, but at concentrations that were below the regulatory requirements.	1, 2	Four soil borings were sampled. No remediation is required.
22(1)PR(P)	1,4	0.20	1	Associated with a drainage ditch (Site S100A) located at the south end of Building 100. Area received runoff from a vehicle parking area and fueling operations located nearby. No environmental samples have been collected.	1	Remediation is not required.

BRAC PARCEL NUMBER AND LABEL	LOCATION (X,Y COORDINATES)	APPROXIMATE SIZE (ACRES)	ENVIRONMENTAL CONDITION CATEGORY NUMBER	BASIS	EBS SOURCE OF EVIDENCE	REMEDICATION/ MITIGATION
23(1)PR(P)/HR(P)	3.2	0.10	1	Associated with Building 300, the administrative/supply building. There are two active 275-gallon ASTs located at this facility (N300F) that are used to fuel a boiler. There are no documented releases associated with these tanks. The basement of Building 300 was used to store inactive PCB-containing transformers prior to their removal from the installation. A portion of Building 300 was individually parcelized (see the discussion for Parcel 14(4)HR) because of a PCB spill that occurred in 1986. No other environmental concerns have been documented; however, additional environmental information may be warranted. Additionally, the groundwater quality in this area may be affected by on-site and/or off-site upgradient contaminant sources.	1, 2	Additional sampling for PCBs indicates that remediation is not required. Groundwater monitoring is complete. Remediation is not required.

BRAC PARCEL NUMBER AND LABEL	LOCATION X-Y COORDINATES	APPROXIMATE SIZE (ACRES)	ENVIRONMENTAL CONDITION CATEGORY NUMBER	BASIS	EBS SOURCE OF EVIDENCE	REMEDIATION/ MITIGATION
32(4)HR	5,4	2.64	4	Associated with the interior of Building 100. Vehicle and other maintenance activities have occurred over the years.	1, 2	Hydraulic lifts have been removed. Sulfuric acid stained work bench removed and floors cleaned in battery room.

Notes:

BRAC Parcel Number 32 is not in sequence.

^a BRAC parcel label definitions are as follows:

- PS = petroleum storage
- PR = petroleum release or disposal
- HS = hazardous substance storage
- HR = hazardous substance release or disposal

Qualified parcel label definitions are as follows:

- A = asbestos-containing material
- L = lead-based paint
- P = polychlorinated biphenyls
- R = radon
- X = UXO and/or ordnance fragments
- RD = radionuclides
- (P) = possible (unverified)

^b Acreage figures are approximate; they have been calculated using AutoCad Release 12.

^c EBS Source of Evidence numbers refer to documents listed in Table 2-1 of the EBS report.

Table II b
QUALIFIED PARCEL DESCRIPTIONS
BELLMORE LOGISTICS ACTIVITY, NEW YORK

QUALIFIED PARCEL NUMBER AND LABEL	LOCATION (COORDINATES)	APPROXIMATE SIZE (ACRES)	BASIS	SOURCE OF EVIDENCE	REMEDIATION/MITIGATION
24Q-L(P)	7,4	0.23	Chipping and peeling LBP from a 250,000-gallon water tower (Building 700) resulted in lead contamination in the soil beneath the tower. Lead-contaminated soil was removed and verification sampling using the TCLP methodology indicated that the lead content in the remaining soil was below action limits. However, the actual lead content in the remaining soil is not known.	1	The tower was demolished and disposed of, and approximately 145 cubic yards of soil were removed and disposed of.
25Q-A/L(P)	4,4	2.48	Building 100; ACM has been documented by previous surveys. LBP possible based on the age of building.	8, 3, 7	Asbestos and LBP surveys are complete. No remediation is currently planned.
26Q-A/L(P)	1,2	0.24	Building 200; ACM has been documented by previous surveys. LBP possible based on the age of building.	8, 7	ACM and LBP surveys are complete. No remediation is currently planned.
27Q-A/L(P)/P(P)	3,2	0.10	Building 300; ACM has been documented by previous surveys. LBP possible based on the age of building. PCBs in concrete flooring may still be present.	8, 3, 7	Thermal system insulation ACM was removed, but additional ACM (floor tiles) is present. LBP survey is complete. No remediation is currently planned.
28Q-L(P)	1,3	<0.01	Building 400 (sentry post, main gate); LBP possible based on the age of the structure.	1, 2	LBP survey completed.

