



ACTION MEMORANDUM

for

TIME CRITICAL REMOVAL ACTION

PORT ANGELES COMBAT RANGE

Munitions Response Site 1

Port Angeles, Clallam County, Washington

FUDS Project No.: F10WA003301

March 2020

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FIGURES

Figure 1-1: Site Location and MRS Designations

Figure 1-2: MEC Items Recovered, PACR, WA

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1. Purpose

The purpose of this Action Memorandum (AM) is to document approval of a Time Critical Removal Action (TCRA), as described herein, for the 619-acre Munitions Response Site (MRS) 1 at the former Port Angeles Combat Range (PACR), a Formerly Used Defense Sites (FUDS) Property located in Port Angeles, Clallam County, Washington (Figure 2-1). The TCRA consists of installing warning signs on the perimeter of MRS-1. The TCRA is consistent with deed language transferring the MRS-1 property to the City of Port Angeles, and is in accordance with HQUSACE direction to install the signs as soon as possible. The signage installed under this TCRA will reduce the immediate risk to human health that the munitions at this site present. This AM has a focused purpose and is not intended to result in a final remedy at the PACR.

This action is taken pursuant to the Comprehensive Environment Response, Compensation, and Liability Act (CERCLA) and the Defense Environmental Response Program (DERP). Under the DERP, the Department of Defense (DoD) has delegated to the Army the responsibility for implementing appropriate response actions where environmental impacts have occurred from historical activities at DoD sites and where such releases may constitute a residual human health or ecological threat. Mitigating this site fits within the mission of the DERP.

2. Site Location and Description

The PACR is located approximately seven miles southeast of the City of Port Angeles, in Clallam County, Washington. The acreage that was leased to, or otherwise possessed by, the United States for establishment of the range was approximately 1,628 acres. The munitions response area, which includes the 1,628 acres and the full extent of the range fan and safety buffer, encompasses 2,629 acres. The focus of this AM is MRS-1, a 619-acre area within a 621-acre area owned by the City of Port Angeles. (Note: 2 acres of the city-owned property lie outside the munitions response area.)

In early 1943, the 115th Cavalry Squadron (mechanized) requested that land be leased in the area of Port Angeles, Washington for use as a ground-to-ground combat range. The range was used for training on tactical firing and short-range known distance firing (200 to 300 yards). The range was used for weapons practice with 37 millimeter (mm) and 75mm projectiles, 60mm and 81mm mortars, and various small arms. In 1944, the range was declared excess and all leases and permits were canceled, returning the land to its original owners.

Following several clearance efforts, a portion of the original range was deeded to the United States and then conveyed with restrictions by Quitclaim Deed (Deed) in 1968 to the City of Port Angeles (City). The Deed conveying the property to the City disclosed prior military uses of the property, the potential for residual contamination from the military munitions used on the property, and included use restrictions precluding any tilling or excavating of the ground or harvesting of timber. Deed provisions also stated the City agreed to indemnify and save harmless the United States against all liability or claims resulting from the possible contaminated condition of the property and any use of the property. The United States also reserved the right to post and maintain warning signs on the perimeter of the property.

In 2018, the site was re-evaluated considering the deed provisions of the property transfer and the results of the Remedial Investigation (RI) of the PACR completed in 2015. The original PACR munitions response area consisting of 2,629 acres was divided into three MRSs (Figure 2-1). MRS-1, the focus of this TCRA, is 619 acres of the 621 acres transferred to the City of Port Angeles.

The areas investigated in the 2015 RI included target areas, impact areas, and range fans. Several items were found within MRS-1, including five munitions and explosives of concern (MEC), unexploded ordnance (UXO) items (M63 37mm High Explosive projectiles) which were removed, and evidence of the possible presence of other munitions through munitions debris. The area within MRS-1 where items were found is shown on Figure 2-1. The Five MEC items recovered from the ground surface during the RI are shown on Figure 2-2.

