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Department of Toxic Substances Control

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ALAMEDA POINT
SSIC NO. 5090.3



Arnold Schwarzenegger
Governor

June 28, 2006

Mr. Thomas L. Macchiarella, Code BPMOW.TLM
Department of the Navy
Base Realignment and Closure Program Management Office West
1455 Frazee Road, Suite 900
San Diego, California 92108-4310

RESPONSE TO REQUEST FOR IDENTIFICATION OF STATE "APPLICABLE" OR "RELEVANT AND APPROPRIATE" REQUIREMENTS (ARARS) FOR INSTALLATION RESTORATION SITE 2 AT ALAMEDA POINT, ALAMEDA CALIFORNIA

Dear Mr. Macchiarella:

In a letter dated May 25, 2006, the U.S. Navy requested that the Department of Toxic Substances Control (DTSC) identify potential State chemical-specific, action specific, and location specific ARARs for Installation Restoration Site 2, West Beach Landfill and Wetlands. Previously, in a letter dated September 12, 1996, the Navy formally requested State ARARs for the Remedial Investigation (RI) and Feasibility Study (FS) of the Naval Air Station Alameda (currently, Alameda Point). DTSC responded in a letter dated November 13, 1996 with a list of California laws, regulations and policies for potential application at the Alameda Point.

The list of California laws, regulations, and policies previously provided to the Navy on November 13, 1996 is appropriate as a starting point for use by the Navy in consideration of ARAR selection. Regulations promulgated subsequent to 1996, such as those found at California Code of Regulations (Cal. Code Regs.), title 22, section 67391.1 (Land Use Covenants) should also be included. DTSC anticipates that many of the ARARs listed in the FS for Site 1, 1943 to 1956 Disposal Area, will also apply to Site 2. Additional potential ARARs include the following:

DTSC anticipates that the Navy will suggest that Resource Conservation and Recovery Act (RCRA) regulations found at Cal. Code Regs., title 22, section 66264.100 (corrective action monitoring) will apply to Site 2. However, additional portions of Cal.

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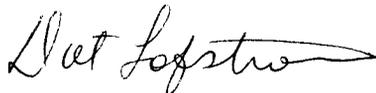
Code Regs., title 22, section 66264.90, et seq. (Article 6) may also apply to Site 2, specifically, Cal. Code Regs., title 22, section 66264.97 (General Water Quality Monitoring and System Requirements) and Cal. Code Regs., title 22, section 66264.98 (Detection Monitoring System). These sections describe groundwater monitoring requirements for permitted landfills, and are considered substantive RCRA requirements.

The objective of the Article 6 regulations is to ensure that constituents in or derived from waste do not pose a threat to human health or the environment. A corrective action groundwater monitoring program, as described in Cal. Code Regs., title 22, section 66264.100, is the appropriate program for areas where groundwater has been impacted by hazardous constituents. However, a detection monitoring groundwater program (rather than a corrective action groundwater monitoring program) may be more appropriate for the less impacted groundwater area, specifically near the southern boundary of Site 2. Authority to require a detection monitoring program can be found at Cal. Code Regs., title 22 section 66264.91(c), which states, "In conjunction with an evaluation monitoring program or a corrective action program, the owner or operator shall continue to conduct a detection monitoring program under Section 66264.98 as necessary to provide the best assurance of the detection of subsequent releases from the regulated unit."

As additional information is obtained during the FS, DTSC is available for further consultation in this matter. I look forward to working closely with the Navy during the FS process to ensure timely and complete ARAR identification.

If you have any questions or comments, please call me at (916) 255-6449.

Sincerely,



Dot Lofstrom, P.G.
Project Manager
Northern California Operations
Office of Military Facilities

cc: See next page.

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