QUALIFIED PARCEL NUMBER AND LABEL	LOCATION (COORDINATES)	APPROXIMATE SIZE (ACRES)	BASIS	EBS SOURCE OF EVIDENCE	REMEDATION/MITIGATION
29Q-L(P)	1,2	<0.01	Building 401 (sentry post); LBP possible based on the age of the structure.	1, 2	LBP survey completed.
30Q-L(P)	4,2	0.02	Building 600 (a garage and storage area); LBP possible based on the age of the building.	1, 2	LBP survey completed.
31Q-L(P)	7,3	0.01	Building 900 (flammable materials storage); analytical results indicate elevated levels of lead in areas adjacent to this building. LBP on surfaces possible based on age of the building.	1, 2	Chipping flaking LBP was scraped off and a protective coating was applied to the building. A layer of soil surrounding the building was removed, disposed of, and replaced with clean soil.

Notes:

^a BRAC parcel label definitions are as follows:

- PS = petroleum storage
- PR = petroleum release or disposal
- HS = hazardous substance storage
- HR = hazardous substance release or disposal

Qualified parcel label definitions are as follows:

- A = asbestos-containing material
- L = lead-based paint
- P = polychlorinated biphenyls
- R = radon
- X = UXO and/or ordnance fragments
- RD = radionuclides
- (P) = possible (unverified)

^b Acreage figures are approximate; they have been calculated using AutoCad Release 12.

^c EBS Source of Evidence numbers refer to documents listed in Table 2-1 of the EBS report.

Enclosure 3

Enclosure 4

**Table III
Hazardous Substance Storage, Release and Disposal**

Building	Name of Hazardous Substance	Date of Storage, Release, or Disposal	Remedial Actions
100	Past operations included paint booths, hydraulic lift, acid crock and drain, battery charging and storage room, photographic dark room. Wastes generated: flammable liquids (naphtha solvents, aliphatic hydrocarbon, mineral spirits, titanium dioxide.	Facility had number floor drains to discharge to oil/ water separator and to dry wells located on perimeter of the building. Building constructed, 1959, active until 1994.	Remediation of dry wells, portions of concrete floor removed, drains plugged, oil/water separator removed.
200	Administrative area, only janitorial cleaning and office supplies. East wing of building may have been used to store dental or medical equipment	1959 to 1994	
300	Administrative area, only janitorial cleaning and office supplies. Army Reserve Units use basement for storage of PCB containing transformers and switch boxes.	1927 to 1994	PCB related remedial measures.
600	Area used for storage of military vehicles and miscellaneous Army equipment.	1962 to 1994	
900	Flammable Storage Building. Stored incompatible materials, including flammable and corrosive liquids and other hazardous substances.	1967 to 1994	

Enclosure 5

Environmental Protection Provisions

On the basis of the above results from the EBS, the CERFA report, other environmental studies, and in consideration of the intended use of the property, certain terms and conditions are required for the proposed transfer. In order to protect human health and the environment and further the common environmental objectives and land use plans of the United States, New York, and Grantee/Transferee, the covenants and restrictions shall be included to assure the use of the property is consistent with environmental condition of the Property and to preclude any interference with ongoing or completed remediation activities at Bellmore Logistics Activity.

INCLUSION OF PROVISIONS: The grantee to whom the property is transferred shall neither transfer the property, lease the property, nor grant any interest, privilege, or license whatsoever in connection with the property without the inclusion of the environmental protection provisions contained herein, and shall require the inclusion of such environmental protection provisions in all further deeds, transfers, leases, or grant of any interest, privilege, or license.

NO LIABILITY FOR NON-ARMY CONTAMINATION: The Army shall not incur liability for additional response action or corrective action found to be necessary after the date of transfer in any case in which the person or entity to whom the property is transferred, or other non-Army entities, is identified as the party responsible for contamination of the property.

Access Rights and Easement

The Grantor reserves a right and easement for access to the Property in any case in which remedial action or corrective action is found to be necessary after the date of this Deed. In exercising these rights of access, except in case of imminent endangerment to human health or the environment, the Grantor shall give the Grantee, or the then record owner, at least thirty (30) days prior written notice of actions to be taken in remediation of the Property, and shall use reasonable means, without significant additional cost to the Grantor, to avoid and/or minimize interference with the use of the Property by the Grantee, its successors and assigns. Furthermore, any such actions undertaken by the Grantor pursuant to this Section will, to the maximum extent practicable, be coordinated with a representative of the Grantee, its successors and assigns. Grantee agrees that, notwithstanding any other provisions of the Deed, that the Grantor assumes no liability to the Grantee, its successors and assigns, or any other person, should remediation of the Property interfere with the use of the Property by the Grantee, its successors and assigns.