The City holds the property as a wildlife and water conservation area. While the property is not open to the public and some areas are densely vegetated, it is not fenced and the City acknowledges members of the public have entered the property for hiking and hunting. During a teleconference on July 1, 2019, the City indicated its intent to enforce state trespassing laws at the property. In order to support the effectiveness and future enforcement of the restrictions, the TCRA was initiated to install warning signs as determined to be appropriate for MRS-1, and as described below.

3. Description of Hazard

The current MEC risk exposure pathway is to day hikers and seasonal hunters trespassing on the property. The RI Report noted evidence of deer hunting and observation of hikers during the field investigations. As a result, there is potential exposure to humans entering the area, unaware of and exposed to the possible explosive hazards. There are no engineered access restrictions, like fencing, in place and the existing warning signage is limited, in poor condition, and does not utilize the 3 Rs (Recognize, Retreat, Report) of the Explosive Safety Education Program message.

The City intends to enforce the Washington State law RCW 9A.52.080 against trespassing at the property, however their enforcement of the trespassing laws cannot start without signage putting the trespasser on notice that the area is no longer open to hunters, hikers, and other members of the public. Since hunting season has started and the prime season for hiking is ongoing, immediate placement of the signs is needed to support the City's enforcement efforts. Enforcement of use restrictions by the City and improvement of notification of property conditions through signs would result in risk reduction at the property by deterring trespassers from entering. Appropriate munitions training will be provided to the City to ensure City workers that access the area are aware of potential munitions and take necessary safety and protective measures relevant to the type of work being performed.

Based on the factors identified in 40 C.F.R. section 300.414(b)(2), used to determine if a removal action is warranted, specifically factor (vi) threat of fire or explosion, there is a threat to public health or welfare, or the environment at the site.

4. Threats to Public Health or Welfare or the Environment and Statutory and Regulatory Authorities

Access to MRS-1 is generally physically unrestricted, except uneven and sometimes steep terrain, dense vegetation, and dilapidated fencing can limit mobility. In areas that have limited access due to steep terrain, access is unlikely. The city-owned property is not open to the public.

The Conceptual site Model (CSM) identifies human receptors that could be exposed to MEC in surface soils through the following pathways:

- Handling
- Tread underfoot

The CSM includes a complete surface soil exposure pathway for Current and Future Recreational Users. This is a viable pathway for the current conditions at the site and would be viable if the City's proposed trespassing prohibition changes in the future. The pathways for surface soil exposure to Current and Future Outdoor Workers authorized to access the site, and Current and Future Trespassers, are also complete. The CSM considered the use restrictions in the Deed that preclude intrusive activities. However, the CSM includes a potentially complete pathway for potential exposure to MEC in subsurface soils for personnel that may violate the use restrictions. While exposure to subsurface MEC is unlikely due to the deed provisions restricting digging and harvesting of timber, the CSM acknowledges that subsurface MEC could migrate to the surface by natural processes (erosion or frost heave). Even though previous investigations within the accessible areas of the site removed visible MEC items, potential exposure to surface MEC in the future is still of concern.

The City has indicated their intent to enforce state trespassing laws on MRS-1. However, notice that the area is not open to the public is necessary to prosecution. The warning signs resulting from this TCRA will provide that notice. USACE received verbal warnings that the Washington State Department of Ecology would be pursuing action under state RCRA laws against the USACE for actions taken at the PACR. During a USACE teleconference among the Kansas City District, Northwestern Division (NWD), and Headquarters, Headquarters authorized the District to proceed with this TCRA to install the warning signs as soon as possible. USACE received from the Washington State Department of Ecology a "preliminary determination of liability for release of hazardous substances" at the former PACR. The USACE response included that the agency was considering this TCRA to place the signs as soon as possible, as well as information about the other portions of the PACR.

5. Endangerment Determination

The site conditions, the nature of the known hazard, and the potential exposure pathways from trespassers and authorized workers, if not addressed by implementing the response action selected in this Action Memorandum, present an imminent and substantial endangerment to public health.

6. Proposed Actions and Estimated Costs

The proposed action will consist of installing warning signs on the perimeter of MRS-1 and presentation of munitions awareness and safety information to the City.

