

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

**Courcelle Brothers U.S. Army Reserve Center (VT005)
16 North Street Extension
Rutland, Vermont 05701**

October 2012

DRAFT

**FINDING OF SUITABILITY TO TRANSFER
(FOST)
Courcelle Brothers USAR Center (VT005)
Rutland, Vermont**

October 2012

1. PURPOSE

The purpose of this Finding of Suitability to Transfer (FOST) is to document the environmental suitability of property at the Courcelle Brothers United States Army Reserve (USAR) Center, located in Rutland, Vermont, for transfer to the City of Rutland 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 Access Provision and other Deed Provisions and the Environmental Protection Provisions (EPPs) necessary to protect human health or the environment after such transfer.

2. PROPERTY DESCRIPTION

The property consists of approximately 5.45 acres, which includes two permanent buildings: an Administration Building and Organizational Maintenance Shop (OMS). The property was previously used for administrative, training and logistical purposes and vehicle and equipment maintenance. The property is intended to be transferred for use as recreational administrative, programming, and maintenance activities and is consistent with the intended reuse of the property as set forth in the City of Rutland's Reuse Plan. 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 an Environmental Condition of Property (ECP) Report prepared in March 2007 and supplemented by an ECP Update Report finalized in March 2012. The information provided is a result of a search of agency files during the development of these environmental surveys.

A list of documents providing information on environmental conditions of the property is attached (Enclosure 2).

4. ENVIRONMENTAL CONDITION OF PROPERTY

The DOD Environmental Condition of Property (ECP) categories for the property are as follows:

ECP Category 2: Courcelle Brothers USAR Center (VT005)

A summary of the ECP categories for specific buildings, parcels, or operable units and the ECP category definitions is provided in Table 1 – Description of Property (Enclosure 3).

4.1. Environmental Remediation Sites

The following remediation/investigation sites are located on the property: 1) Three underground storage tanks have been removed from the Property: One 550-gallon waste oil tank; one 500-gallon fuel oil tank; and one 4,000-gallon fuel oil tank. The 550-gallon waste oil tank was removed in 1995 and the other two USTs closed by removal in 2002. A No Further Action (NFA) status was granted by Vermont Department of Environmental Conservation (VTDEC) for the closure of the 550-gallon waste oil UST; however NFA documentation was not available for the remaining two USTs. Regardless, no recorded releases are associated with any of the former USTs and the Property was not identified on the inventory of leaking underground storage tanks. Refer to Section 3.4.1 of the 2007 ECP Report for additional information. 2) The USAR Center was listed on the Spills and Emergency Response Notification System (ERNS) databases due to petroleum spills reported in 1993 and 2000. On September 14, 1993, three 1-gallon containers of fuel oil were “tipped over” on the pavement. According to the spill report, speedy dry and adsorbents were placed on the spill, picked up and disposed of. In May 2000, approximately 10 gallons of hydraulic oil was spilled at the northern part of the MEP lot. Contaminated soil was scooped up and loaded into a 5-ton dump truck, and eventually property disposed of at an offsite facility. Refer to Section 4.0 of the 2012 ECP Update Report for additional information.

All environmental soil and/or groundwater remediation/investigation activities on the property have been completed.

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 40 CFR Part 373 reportable quantities. Refer to Section 3.3 of the 2007 ECP Report for additional information. See Table 2 – Notification of Hazardous Substance Storage, Release, or Disposal (Enclosure 4).

4.3. Petroleum and Petroleum Products

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

- **Current UST/AST Sites** - There are no current UST sites at the Property. Two ASTs containing fuel oil are located at the Property: One 2,000-gallon tank at the OMS and one 4,000-gallon tank at the Administration Building. A small leak was identified in the fuel line of the 2,000-gallon AST, but was repaired on January 26, 2012. No subsurface impacts occurred as a result of the leak. Refer to Section 6.0 of the 2012 ECP Update Report for additional information. There is no evidence of petroleum releases from these sites.
- **Former UST/AST Sites** – There were three underground storage tanks that have been removed from the Property: One 550-gallon waste oil tank; one 500-gallon

fuel oil tank; and one 4,000-gallon fuel oil tank. The 550-gallon waste oil tank was removed in 1995 and the other two USTs closed by removal in 2002. There is no evidence of petroleum releases from these sites. Refer to Section 3.4.1 of the 2007 ECP Report for additional information.

A summary of the UST/AST petroleum product activities is provided in Table 3 – Notification of Petroleum Products Storage, Release, or Disposal (Enclosure 5).

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.

A summary of the UST/AST petroleum product activities is provided in Table 3 – Notification of Petroleum Products Storage, Release, or Disposal (Enclosure 5).

4.4. Polychlorinated Biphenyls (PCB)

The following electrical equipment is located on the property that may contain PCBs: Five pole-mounted transformers located along the North Street Extension right-of-way. This equipment is owned and operated by Central Vermont Public Service (CVPS) and has been determined not to be leaking.

4.5. Asbestos

There is asbestos containing material (ACM) and presumed asbestos containing material (PACM) in the following buildings: Administrative Building and OMS. See *Asbestos Visual Inspection Report* (Small Business Group, Inc, 2012) within Enclosure 8 for additional information.

The ACM within the Administration Building includes: non-friable 9”x9” brown vinyl floor tile and associated mastic, non-friable duct vibration cloth within the ducts, and non-friable exterior black perimeter flashing cement.

The ACM within the OMS includes: non friable 12”x12” tan/white vinyl floor tile and associated mastic.