NOTICE OF UNEXPLODED ORDNANCE

The Grantor completed a comprehensive records search and site inspection. Based on that search, no statistical or physical testing of areas on the Property was deemed necessary. Based upon said search and inspection, no UXO is currently present on the Property. Notwithstanding the records search and inspection conducted by the Grantor, the parties acknowledge that, due to the former use of the Property as an active military installation, there is a possibility that UXO may exist on the Property. Upon due notice, the Grantor agrees to remove any such remaining

UXO discovered on the property, as required under applicable law and regulations, as expeditiously as is reasonable and practicable, subject to the availability of funds.

(2) If the Grantee, any subsequent owner, or any other person should find any UXO on the Property, they should not move or disturb the item and shall immediately call the local police or local fire authorities and the number provided below.

[Insert Army POC address and telephone]: Fort Hamilton Military Community
DPW, Environmental Division, Attn: ANFH-PWV
Brooklyn, New York 11252-6800
718-630-4485/4488/4494

NOTICE OF THE PRESENCE OF LEAD BASED PAINT AND COVENANT AGAINST THE USE OF THE PROPERTY FOR RESIDENTIAL PURPOSES

A. The Grantee is hereby informed and does acknowledge that all buildings on the Property, which were constructed or rehabilitated prior to 1978, are presumed to contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Every purchaser of any interest in Residential Real Property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in Residential Real Property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. "Residential Real Property" means dwelling units, common areas, building exterior surfaces, and any surrounding land, including outbuildings, fences and play equipment affixed to the land, available for use by residents and buildings visited regularly by the same child, 6 years of age or under, on at least two different days within any week, including day-care centers, preschools and kindergarten classrooms. "Residential Real Property" does not include land used for agricultural, commercial, industrial, or other non-residential purposes, including paint on the pavement of parking lots, garages, or roadways.

B. Available information concerning known lead-based paint and/or lead-based paint hazards, the location of lead-based paint and/or lead-based paint hazards, and the condition of painted surfaces is contained in the EBS and (for residential properties) the lead-based paint risk assessment, which have been provided to the Grantee. All purchasers must receive the federally approved pamphlet on lead poisoning prevention. The Grantee hereby acknowledges receipt of all of the information described in this subparagraph. Additionally, the following reports pertaining to lead-based paint and/or lead-based paint hazards have been provided to the Grantee.

C. The Grantee acknowledges that it has received the opportunity to conduct its own risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards prior to execution of this document.

D. The Grantee covenants and agrees that it shall not permit the occupancy or use of any buildings or structures on the Property as Residential Real Property, as defined in paragraph A, above, without complying with this section and all applicable federal, state, and local laws and regulations pertaining to lead-based paint and/or lead-based paint hazards. Prior to permitting the occupancy of the Property where its use subsequent to sale is intended for residential habitation, the Grantee specifically agrees to perform, at its sole expense, the Army's abatement requirements under Title X of the Housing and Community Development Act of 1992 (Residential Lead-Based Paint Hazard Reduction Act of 1992) (hereinafter "Title X").

The Grantee shall, after consideration of the guidelines and regulations established pursuant to Title X: (1) Perform a Risk Assessment if more than 12 months have elapsed since the date of the last Risk Assessment; (2) Comply with the joint Housing and Urban Development ("HUD") and the Environmental Protection Agency (the "EPA") Disclosure Rule (24 CFR 35, Subpart H, 40 CFR 745, Subpart F), when applicable, by disclosing to prospective purchasers the known presence of lead-based paint and/or lead-based paint hazards as determined by previous risk assessments; (3) Abate lead-based paint hazards in pre-1960 residential real property, as defined in paragraph A, above, in accordance with the procedures in 24 CFR 35; (5) Abate lead-soil hazards following demolition and redevelopment of structures in areas that will be developed as residential real property; (6) Comply with the EPA lead-based paint work standards when conducting lead-based paint activities (40 CFR 745, Subpart L); (7) Perform the activities described in this paragraph within 12 months of the date of the lead-based paint risk assessment and prior to occupancy or use of the residential real property; and (8) Send a copy of the clearance documentation to the Grantor.

