

**DRAFT FINAL
FINDING OF SUITABILITY TO TRANSFER
(FOST)
Little Patuxent River Parcel**

October 16, 2013

1. PURPOSE

The purpose of this Finding of Suitability to Transfer (FOST) is to document the environmental suitability of property at Fort George G. Meade, located in Anne Arundel County, Maryland, for transfer to Anne Arundel County consistent with Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 120(h) and Department of Defense (DOD) policy. In addition, the FOST includes the CERCLA Notice, Covenant, and Access Provisions and other Deed Provisions.

2. PROPERTY DESCRIPTION

The Property, shown on Figure 1-1, consists of 6 acres of mostly undeveloped land, some of which lie in the 100-year floodplain and some of which are wetlands. The Property was never used by the Army. The Property is intended to remain undeveloped, conservation open space as part of the local floodplain. A site map of the property is attached (Enclosure 1).

3. ENVIRONMENTAL DOCUMENTATION

A determination of the environmental condition of the property was made based upon the report titled "Environmental Condition of Property, Little Patuxent River Parcel" (ECP Report) dated September 20, 2010. The information provided therein is a result of a complete search of agency files during the development of these environmental surveys. Due to the generally undeveloped nature and non-use of the Property, the only documentation on the property is the Environmental Condition of Property report referenced above.

4. ENVIRONMENTAL CONDITION OF PROPERTY

The DOD Environmental Condition of Property (ECP) category for the Property is ECP Category 1. An ECP Category 1 is defined as areas in which no release or disposal of hazardous substances or petroleum products has occurred, and to which there has been no migration of such substances from adjacent areas.

4.1. ENVIRONMENTAL REMEDIATION SITES

There are no environmental investigation/remediation sites and no evidence of groundwater contamination on the property.

4.2. STORAGE, RELEASE, OR DISPOSAL OF HAZARDOUS SUBSTANCES

There is no evidence that hazardous substances were stored, released, or disposed of on the property in excess of the 40 CFR Part 373 reportable quantities. The CERCLA 120(h)(4) Notice and Covenant in Enclosure 2 will be included in the Deed.

4.3. PETROLEUM AND PETROLEUM PRODUCTS

4.3.1. Underground and Above-Ground Storage Tanks (UST/AST)

There is no evidence that petroleum products were stored in underground or above-ground storage tanks on the property.

4.3.2. Non-UST/AST Storage, Release, or Disposal of Petroleum Products

There is no evidence that non-UST/AST petroleum products in excess of 55 gallons were stored for one year or more on the property.

4.4. POLYCHLORINATED BIPHENYLS (PCB)

There is no evidence that PCB-containing equipment is located or was previously located on the property.

4.5. ASBESTOS CONTAINING MATERIAL (ACM)

There are currently no buildings or structures on the property, nor is there evidence that buildings or structures with ACM were ever located on the Property.

4.6. LEAD-BASED PAINT (LBP)

There are currently no buildings or structures on the property, nor is there evidence that buildings or structures with LBP were ever located on the property.

4.7. RADIOLOGICAL MATERIALS

There is no evidence that radioactive material or sources were stored or used on the property and the property is free from radiological controls.

4.8. RADON

There was no radon survey conducted on the property.

4.9. MUNITIONS AND EXPLOSIVES OF CONCERN (MEC)

Based on a review of existing records and available information, there is no evidence that Munitions and Explosives of Concern (MEC1) are present on the property. As presented in the ECP Report, the parcel has no history of any Military Munitions Response Program (MMRP) activities. There are no indications that the Property is currently or has in the past been used as an operational range. This conclusion is based on the review of aerial photographs and Fort Meade documents showing current and former range locations and the boundaries of range safety fans (Fort Meade, 1989, 1995, and 1997). It is apparent from this information that the parcel lies beyond the range fans/safety zones. Moreover, the parcel is separated from the range fans/safety zones by an active elevated railroad lines and multiple power lines. The rail lines are on elevated rock ballast that is approximately 10 to 15 feet higher in elevation than the undisturbed parcel areas.

In approximately 1980, the County realigned Patuxent Road (currently named Piney Orchard Parkway) that runs through the parcel and elevated it to reduce flood damages and road closures. Throughout that construction process and years of use by transients/trespassers on the parcel, no ordnance items have ever been reported. There is no record of any concerns or incidents. As a consequence, the Army has concluded that there is no apparent explosive risk.

4.10. OTHER PROPERTY CONDITIONS

There are no other hazardous conditions on the property that present an unacceptable risk to human health and the environment.