The PACM within the Administration Building includes: friable 2’x2’ white ceiling tiles, non-friable carpet mastic, non-friable black cove base and associated mastic, non-friable fire door, non-friable 12”x12” vinyl floor tile and associated mastic, non-friable white cove base and associated mastic, non-friable exterior stucco, and non-friable exterior window and door caulking.

Any remaining asbestos that has not been removed or encapsulated will not present an unacceptable risk to human health because the transferee assumes responsibility for abatement or management of any ACM in accordance with applicable federal, state, and local requirements. The deed will include an asbestos warning and covenant (Enclosure 7).

4.6. Lead-Based Paint (LBP) and Lead-Contaminated Dust (Lead Dust) Hazards

The following buildings are known or presumed to contain lead-based paint (LBP): Administration Building and OMS. See Section 6.7 of the 2007 ECP Report for additional information. The property was not used for residential purposes and the transferee does not intend to use the property for residential purposes in the future.

The following buildings are known to contain lead contaminated dust from a former indoor firing range: Administration Building. Lead contaminated dust was remediated after the range was closed. See *Firing Range Cleanup Report (IT, 2004)*, located in Appendix D of the 2007 ECP Report for additional information. The deed will include a lead-based paint and a lead dust warning and covenant (Enclosure 7).

4.7. Radiological Materials

There is no evidence that radioactive material or sources were released on the property. All radioactive materials have been removed from the property. The Army completed a radiological survey of the Property in compliance with the accepted federal government protocol (MARSSIM Class 3). The Radiological Assessment Report found no evidence that radiological contamination or radioactive material was present and concluded that the Property can be considered non-impacted and available for unrestricted use relative to radioactive materials. On 31 May 2012, the US Army Chief of Staff for Installations BRAC Deputy concluded the site is free of radiological concerns in the *Memo, Radiological Results for Chester Memorial USARC, Chester, VT, May 2012*. See Enclosure 9 for additional information.

4.8. Radon

A radon survey was conducted in 1994 at the Administration Building on the. Radon was not detected at above the EPA residential action level of 4 picocuries per liter (pCi/L) at the USAR Center. See Section 6.8 of the 2007 ECP Report for additional information.

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 (MEC) are present on the property. In addition the property has historically been used as an administrative and vehicle maintenance facility. The term "MEC" means military munitions that may pose unique explosives safety risks, including: (A) unexploded ordnance (UXO), as defined in 10 U.S.C. §101(e)(5); (B) discarded military munitions (DMM), as defined in 10 U.S.C. §2710(e)(2); or (C) munitions constituents (e.g., TNT, RDX), as defined in 10 U.S.C. §2710(e)(3), present in high enough concentrations to pose an explosive hazard.

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

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

6. ENVIRONMENTAL REMEDIATION AGREEMENTS

There are no environmental remediation orders or agreements applicable to the property being transferred. The deed will include a provision reserving the Army's right to conduct remediation activities if necessary in the future (Enclosure 6).

7. REGULATORY/PUBLIC COORDINATION

The U.S. EPA, the Vermont Department of Environmental Conservation (VTDEC), 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 in Enclosure 10.

8. NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) COMPLIANCE

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 are documented in the Environmental Analysis, *BRAC 05 Recommendations for Closure, Disposal, and Reuse of Courcelle Brothers United State Army Reserve Center, City of Rutland, Vermont, February 2012*. There were no encumbrances or conditions identified in the NEPA analysis as necessary to protect human health or the environment.

9. 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). In addition, all Department of Defense requirements to reach a finding of suitability to transfer have been met, subject to the terms and conditions set forth in the attached Environmental Protection Provisions that shall be included in the deed for the property. The deed will also include a Notice, an Access Provision, and Other Deed Provisions.

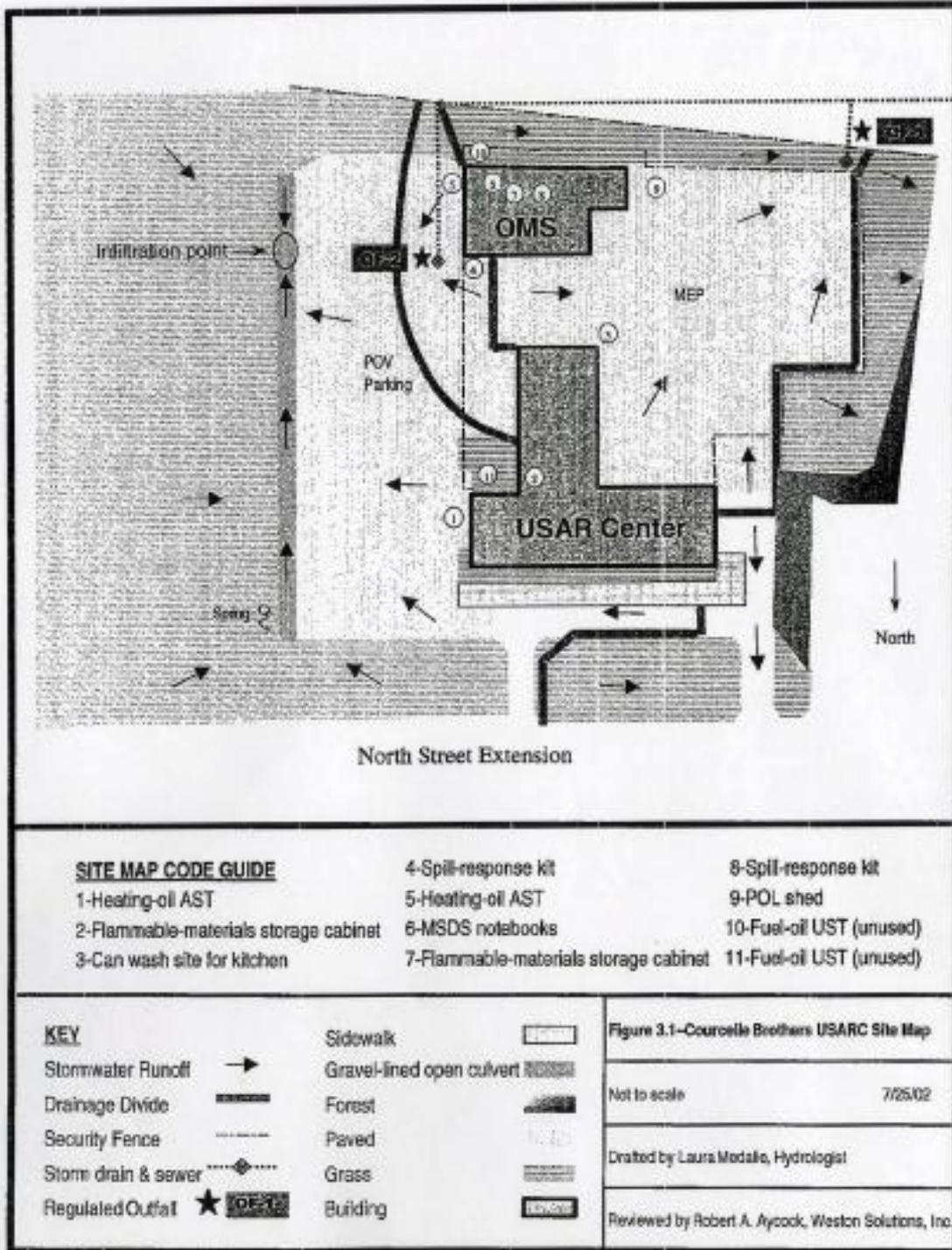
WILLIAM D. R. WAFF
Major General
Commanding General