Given that hunters and hikers are the primary trespassers at the site, and the hunting season is upcoming, risk will be reduced by proceeding with this action that will place signs as allowed by the Deed to the City, and providing information to the City regarding munitions-related hazard recognition and response actions to assist with improved control of the property. Once the signs are placed, the City of Port Angeles plans to enforce the Washington State law RCW 9A.52.080 against trespassing at the property.

Warning signs will be posted on the perimeter of MRS-1, outside the areas of potential MEC hazards, so workers installing the signs will not be exposed to unacceptable risks. Impacts to the environment and habitats during sign installation will be short term and minimal. Additionally, impacts to members of the public living near MRS-1 will be minimal. The content and placement of signs will be coordinated with the City of Port Angeles.

The estimated cost of this TCRA is \$50,374 for signage production and installation.

7. Expected Change in Situation Should Action be Delayed or Not Taken

If the removal action is not authorized, then no controls on the site will be instituted and hunters and hikers will not be made aware of the potential danger of unexploded ordnance in the area.

8. Outstanding Policy Issues

There are no outstanding policy issues that are not addressed herein.

9. Enforcement

The State of Washington has preliminarily named the Department of the Army as a “potentially liable party” at this site according to WAC 173-303-578 and Model Toxics Control Act (MTCA), Chapter 70.105D. Under state law, this designation makes the Army liable for the remediation of the site along with the other named potentially liable parties (i.e. City of Port Angeles).

10. Recommendation

It is recommended that the Action Memorandum be approved for this TCRA. The scope of the TCRA will be the installation of perimeter signs and presentation of munition hazards information to the City of Port Angeles. On-site activities will commence within 6 months of the signed Action Memorandum and are estimated to continue through and be completed in 2020.

11. Authorized Signature

This AM presents the selected removal action at the former Port Angeles Combat Range MRS-1, Port Angeles, Clallam County, Washington. The Department of Army is the lead agency under the DERP at the Port Angeles Combat Range MRS-1 FUDS property. USACE has developed this AM consistent with CERCLA, as amended by the Superfund Amendments and Reauthorization Act, and to the extent practicable with the National Oil and Hazardous Substances Pollution Contingency Plan. This AM will be incorporated into the Administrative Record file for the Port Angeles Combat Range FUDS property, which will be available immediately after signature. Once the AM is signed, the Administrative Record file becomes the Administrative Record and will be made available for viewing within 60-days of the beginning of the on-site activities. This document, presenting a selected removal action with the total cost of approximately \$50,374 is approved by the undersigned, pursuant to Memorandum, CENWD-PDM, 10 September 2019, Subject: Re-delegation of Assignment of Mission Execution Functions Associated with Department of Defense Lead Agent Responsibilities for the Formerly Used Defense Sites Program.

APPROVED:

HANSEN.ERIC.V.1463958340 Digitally signed by
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Date: 2020.03.23 16:11:32
-07'00'