In complying with these requirements, the Grantee covenants and agrees to be responsible for any abatement or remediation of lead-based paint or lead-based paint hazards on the Property found to be necessary as a result of the subsequent use of the Property for residential purposes. The Grantee covenants and agrees to comply with solid or hazardous waste laws that may apply to any waste that may be generated during the course of lead-based paint abatement activities.

E. The Grantee further agrees to indemnify and hold harmless the Army, its officers, agents and employees, from and against all suits, claims, demands, or actions, liabilities, judgments, costs and attorney's fees arising out of, or in a manner predicated upon personal injury, death or property damage resulting from, related to, caused by or arising out of lead-based paint or lead-based paint hazards on the Property if used for residential purposes.

F. The covenants, restrictions, and requirements of this Section shall be binding upon the Grantee, its successors and assigns and all future owners and shall be deemed to run with the land. The Grantee on behalf of itself, its successors and assigns, covenants that it will include and make legally binding, this Section in all subsequent transfers, leases, or conveyance documents.

NOTICE OF THE PRESENCE OF ASBESTOS AND COVENANT

A. The Grantee is hereby informed and does acknowledge that friable asbestos or asbestos-containing materials ("ACM") have been found on the Property, as described in the EBS and referenced asbestos surveys. The ACM on the Property does not currently pose a threat to human health or the environment. All friable asbestos that posed a risk to human health has either been removed or encapsulated.

B. The Grantee covenants and agrees that its use and occupancy of the Property will be in compliance with all applicable laws relating to asbestos; and that the Grantor assumes no liability for any future remediation of asbestos or damages for personal injury, illness, disability, or death, to the Grantee, its successors or assigns, or to any other person, including members of the general public, arising from or incident to the purchase, transportation, removal, handling, use, disposition, or other activity causing or leading to contact of any kind whatsoever with asbestos or ACM on the Property, whether the Grantee, its successors or assigns have properly warned or failed to properly warn the individual(s) injured. The Grantee agrees to be responsible for any future remediation of asbestos found to be necessary on the Property. The Grantee assumes no liability for damages for personal injury, illness, disability, death or property damage arising from (i) any exposure or failure to comply with any legal requirements applicable to asbestos on any portion of the Property arising prior to the Grantor's conveyance of such portion of the Property to the Grantee pursuant to this Deed, or (ii) any disposal, prior to the Grantor's conveyance of the Property of any asbestos or ACM.

C. Unprotected or unregulated exposures to asbestos in product manufacturing, shipyard, and building construction workplaces have been associated with asbestos-related diseases. Both Occupational Safety and Health Administration ("OSHA") and the EPA regulate asbestos because of the potential hazards associated with exposure to airborne asbestos fibers. Both OSHA and EPA have determined that such exposure increases the risk of asbestos-related diseases, which include certain cancers and which can result in disability or death.

D. The Grantee acknowledges that it has inspected the Property as to its asbestos content and condition and any hazardous or environmental conditions relating thereto prior to accepting the responsibilities imposed upon the Grantor under this Section. The failure of the Grantee to inspect, or to be fully informed as to the asbestos condition of all or any portion of the Property offered, will not constitute grounds for any claim or demand against the United States, or any adjustment under the Deed or the MOA.

E. The Grantee further agrees to indemnify and hold harmless the Grantor, its officers, agents and employees, from and against all suits, claims, demands or actions, liabilities, judgments, costs and attorneys' fees arising out of, or in any manner predicated upon, exposure to asbestos on any portion of the Property after this conveyance of the Property to the Grantee or any future remediation or abatement of asbestos or the need therefor. The Grantee's obligation hereunder shall apply whenever the United States incurs costs or liabilities for actions giving rise to liability under this Section.

ENCLOSURE 6
FOST CORRESPONDENCE

**Response to Comments on the
Bellmore Logistics Activity Finding of Suitability to Transfer (FOST)
Nassau County, New York**

Point of Contact for the following comments – USEPA, Carla Struble

GENERAL COMMENTS:

Comment: The most current Environmental Baseline Survey (EBS) is dated February 1997. Therefore, the Army should prepare a parcel-specific Supplemental EBS to be attached to this FOST. The Supplemental EBS is discussed in *the December 1995 Base Realignment and Closure Cleanup Team (BCT) Training Conference* guidance.