Date

8 Enclosures

- Encl 1 -- Site Map of Property
- Encl 2 -- Environmental Documentation
- Encl 3 -- Table 1 -- Description of Property
- Encl 4 -- Table 2 -- Notification of Hazardous Substance Storage, Release, or Disposal
- Encl 5 -- Table 3 -- Notification of Petroleum Product Storage, Release, or Disposal
- Encl 6 -- Access Provision and Other Deed Provisions
- Encl 7-- Environmental Protection Provisions
- Encl 8 -- Asbestos Report
- Encl 9 -- Radiological Memo
- Encl 10 -- Regulatory/Public Comments and Army Response

ENCLOSURE 1 SITE MAP OF PROPERTY



*Source: 2007 ECP Report

ENCLOSURE 2

ENVIRONMENTAL DOCUMENTATION

Document	Source
Environmental Condition of Property Report for Courcelle Brothers U.S. Army Reserve Center (VT005), Rutland, Vermont, prepared by CH2M Hill, March 2007	USACE
Environmental Condition of Property Update Report, Courcelle Brothers U.S. Army Reserve Center (VT005), Rutland, Vermont, prepared by XCEL Engineering, Inc., March 2012	USACE
BRAC 05 Recommendations for Closure, Disposal, and Reuse of Courcelle Brothers United State Army Reserve Center, City of Rutland, Vermont, January, 2012	99th RSC
Finding of No Significant Impact, BRAC 05 Recommendations for Closure, Disposal, and Reuse of Courcelle Brothers United State Army Reserve Center, City of Rutland, Vermont, February, 2012	99 th RSC
Memo, Radiological Survey at Courcelle Brothers United States Army Reserve Center, Rutland, VT, May 2012	99th RSC
Asbestos Visual Inspection Report, July 2012	99 th RSC

ENCLOSURE 3

TABLE 1 – DESCRIPTION OF PROPERTY

Building Number and Property Description	Condition Category	Remedial Actions
The entire Parcel	2	Complete. The USAR Center was listed on the Spills and Emergency Response Notification System (ERNS) database due to petroleum spills reported in 1993 and 2000. On September 14, 1993, three 1-gallon containers of fuel oil were “tipped over” on the pavement. According to the spill report, speedy dry and adsorbents were placed on the spill, picked up and disposed of. In May 2000, approximately 10 gallons of hydraulic oil was spilled at the northern part of the MEP lot. Contaminated soil was scooped up and loaded into a 5-ton dump truck, and eventually taken to an offsite facility. Based on the quantity of these spills and reported immediate corrective action, these spills are not expected to significantly impact the environmental condition of the Property and no further action is currently recommended. Refer to Section 4.0 of the 2012 ECP Update Report for additional information.

- 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)
- Category 2: Areas where only release or disposal of petroleum products has occurred.
- Category 3: Areas where release, disposal, and/or migration of hazardous substances has occurred, but at concentrations that do not require a removal or remedial response.
- Category 4: Areas where release, disposal, and/or migration of hazardous substances has occurred, and all removal or remedial actions to protect human health and the environment have been taken).