5. ADJACENT PROPERTY CONDITIONS

The Clean Fill Dump (CFD) is a former dump located approximately ¼ of a mile to the north of the Property. The presence of wastes on this adjacent property does not present an unacceptable risk to human health and the environment because the former landfill is capped. There is tetrachloroethene, trichloroethene and some metals groundwater contamination in the shallow aquifer at the CFD site; however, the most recent sampling event (2009) shows that only arsenic was detected in the downgradient sentinel well at 27.5 ug/L. The safe drinking water Maximum Contaminant Level (MCL) for arsenic is 10 ug/L. The CFD shallow groundwater aquifer discharges to the Little Patuxent River; however, surface water collected from the Little Patuxent River at the point of discharge do not exceed regulatory criteria. The shallow aquifer flows south/southwest and does not migrate toward the LPRP. The deep aquifer at the CFD flows southeast towards the LPRP; but is not contaminated, and does not adversely impact the LPRP. There are no conditions adjacent to the property that present an unacceptable risk to human health and the environment.

6. ENVIRONMENTAL REMEDIATION AGREEMENTS

Fort Meade has been identified as a National Priorities List (NPL) site under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, as amended and as such has entered into a Federal Facility Agreement (FFA) dated October 9, 2009. However, EPA has determined that the Little Patuxent River Parcel is not considered to be part of the NPL listing and subsequently will not require delisting. Enclosure 3 provides a copy of the EPA letter.

The deed will include a provision reserving the Army's right to conduct remediation activities if necessary in the future (Enclosure 2, Deed Provisions).

7. REGULATORY/PUBLIC COORDINATION

The U.S. EPA Region 3, the Maryland Department of the Environment, and the public were notified of the initiation of this FOST. Regulatory/public comments received during the public comment period will be reviewed and incorporated, as appropriate. A copy of the regulatory/public comments and the Army Response will be included at Enclosure 4.

8. NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) COMPLIANCE

No Army related activities occurred at the LPRP and no environmental impacts are associated with past Army ownership of the property. The results of this analysis are documented in the EPA-approved Little Patuxent River Parcel Final Environmental Condition of Property (April 2012) which states there were no encumbrances or conditions identified as necessary to protect human health or the environmental associated with the Property.

In accordance with Section 7 of the Endangered Species Act; the U.S. Fish and Wildlife Service determined that no federally proposed or listed endangered or threatened species are known to exist within the project area, and no further Biological Assessment is required.

The LPRP is not referenced in the National Parks Service's (NPS) National Register of Historic Places for Anne Arundel County based on a search of the National Register Information System (NPS, 2008) and the Maryland Historical Trust concurs with the Army's determination that the proposed transfer will have no effect as the property does not demonstrate historic or prehistoric occupancy.

9. FINDING OF SUITABILITY TO TRANSFER

Based on the information above, I conclude that the Property qualifies as CERCLA §120(h)(4) uncontaminated property and is transferable under that section. In addition, all Department of Defense requirements to reach a finding of suitability to transfer have been met. The deed will include the CERCLA 120(h)(4) Notice, Covenant, and Access Provisions and Other Deed Provisions. Whereas no hazardous substances or petroleum products were stored for one year or more, known to have been released, or disposed of on the parcel, a hazardous substance or petroleum notification is not required.

Mr. William J. O'Donnell, II
Chief, Reserve, Industrial and Medical Branch
Office of the Assistant Chief of Staff for Installation Management

Enclosures:

- Encl 1 -- Site Map of Property
- Encl 2 -- CERCLA Notice, Covenants, and Deed Provisions
- Encl 3 -- EPA Letter of Non_NPL determination
- Encl 4 -- Regulatory/Public Comments/Army Response