Response: A parcel-specific supplemental EBS to be attached to the FOST is not required as per the latest guidance from the Department of the Army (DA) BRAC office.

Comment: When submitting the revised draft FOST, it is in the Army's best interest to include detailed responses to comments and highlighted text where language was revised.

Response: Detailed response to comments is provided via this comment/response document. Due to the review process the FOST still has to go through, it is not feasible to show highlighted text where revisions were made. A copy of the revised is being provided.

SPECIFIC COMMENTS:

Comment: Former UST/AST sites – The information presented in this section is incomplete. It only discusses a release during one tank removal, but there are actually four NYSDEC spill reports documenting spills of gasoline, fuel oil and waste oil during tank removals. According to NYSDEC records, the December 18, 1997 spill of #2 Fuel Oil is still not closed out. Contamination may still exist at this site.

Response: The NYSDEC record of a spill on December 18, 1997 pertains to a fuel oil UST removal. During removal, some contaminated soil was encountered. A spill number was obtained from NYSDEC Spills hotline. All the contaminated soil was removed. Contaminated soil does not still exist at this site, based on confirmatory sampling results. The BCT has determined that no further action is required at this site. The US Army Corps of Engineers (USACE) will initiate procedures to get the NYSDEC spill records updated.

Comment: The condition of the LBP, peeling, flaking, etc., on each structure should be described.

Response: The condition of LBP on each structure is not required based on the fact that all the structures are slated for demolition according to the reuse plan.

Comment: Due to the potential for radon, the Army should test all buildings for the presence of radon.

Response: The three main buildings (100, 200 and 300) have been tested for the presence of radon. Results show that the radon levels are below the EPA's action level of 4 picocuries per liter of air. The smaller structures (MP station, sheds, garage, etc.) do not require testing according to radon sampling protocols. Bellmore Logistics Activity is not located in an area known to have radon.

Comment: The last sentence says that based on a review of existing records and available information, none of the buildings or surrounding land proposed for transfer are known to contain unexploded ordnance. Has there been a clearance certificate issued which documents that the site has been rendered safe to appropriate depths, based on the proposed reuse and planned construction? The Department of Defense Explosives Safety Board (DDESB) may be able to assist with this. As you know, the many functions of the DDESB include development of ammunition and explosives safety standards, in accordance with explosives safety management principles in addition to providing assistance upon request.

Response: A study for the presence of buried UXO has been conducted by USACE, which included an archives and records search and interviews with former employees. The conclusion was that there is very low potential for unexploded ordnance to exist at the site. Based on this determination, a clearance certificate by DDESB or any further action on UXO is not required.

Comment: The last sentence in section is incorrect. There are actually four NYSDEC spill reports documenting spills of gasoline, fuel oil and waste oil during tank removals. According to NYSDEC records, the December 18, 1997 spill of #2 Fuel Oil is still not closed out. Contamination may still exist at this site.

Response: The last sentence in this section is correct. It is only a procedural matter to correct the NYSDEC records on spills. Contamination does not exist at the site of the former fuel oil UST (see response to Specific Comment 1 above).

Comment: EPA's copy of the FOST did not include a Section 4 of the Deed Provisions. Please provide us with that section, or correct the numbering of the paragraphs for the Deed Provisions.

Response: These provisions are included as Enclosure Four – Environmental Protection Provisions.

Comment: The first sentence in paragraph 2.b. should be revised to read, " Any additional remedial action found to be necessary with regard to such hazardous substances remaining on the Property after the date of this Deed that resulted from activities prior to transfer, shall be conducted by the United States." The current language does not quote CERCLA 120 (h)(3) accurately, is too restrictive and limits the covenant to the grantee.

Response: Section 9.0 FINDING OF SUITABILITY TO TRANSFER has been revised to read:
The deed will also include the following CERCLA Section 120(h)(3) covenants and access provisions:

As specified in CERCLA Section 120(h)(3)(A)(ii)(I), that all remedial action 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 transfer;

As specified in CERCLA Section 120(h)(3)(A)(ii)(II), that any additional remedial action found to be necessary after the date of transfer shall be conducted by the United States;

As specified in CERCLA Section 120(h)(3)(A)(iii), the Army shall retain access to the property, and use such access in any case in which a response action or corrective action is found to be necessary after the date of transfer.