ENCLOSURE 4

TABLE 2 – NOTIFICATION OF HAZARDOUS SUBSTANCE STORAGE, RELEASE, OR DISPOSAL

Building Number	Name of Hazardous Substance(s)	Date of Storage, Release, or Disposal	Remedial Actions
The entire Parcel including all buildings.	No hazardous substances were stored, released or disposed of on the property in excess of 40 CFR Part 373 reportable quantities.	1956 to Present	None required. Actions required for petroleum products are described in Table 3 – Notification of Petroleum Products Storage, Release, or Disposal (Enclosure 5).
<p>* The information contained in this notice is required under the authority of regulations promulgated under section 120(h) of the Comprehensive Environmental Response, Liability, and Compensation Act (CERCLA or ‘Superfund’) 42 U.S.C. §9620(h). This table provides information on the storage of hazardous substances for one year or more in quantities greater than or equal to 1,000 kilograms or the hazardous substance’s CERCLA reportable quantity (which ever is greater). In addition, it provides information on the known release of hazardous substances in quantities greater than or equal to the substances CERCLA reportable quantity. See 40 CFR Part 373.</p>			

ENCLOSURE 5

TABLE 3 – NOTIFICATION OF PETROLEUM PRODUCT STORAGE, RELEASE, OR DISPOSAL

Building Number	Name of Petroleum Product(s)	Date of Storage, Release, or Disposal	Remedial Actions
USAR Center, MEP lot	3 gallons of fuel oil, 10 gallons of hydraulic oil	Spill incidents occurred in 1993 and 2000	<p>Complete. The USAR Center was listed on the Spills and Emergency Response Notification System (ERNS) database due to petroleum spills reported in 1993 and 2000. On September 14, 1993, three 1-gallon containers of fuel oil were “tipped over” on the pavement. According to the spill report, speedy dry and adsorbents were placed on the spill, picked up and disposed of. In May 2000, approximately 10 gallons of hydraulic oil was spilled at the northern part of the MEP lot. Contaminated soil was scooped up and loaded into a 5-ton dump truck, and eventually taken to an offsite facility. Based on the quantity of these spills and reported immediate corrective action, these spills are not expected to significantly impact the environmental condition of the Property and no further action is currently recommended. Refer to Section 4.0 of the 2012 ECP Update Report for additional information.</p>

ENCLOSURE 6

CERCLA NOTICE, COVENANT, AND ACCESS PROVISIONS AND OTHER DEED PROVISIONS

The following Access Provisions along with the Other Deed Provisions, will be placed in the deed in a substantially similar form to ensure protection of human health and the environment and to preclude any interference with ongoing or completed remediation activities.

1. RIGHT OF ACCESS

A. The United States retains and reserves a perpetual and assignable easement and right of access on, over, and through the property, to enter upon the property in any case in which an environmental response action or corrective action is found to be necessary on the part of the United States, without regard to whether such environmental response action or corrective action is on the Property or on adjoining or nearby lands. Such easement and right of access includes, without limitation, the right to perform any environmental investigation, survey, monitoring, sampling, testing, drilling, boring, coring, test-pitting, installing monitoring or pumping wells or other treatment facilities, response action, corrective action, or any other action necessary for the United States to meet its responsibilities under applicable laws and as provided for in this instrument. Such easement and right of access shall be binding on the Grantee and its successors and assigns and shall run with the land.

B. In exercising such easement and right of access, the United States shall provide the Grantee or its successors or assigns, as the case may be, with reasonable notice of its intent to enter upon the Property and exercise its rights under this clause, which notice may be severely curtailed or even eliminated in emergency situations. The United States shall use reasonable means to avoid and to minimize interference with the Grantee's and the Grantee's successors' and assigns' quiet enjoyment of the property. At the completion of work, the work site shall be reasonably restored. Such easement and right of access includes the right to obtain and use utility services, including water, gas, electricity, sewer, and communications services available on the Property at a reasonable charge to the United States. Excluding the reasonable charges for such utility services, no fee, charge, or compensation will be due the Grantee nor its successors and assigns, for the exercise of the easement and right of access hereby retained and reserved by the United States.

C. In exercising such easement and right of access, neither the Grantee nor its successors and assigns, as the case may be, shall have any claim at law or equity against the United States or any officer, employee, agent, contractor of any tier, or servant of the United States based on actions taken by the United States or its officers, employees, agents, contractors of any tier, or servants pursuant to and in accordance with this covenant. In addition, the Grantee, its successors and assigns, shall not interfere with any response action or corrective action conducted by the Grantor on the Property.

2. “AS IS”

A. The Grantee acknowledges that it has inspected or has had the opportunity to inspect the Property and accepts the condition and state of repair of the subject Property. The Grantee understands and agrees that the Property and any part thereof is offered “AS IS” without any representation, warranty, or guaranty by the Grantor as to quantity, quality, title, character, condition, size, or kind, or that the same is in condition or fit to be used for the purpose(s) intended by the Grantee, and no claim for allowance or deduction upon such grounds will be considered.

B. No warranties, either express or implied, are given with regard to the condition of the Property, including, without limitation, whether the Property does or does not contain asbestos or lead-based paint. The Grantee shall be deemed to have relied solely on its own judgment in assessing the overall condition of all or any portion of the Property, including, without limitation, any asbestos, lead-based paint, or other conditions on the Property. The failure of the Grantee to inspect or to exercise due diligence to be fully informed as to the condition of all or any portion of the Property offered, will not constitute grounds for any claim or demand against the United States.

C. Nothing in this “As Is” provision will be construed to modify or negate the Grantor’s obligation under CERCLA or any other statutory obligations.

3. HOLD HARMLESS

A. To the extent authorized by law, the Grantee, its successors and assigns, covenant and agree to indemnify and hold harmless the Grantor, its officers, agents, and employees from (1) any and all claims, damages, judgments, losses, and costs, including fines and penalties, arising out of the violation of the NOTICES, USE RESTRICTIONS, AND RESTRICTIVE COVENANTS in this Deed by the Grantee, its successors and assigns, and (2) any and all claims, damages, and judgments arising out of, or in any manner predicated upon, exposure to asbestos, lead-based paint, or other condition on any portion of the Property after the date of conveyance.