Eric V. Hansen, SES
Director, Regional Business
Northwestern Division

Date

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Figures

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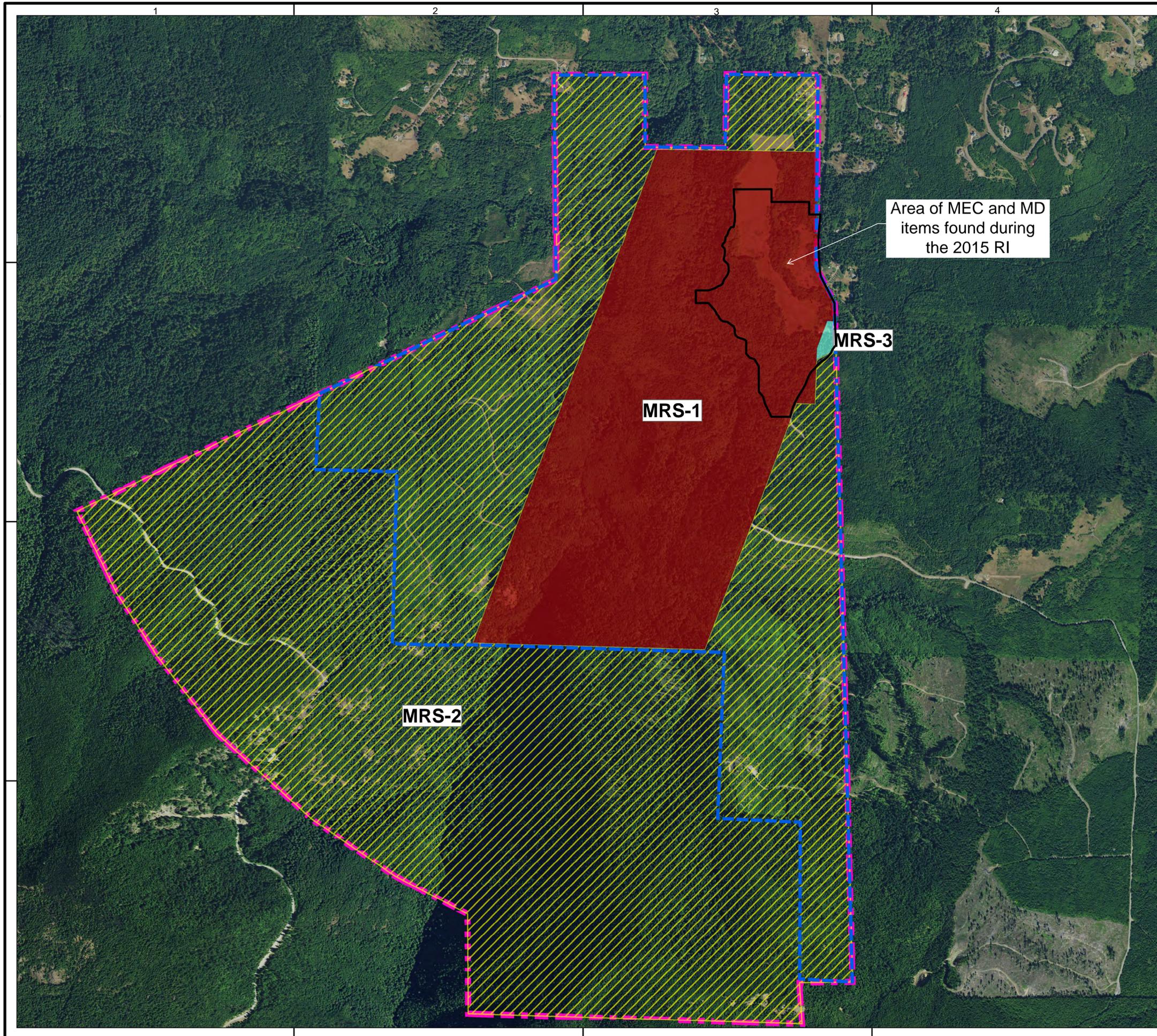
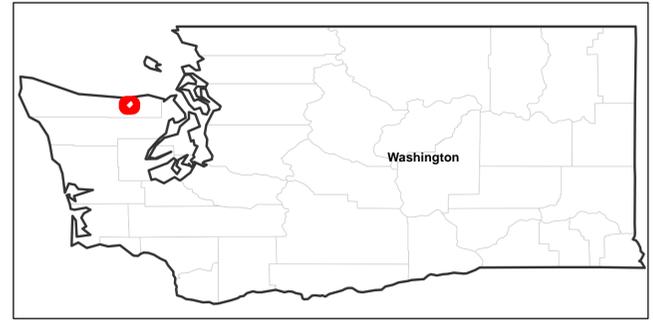


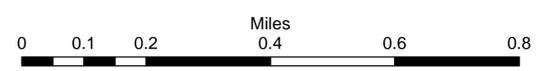

Figure 2-1
Site Location and MRS Designations

T. 29 N., R. 5 W., W.M.



Legend

-  Area of MEC and MD items found (2015 RI)
-  Assisted Visual Survey Area
-  MRS-1: City of Port Angeles Property (619 Acres)
-  MRS-2: 2007 Acres.
-  MRS-3: No ROE Access during the RI (3 Acres)
- MRS = Munitions Response Site
-  Port Angeles Combat Range Property Boundary



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Figure 2-2