Specific Comment 6: Access Rights and Easements

Comment: The language in this paragraph limits federal access to the grantor only. CERCLA 120 (h)(3)(A)(iii) grants the United States (including EPA) access to the property in any case in which remedial action or corrective action is found to be necessary after the date of such transfer. This section of the FOST should be corrected to be in agreement with what the law requires under CERCLA.

This section also states that the Grantor shall give the grantee at least 30 days prior written notice of actions to be taken in remediation of the property. In some cases, cleanups or remedial actions are emergencies. The language should be changed so that required action can be taken without delay.

Response: Please see the response to Specific Comment 7 above for the first portion of this comment.

For the second portion of the comment, the following language is included: In exercising these rights of access, *except in case of imminent endangerment to human health or the environment*, the Grantor shall give the Grantee, or the then record owner, at least thirty (30) days prior written notice of actions to be taken in remediation of the Property,

Specific Comment 7: ENVIRONMENTAL BASELINE SURVEY, ESD, AND FINDING OF SUITABILITY TO TRANSFER (FOST)

Comment: B. The first sentence should be revised to read, "If an actual or threatened release of a hazardous substance or petroleum product is discovered...that such release or such newly discovered substance was due to activities prior to transfer, ownership, use or occupation of the Property. The current language does not quote CERCLA 120 (h)(3) accurately, is too restrictive and limits the covenant to the grantee.

Response: This section has been deleted. Section 9 of the FOST includes CERCLA 120 language as indicated in the response to Comment 7 above.

Specific Comment 8: LAND USE RESTRICTIONS

Comment: In general, land use restrictions should be avoided because they put restrictions on alienation. If all necessary remediation activities on the property have been completed, as stated in Section 5 of the FOST, then why would the Army want to include land use restrictions. An explanation should be provided.

Is there a paragraph A. to this section?

Response: Land use restrictions have been deleted from the FOST.

Specific Comment 11: NOTICE OF THE PRESENCE OF UXO AND RESTRICTIVE COVENANT

Comment: The third sentence states that no UXO is present, but the next sentence says there is a possibility that UXO may exist on the property. The discrepancy should be corrected.

Response: This section has been revised to read: **Based upon said search and inspection, no UXO is known to exist on the Property. However, since the Property was formerly an active military installation, it is not inconceivable that an ordnance item could surface. Any UXO items found will be promptly addressed in accordance with Army Regulation AR 75-15 – Responsibilities and Procedures for Explosive Ordnance Disposal.**

Specific Comment 12: (2) Restrictive Covenant and Use of Property for any portion of the 16,700 sq ft

Comment: (2) Restrictions and Covenants

(a) The text has a blank space left for the appropriate depth limiting excavation. Please complete the sentence.

(d) Why does this paragraph discuss agricultural use when the future use of this property is going to be residential?

(e) And (f) These paragraphs discuss asbestos but not UXO.

Response: (a) This text has been removed

(d) This text has been removed

(e) and (f) This text has been removed

Specific Comment 13: NOTICE OF THE PRESENCE OF ASBESTOS AND COVENANT

Comment: A. The last sentence in this paragraph states:

“All friable asbestos that posed a risk to human health has either been remediate” but Section 3.5 ENVIRONMENTAL CONDITION OF PROPERTY: Asbestos, states that friable asbestos has not been removed or encapsulated. The inconsistencies between these sections should be corrected.

B. The last sentence in this paragraph states that the grantee agrees to be responsible for any future remediation of asbestos in buildings and structures found to be necessary on the property. This should be acknowledged by the grantee in writing.

Response: A. This has been reworded to say that friable-type asbestos is present, however, if it was damaged, it was removed or encapsulated.

B. The transfer documents will be signed; all of the environmental protection provisions in the FOST are incorporated into the transfer documents.

POINT OF CONTACT FOR THE FOLLOWING COMMENTS – DAVE HARRINGTON, NYSDEC

Specific Comment 14

Comment: Page 2: The acronym "BRPG" is used in the first two paragraphs of

section 2.0. What does this acronym stand for?

Response: This was corrected to show the definition first. BRPG is Bellmore Reuse Planning Group.

Comment: Table 2: Figure 1 shows existence of EBS Parcel 23. This parcel is not included in the table.

Response: All CERFA tables and charts have been updated; new ones included in the FOST.

Comment: Table 2: There is no indication on the table as to each parcel's new CERFA Category, or what actions were taken in order to justify the proposed CERFA Category changes shown on Figure 1.