B. The Grantee, its successors and assigns, covenant and agree that the Grantor shall not be responsible for any costs associated with modification or termination of the NOTICES, USE RESTRICTIONS, AND RESTRICTIVE COVENANTS in this Deed, including without limitation, any costs associated with additional investigation or remediation of asbestos, lead-based paint, or other condition on any portion of the Property.

C. Nothing in this Hold Harmless provision will be construed to modify or negate the Grantor’s obligation under CERCLA or any other statutory obligations.

4. POST-TRANSFER DISCOVERY OF CONTAMINATION

A. If an actual or threatened release of a hazardous substance or petroleum product is discovered on the Property after the date of conveyance, Grantee, its successors or assigns, shall be responsible for such release or newly discovered substance unless Grantee is able to demonstrate that such release or such newly discovered substance was due to Grantor’s activities, use, or

ownership of the Property. If the Grantee, its successors or assigns believe the discovered hazardous substance is due to Grantor's activities, use or ownership of the Property, Grantee will immediately secure the site and notify the Grantor of the existence of the hazardous substances, and Grantee will not further disturb such hazardous substances without the written permission of the Grantor.

B. Grantee, its successors and assigns, as consideration for the conveyance of the Property, agree to release Grantor from any liability or responsibility for any claims arising solely out of the release of any hazardous substance or petroleum product on the Property occurring after the date of the delivery and acceptance of this Deed, where such substance or product was placed on the Property by the Grantee, or its successors, assigns, employees, invitees, agents or contractors, after the conveyance. This paragraph shall not affect the Grantor's responsibilities to conduct response actions or corrective actions that are required by applicable laws, rules and regulations.

5. ENVIRONMENTAL PROTECTION PROVISIONS

The Environmental Protection Provisions are in Enclosure 7, which is attached hereto and made a part hereof. The Grantee 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 the Environmental Protection Provisions in all further deeds, easements, transfers, leases, or grant of any interest, privilege, or license.

ENCLOSURE 7

ENVIRONMENTAL PROTECTION PROVISIONS

The following conditions, restrictions, and notifications will be attached, in a substantially similar form, as an exhibit to the deed and be incorporated therein by reference in order to ensure protection of human health and the environment.

1. NOTICE OF THE PRESENCE OF ASBESTOS AND COVENANT

A. The Grantee is hereby informed and does acknowledge that friable and non-friable asbestos or asbestos containing material "ACM" has been found on the Property. The Property may also contain improvements, such as buildings, facilities, equipment, and pipelines, above and below the ground, that contain friable and non-friable asbestos or ACM. The Occupational Safety and Health Administration (OSHA) and the Environmental Protection Agency have determined that unprotected or unregulated exposure to airborne asbestos fibers increases the risk of asbestos-related diseases, including certain cancers that can result in disability or death.

B. The following building(s) on the Property has (have) been determined to contain friable asbestos: Administration Building. The Grantee agrees to undertake any and all asbestos abatement or remediation in the aforementioned buildings that may be required under applicable law or regulation at no expense to the Grantor. The Grantor has agreed to transfer said buildings to the Grantee, prior to remediation or abatement of asbestos hazards, in reliance upon the Grantee's express representation and covenant to perform the required asbestos abatement or remediation of these buildings.

C. The Grantee covenants and agrees that its use and occupancy of the Property will be in compliance with all applicable laws relating to asbestos. The Grantee agrees to be responsible for any future remediation or abatement of asbestos found to be necessary on the Property to include ACM in or on buried pipelines that may be required under applicable law or regulation.

D. The Grantee acknowledges that it has inspected or has had the opportunity to inspect the Property as to its asbestos and ACM condition and any hazardous or environmental conditions relating thereto. The Grantee shall be deemed to have relied solely on its own judgment in assessing the overall condition of all or any portion of the Property, including, without limitation, any asbestos or ACM hazards or concerns.

2. NOTICE OF THE PRESENCE OF LEAD-BASED PAINT (LBP) AND COVENANT AGAINST THE USE OF THE PROPERTY FOR RESIDENTIAL PURPOSE

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 there is a risk of exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning.

B. The Grantee covenants and agrees that it shall not permit the occupancy or use of any buildings or structures on the Property as Residential Property, as defined under 24 Code of Federal Regulations Part 35, 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 abatement requirements under Title X of the Housing and Community Development Act of 1992 (Residential Lead-Based Paint Hazard Reduction Act of 1992).

C. The Grantee acknowledges that it has inspected or has had the opportunity to inspect the Property as to its lead-based paint content and condition and any hazardous or environmental conditions relating thereto. The Grantee shall be deemed to have relied solely on its own judgment in assessing the overall condition of all or any portion of the Property, including, without limitation, any lead-based paint hazards or concerns.

3. NOTICE OF PESTICIDE APPLICATIONS AND COVENANT

A. The Grantee is hereby notified and acknowledges that registered pesticides have been applied to the property conveyed herein and may continue to be present thereon. The Grantee further acknowledges that where a pesticide was applied by the Grantor or at the Grantor's direction, the pesticide was applied in accordance with its intended purpose and consistently with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)(7 U.S.C. § 136, et seq.) and other applicable laws and regulations.

B. The Grantee covenants and agrees that if the Grantee takes any action with regard to the property, including demolition of structures or any disturbance or removal of soil that may expose, or cause a release of, a threatened release of, or an exposure to, any such pesticide, Grantee assumes all responsibility and liability therefore.