FOR OFFICIAL USE ONLY

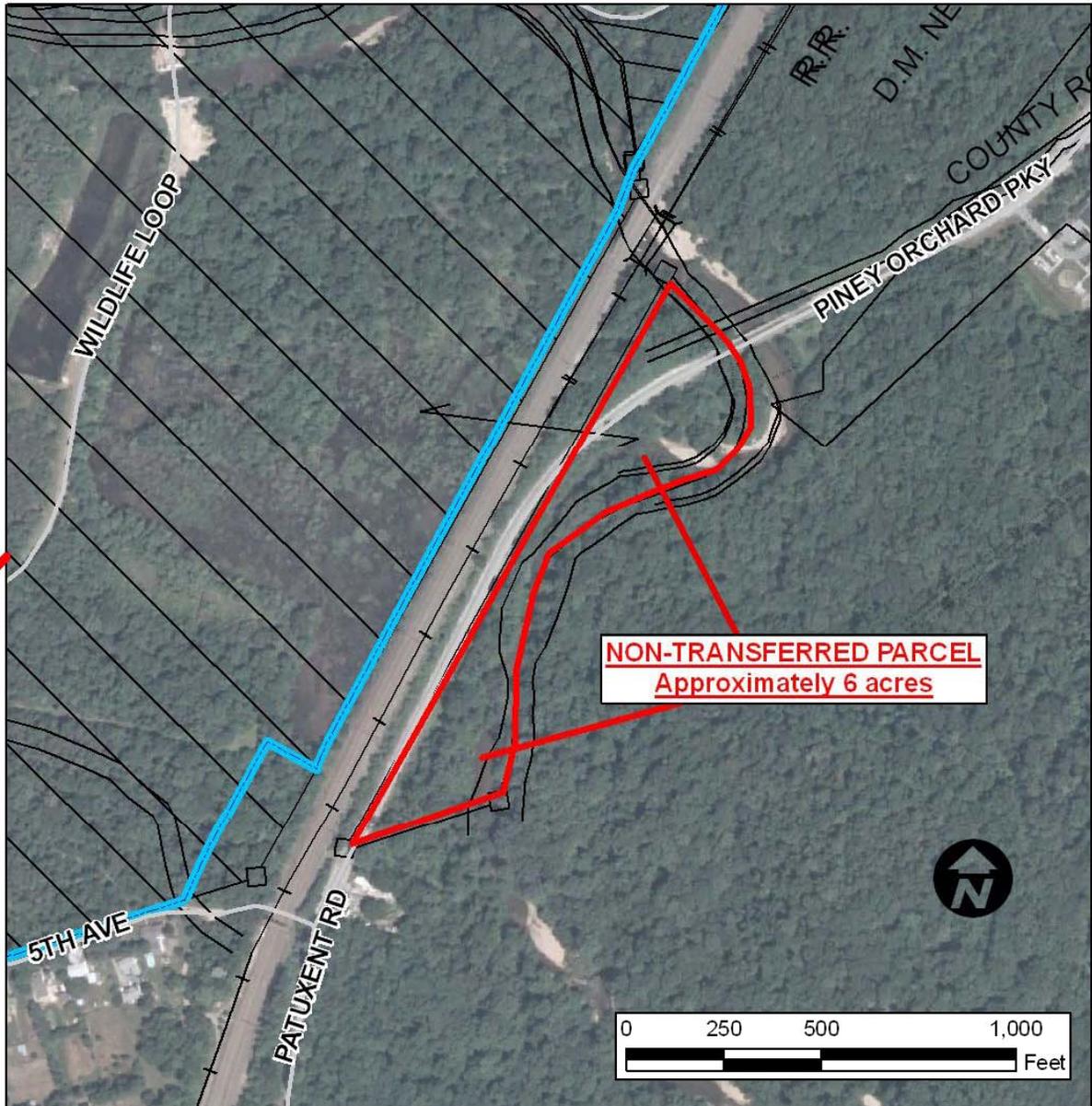
Little Patuxent River Parcel

Fort George G. Meade

Remnant from 1991 transfer of 7600 Acres to DOI/USFWS
Approximately 6 Acres total area



	Pending Parcel
	DOI/USFWS Boundary
	FGGM 1944 Deed (USACE)
	Current Installation Area



Created by:
Office of the Assistant Chief of Staff for Installation Management (OACSIM)
Base Realignment and Closure Division (BRACD)
Data Source: Geographic Information System Repository (GISR),
U.S. Army Corps of Engineers, CALIBRE

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Enclosure 2

CERCLA Notice, Covenants, and Deed Provisions

The Property qualifies as CERCLA §120(h)(4) uncontaminated property and is transferable under that section. In addition, all Department of Defense requirements to reach a finding of suitability to transfer have been met. The deed will include the CERCLA 120(h)(4) Notice, Covenant, and Access Provisions and Other Deed Provisions.

This property is being transferred to Anne Arundel County under a Conservation Conveyance to be used for park or preservation purposes as part of the Patuxent River Greenway system of parks and natural areas.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

July 24, 2012

Steve Cardon, CHMM
BRAC Environmental Coordinator
Dept. of Army DPW - Environmental Division
239 Chisholm Avenue, Suite 5115
Fort George G. Meade, MD. 20755-7068

Subject: Little Patuxent River 6-Acre Parcel

Mr. Cardon:

EPA has no Federal Interest in the 6-acre Little Patuxent River Parcel. As presented by the Army, there is no known or suspected environmental contamination associated with the site. Therefore, it has been the determination of EPA legal that the Little Patuxent River Parcel is not considered to be part of the NPL listing and subsequently will not require delisting.

If you have any questions, please contact me at 215-814-3378.

Sincerely,

A handwritten signature in black ink, appearing to read "John Burchette", is written over a light gray rectangular background.

John Burchette
Remedial Project Manager

cc: Dr. Elisabeth Green

Enclosure 4
Regulatory/Public Comments/Army Response
to
Draft Final FOST