Response: New tables have been included that show the new category as well as remediation/mitigation actions taken.

Comment: Where is the table listing the "qualified parcels"? These parcels are worth noting because of the property's intended use (residential housing).

Response: There is a new table in Enclosure 2 which provides a description of the 'qualified' parcels and why they are 'qualified.'

Comment: Figure 1: Building 100 is shown as being EBS Parcel 19, with CERFA Category of 4 (see notation just above the closed-in-place 10,000-gallon UST E100C). However, Table 2 lists Parcel 19 as a 7.26-acre area of land associated with Building 200 which has groundwater concerns, while not listing Building 100 at all. This discrepancy requires some clarification.

Response: The new tables have corrected this discrepancy. Parcel 19 on the new table lists the 7.26 acre parcel and Parcel 32 lists the interior of Building 100.

POINT OF CONTACT FOR THE FOLLOWING COMMENTS: CHRISTINE MARZIGLIANO, RAB MEMBER

Comment: Page 2, section 2.0 - Property Description, the first paragraph states that the existing property consists of eight buildings. Table 1 on page 3 lists five buildings, with the shed having already been removed. Building 400 is the sentry shack and Building 700 was the water tank (also removed). The number of buildings should be clarified between the number that was identified when the remediation efforts began, the number presently on site

and perhaps an additional column indicating whether or not they were removed. What is the 8th building? I only come up with seven at the start of the remediation.

Response: Table I from page 3 of the FOST has been amended as follows:

**Table I
Existing Buildings
Bellmore Logistics Activity**

Building	Description	Year Vacant	Year Built
Building 100	Maintenance Facility	1994	1959
Building 200	Administrative Support	1994	1959
Building 300	Administrative Supply	1994	1927
Building 400	Security Station	1994	1958-59
Building 401	Security Station	1994	1958-59
Building 600	Garage	1994	1962
Building 700	Water Tower	1991	1958-59
Building 900	Flammable Storage Shed	1994	1967



Comment: Page 20 has a typo in the word "the" in the title of item 7.

Response: Corrected.

POINT OF CONTACT FOR THE FOLLOWING COMMENTS: NASSAU COUNTY DEPARTMENT OF HEALTH



Comment: NCDH previously recommended that further investigation of the extent of soil and groundwater contamination be conducted in the following areas:

Septic tank discharge leaching field area surrounding boring #BMSB10 where levels of methylene chloride and acetone were detected at levels above the New York State Department of Environmental Conservation (NYSDEC) Recommended Soil Cleanup Objectives (RSCO's).

Soil and groundwater beneath and surrounding Drywell W100I North. in the endpoint soil sample collected at a depth of 12-14 feet beneath the drywell, xylene was detected above the NYSDEC RSCO's. Since the depth to groundwater at the site is approximately 14 feet belowgrade, one groundwater sample should also be collected from beneath drywell W100I North to determine if the groundwater has been impacted.

Response: UNRESOLVED COMMENT.

Comment:

The proposed reuse plan for the property, according to Section 2.0 of the FOST, is residential development consisting of 34 single family homes, 40 senior housing units and a small park. Proposed residential development of the property on or adjacent to the two (2) areas listed in comment #1 above may have to be limited because of the risk posed by contaminants remaining in these areas.

It is recommended that the Army either complete a risk assessment for residential development in the above areas, or impose residential development restrictions specifically in these areas.

Response:

UNRESOLVED COMMENT.

Comment:

The FOST should specifically list all areas of concern at the site with remaining residual soil contamination at levels exceeding the NYSDEC RSCO's.

Response:

UNRESOLVED COMMENT.

Comment:

A listing of all hazardous substances known to have been stored at the facility should be provided in the FOST. This information should be included because of the nature and size of the facility and past releases that have occurred at the site.

Response:

Table III, found at Enclosure Four provides a listing of all hazardous substances, as well as operations and activities known that would have used hazardous substances at this facility.

Comment:

In Table II of the FOST Bellmore Logistics Activity CERFA Descriptions of the Property, it should be clarified the EBS information column refers to site conditions prior to the BRAC remedial actions on the property. An additional column should be provided in the table describing the current site conditions for all EBS parcels.

Response:

New tables have been included that indicates the new CERFA categories of all properties and lists what remediation/mitigation was completed to change the CERFA category

END OF COMMENTS