4. NOTICE AND COVENANT OF LEAD-CONTAMINATED DUST FROM FORMER USE AS AN INDOOR FIRING RANGE

A. The Administration Building on the Property was formerly used as an indoor firing range. Lead-contaminated dust was remediated, and confirmation sampling indicates lead concentrations below 200 $\mu\text{g}/\text{ft}^2$. The Grantee, its successors and assigns are hereby notified and acknowledge that additional lead-contaminated dusty remediation may be necessary for a particular use or to comply with applicable law. All costs for any additional remediation for lead-contaminated dust shall be at the sole expense of Grantee, its successor or assigns, and not the United States. Furthermore, the remediation of lead contaminated dust inside buildings is not within the scope of releases that make a response action necessary under CERCLA Section 120(h)(3)(A).

ENCLOSURE 8

ASBESTOS REPORT

DRAFT

ASBESTOS VISUAL INSPECTION REPORT



99TH REGIONAL SUPPORT COMMAND
UNITED STATES ARMY RESERVE
FORT DIX, NEW JERSEY

COURCELLE BROTHERS US ARMY RESERVE CENTER

RUTLAND, VERMONT

(USAR FACID: VT005 - SITE CODE: 50805)

July 2012

ASBESTOS VISUAL INSPECTION REPORT



**COURCELLE BROTHERS US ARMY RESERVE CENTER
(VT005) - (50805)
16 NORTH STREET EXTENSION
RUTLAND, VERMONT**

Submitted By



Small Business Group, Inc.
10179 Highway 78
Ladson, South Carolina 29456

Submitted to



United States Army Corps of Engineers
Savannah District

Prepared for



99TH REGIONAL SUPPORT COMMAND
UNITED STATES ARMY RESERVE
FORT DIX, NEW JERSEY



171 Commerce Street
Williston, Vermont 05495
www.atcassociates.com
802.862.1980
Fax 802.862.1405

August 6, 2012

Mark Moltzen
SBG EEG
10179 Highway 78
Ladson, SC 29456

RE: Asbestos Visual Inspection
US Army Reserve Center
16 North Street Extension
Rutland, Vermont
ATC Project #: 63.43398.0001

Dear Mr. Moltzen:

This report details the findings of the asbestos inspection performed by ATC Associates Inc. (ATC) at the above referenced site.

Asbestos Visual Inspection (no sampling)

The visual inspection was performed by ATC on July 9, 2012. The facility consists of two (2) buildings and an associated parking lot. Building 1 is an approximately 16,200 square-foot one-story administrative building with concrete block walls and a flat rubber coated roof. Building 2 is an approximately 5,150 square-foot one-story maintenance shop with concrete block walls and flat rubber coated roof. According to a prior report dated June 1998 and prepared by Covino Environmental Consultants, Inc. of Woburn, Massachusetts, both buildings were reportedly constructed in 1955. The asbestos visual inspection included a re-inspection of previously identified asbestos containing building materials (ACM) from the interior and exterior of the facility as well as identifying any observed presumed asbestos containing materials (PACM) which was not identified in the prior report. No samples were collected as part of this scope of work. The inspection was conducted per state and federal regulations.

Please refer to the listing of known and presumed suspect asbestos containing materials (**Appendix A**) and a room by room list of asbestos containing material (**Appendix B**) for details concerning further material description, location, condition, potential for disturbance and approximate quantities of ACM and PACM identified in this inspection. Please refer to the Asbestos Location Diagram (**Appendix C**) for more details.

RECOMMENDATIONS

- Prior to any renovations/demolition to the buildings, any asbestos containing materials that may be disturbed must be removed or abated as required (per State and Federal regulations).
- Suspect ACM that was not sampled during this inspection should be tested prior to disturbance. Inaccessible areas and materials should be surveyed (via selective demo if needed) prior to the start of renovation activities to appropriately determine the extent of necessary abatement.

Mr. Mark Moltzen
August 6, 2012
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- Asbestos abatement activities must be performed by a State-certified abatement contractor following all applicable State and Federal regulations. Abatement activities should be designed by a Vermont State-certified asbestos project designer and overseen by a Vermont-certified asbestos project monitor.

Appendix D contains the appropriate ATC certifications. Thank you for selecting ATC Associates Inc. for your environmental management needs. If you have any questions please do not hesitate to call us at (802) 862-1980.

Sincerely,

ATC ASSOCIATES INC.



Mark Fuller
Project Manager



Thomas J. Broido
Branch Manager

Appendix A

List of Suspect Asbestos Containing Building Materials

LIST OF CONFIRMED AND SUSPECT ACBM

Prior Report (1998)

According to the Asbestos Inspection Report prepared by Covino Environmental Consultants, Inc., dated June 1998, the following building materials were previously identified as asbestos-containing:

Building 1:

- H-1: 9"x9" Brown Vinyl Floor Tile and Associated Mastic
- H-2: 12"x12" White Vinyl Floor Tile and Associated Mastic
- H-3: 9"x9" Gray and Light Brown Vinyl Floor Tile and Associated Mastic
- H-4: Gray Mudded Fitting Insulation on Fiberglass Insulated Pipes
- H-5: Black perimeter Flashing Cement – Roof
- H-6: Duct Vibration Cloth

Building 2:

- H-7: 12"x12" Tan/White Vinyl Floor Tile and Associated Mastic
(None detected, TEM moderate Chrysotile)

ATC Re-Inspection

ATC's re-inspection confirmed the continued presence of materials H-1, H-5 and 6 in Building 1 and H-7 in Building 2 in the same quantities as were reported in the 1998 report, with the exception of H-1. In addition to those materials identified in the 1998 report, ATC's re-inspection identified the following suspect ACM at the facility:

Building 1:

- X-1: Fire Doors
- X-2: White Window and Door Caulking
- X-3: 2' x 2' White Ceiling Tile
- X-4: Carpet Mastic
- X-5: Exterior Tan Stucco
- X-6: 12" x 12" Beige w/Brown Streaks Vinyl Floor Tile and Associated Mastic
- X-7: White Cove Base and Associated Mastic
- X-8: Black Cove Base and Associated Mastic

Building 2:

- X-1: Black Cove Base and Associated Mastic

Appendix B

Room by Room List of ACBM

US Army Reserve Center
 16 North Extension Street, Rutland, Vermont
 Room by Room List of ACMB or PACM
 ATC Project #63.43398.0001
 Page 1 of 3

BUILDING 1

<u>Location</u>	<u>Homogenous Material</u>	<u>Description</u>	<u>Type of ACMB</u>	<u>Approximate Quantity</u>	<u>Condition</u>	<u>Potential for Disturbance</u>
Office #112						
Floor	H-1	9"x9" Brown Vinyl Floor Tile and Associated Mastic	Miscellaneous Non-Friable	150 SF	Good	Low Potential
Roof						
Edge of Roof	H-5	Black Perimeter Flashing Cement	Miscellaneous Non-Friable	800 SF	Good	Low Potential
Assembly Hall						
Ducts	H-6	Duct Vibration Cloth*	Miscellaneous Non-Friable	400 SF	Good	Low Potential
Library/Classroom						
Ceilings	X-3	2' x2' White Ceiling Tiles*	Miscellaneous Friable	200 SF	Good	Low Potential
Floor	X-4	Carpet Mastic*	Miscellaneous Non-Friable	200 SF	Good	Low Potential
Floor	X-8	Black Cove Base and Associates Mastic*	Miscellaneous Non-Friable	50 LF	Good	Low Potential
Office/Admin						
Ceilings	X-3	2' x2' White Ceiling Tiles*	Miscellaneous Friable	300 SF	Good	Low Potential
Floor	X-4	Carpet Mastic*	Miscellaneous Non-Friable	300 SF	Good	Low Potential
Floor	X-8	Black Cove Base and Associates Mastic*	Miscellaneous Non-Friable	70 LF	Good	Low Potential
Vault						
Door	X-1	Fire Door*	Miscellaneous Non-Friable	1 units	Good	Low Potential

* Indicates materials not previously sampled and presumed to contain asbestos.

** Indicates material none detected, TEM moderate Chrysotile

US Army Reserve Center
16 North Extension Street, Rutland, Vermont
Room by Room List of ACBM or PACM
ATC Project #63.43398.0001
Page 2 of 3

BUILDING 1

<u>Location</u>	<u>Homogenous Material</u>	<u>Description</u>	<u>Type of ACBM</u>	<u>Approximate Quantity</u>	<u>Condition</u>	<u>Potential for Disturbance</u>
Throughout Floor	X-6	12"x12" Beige w/Brown Streaks Vinyl Floor Tile an Associated Mastic*	Miscellaneous Non-Friable	3000 SF	Good	Low Potential
Floor	X-7	White Base Cove and Associates Mastic*	Miscellaneous Non-Friable	800 LF	Good	Low Potential
Exterior Wall	X-5	Exterior Tan Stucco*	Miscellaneous Non-Friable	3000 SF	Good	Low Potential
Wall	X-2	White Window and Door Caulking*	Miscellaneous Non-Friable	400 LF	Good	Low Potential

* Indicates materials not previously sampled and presumed to contain asbestos.

** Indicates material none detected, TEM moderate Chrysotile

US Army Reserve Center
16 North Extension Street, Rutland, Vermont
Room by Room List of ACBM or PACM
ATC Project #63.43398.0001
Page 3 of 3

BUILDING 2

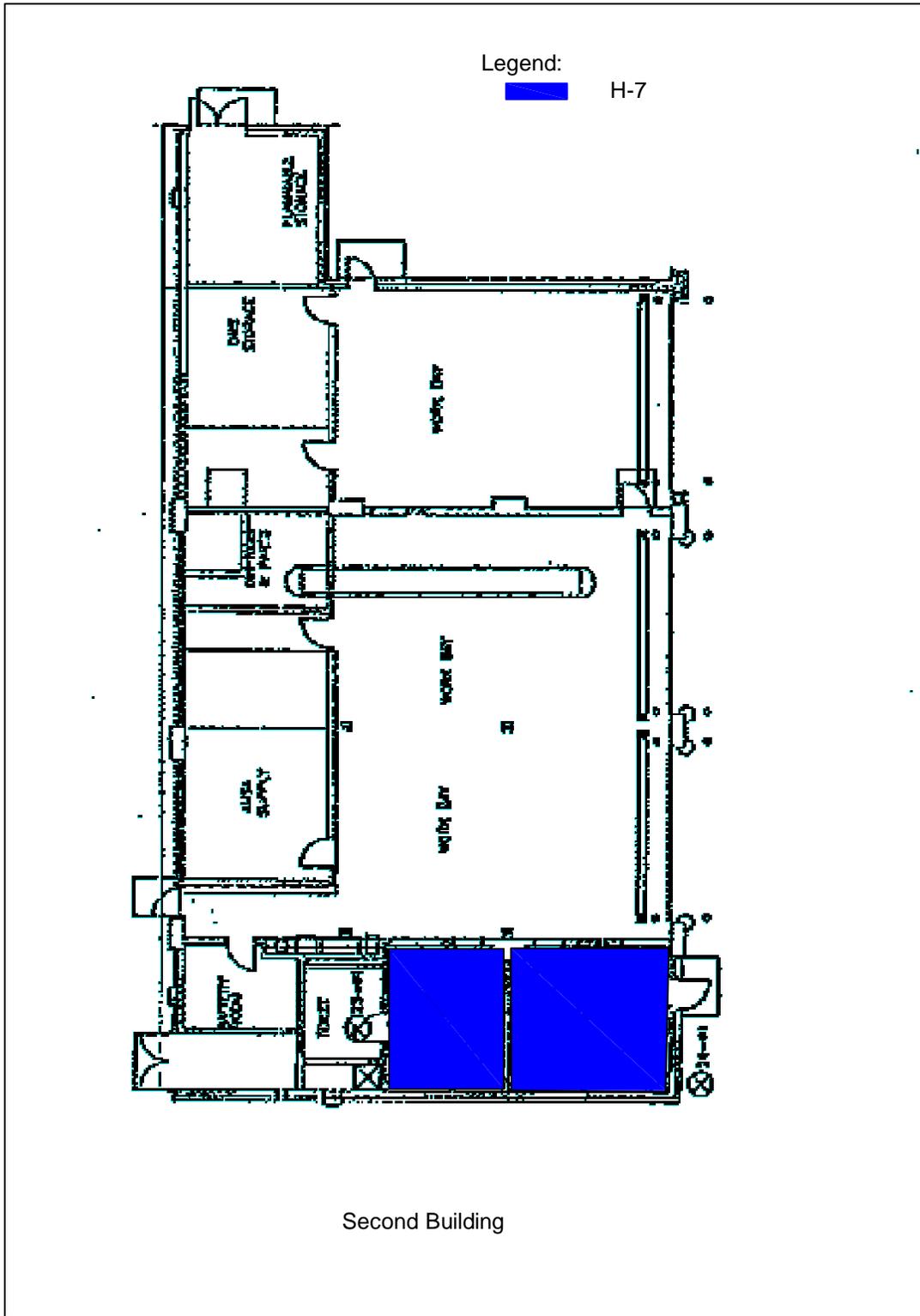
Location	Homogenous Material		Description	Type of ACBM	Approximate Quantity	Condition	Potential for Disturbance
Room #M-04 Floor	H-7		12"x12" Tan/White Vinyl Floor Tile an Associated Mastic**	Miscellaneous Non-Friable	180 SF	Good	Low Potential
Room #M-05 Floor	H-7		12"x12" Tan/White Vinyl Floor Tile an Associated Mastic**	Miscellaneous Non-Friable	180 SF	Good	Low Potential

* Indicates materials not previously sampled and presumed to contain asbestos.

** Indicates material none detected, TEM moderate Chrysotile

Appendix C

Asbestos Location Diagram



Appendix D
Certifications

VERMONT DEPARTMENT OF HEALTH
Asbestos & Lead Regulatory Program

Asbestos Site Inspector
Not a Legal Form of ID

MARK E. FULLER

Eff. Date **07/19/11**
Exp. Date **08/12/12**

CONES
AI014087



Renewal

ASBESTOS SITE INSPECTOR

MARK E. FULLER
221 FULLER ACRES DRIVE
WATERBURY CENTER VT 05677

Vermont Department of Health
Drawer 30
P.O. Box 70
Burlington, VT 05402

LICENSE: AI014087

EXPIRES: Sunday, August 12, 2012

CERIFICATE OF LICENSE
VERMONT ASBESTOS REGULATORY PROGRAM

THIS CERTIFICATE SHALL REMAIN IN FORCE UNTIL THE EXPIRATION DATE UNLESS REVOKED OR VOIDED BEFORE THAT TIME. THIS CERTIFICATE IS NOT TRANSFERABLE AND IS VALID ONLY FOR THE ABOVE PARTY.

THIS CERTIFICATE IS FOR OFFICE USE ONLY. PHOTO ID CARD MUST BE ON SITE AT ALL TIMES

VERMONT DEPARTMENT OF HEALTH
Asbestos & Lead Regulatory Program

Asbestos Site Inspector
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MARK E. FULLER

Eff. Date **07/02/12**
Exp. Date **08/12/13**

CONES
AI014087



Renewal

ASBESTOS SITE INSPECTOR

MARK E. FULLER
221 FULLER ACRES DRIVE
WATERBURY CENTER VT 05677

Vermont Department of Health
Drawer 30
P.O. Box 70
Burlington, VT 05402

LICENSE: AI014087

EXPIRES: Monday, August 12, 2013

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ENCLOSURE 9

RADIOLOGICAL MEMO



REPLY TO
ATTENTION OF

DAIM-ODB

31 May 2012

DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT CHIEF OF STAFF FOR INSTALLATION MANAGEMENT
600 ARMY PENTAGON
WASHINGTON, DC 20310-0600

MEMORANDUM FOR RECORD

SUBJECT: Results from the Radiological Survey at the Courcelle Brothers U.S. Army Reserve Center (USARC), Rutland, Vermont

1. On 31 May 2012, the final survey work for the radiological release at the Courcelle Brothers USARC was completed in compliance with the accepted federal government protocol (MARSSIM Class 3). The enclosed Radiological Survey Report provides an evaluation of radiological materials used and the summary of findings and results. The report concludes that no further action is required with respect to the radioactive devices or materials identified. The site is free of radiological concerns.
2. Our point of contact for questions or comments is Mr. Hans Honerlah, Health Physicist, U.S. Army Corps of Engineers, Baltimore District, 410-962-4400, electronic email hans.b.honerlah@usace.army.mil.

A handwritten signature in cursive script that reads "Thomas E. Lederle".

Thomas E. Lederle
Deputy Chief, ACSIM
BRAC Division

ENCLOSURE 10

REGULATORY/PUBLIC COMMENTS & ARMY RESPONSE

WILL BE UPDATED AFTER PUBLIC COMMENT

DRAFT