



DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE WEST
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ALAMEDA POINT
SSIC NO. 5090.3

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22 May 2006

Ms. Dot Lofstrom
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, CA 95826-3200

SUBJECT: IDENTIFICATION OF STATE "APPLICABLE" OR "RELEVANT AND APPROPRIATE" REQUIREMENTS (ARARS) FOR INSTALLATION RESTORATION SITE 35 AT ALAMEDA POINT, ALAMEDA, CALIFORNIA

Dear Ms. Lofstrom:

Pursuant to previous discussions and to accomplish the goals of Alameda Point, Installation Restoration (IR) program, we are hereby requesting that the Department of Toxic Substances Control (DTSC) identify potential State chemical-specific, action specific, and location specific ARARs for Installation Restoration Site 35 (Areas of Concern in Transfer Parcel EDC-5). Information on this site can be found in the *Final Work Plan for Remedial Investigation for IR Site 35*, dated March 2006.

In addition, the Department of the Navy (DON) is requesting that the State of California identify any other criteria, advisories, guidance, and proposed standards that the State requests be considered (TBCs) for the Site 35. Please coordinate responses from all California state agencies.

Timely identification of potential State ARARs is required under Section 121(d)(2)(A) of CERCLA and under the National Contingency Plan (NCP), 40 CFR 300.400(g) and 300.515(d) & (h). Experience to date around the country has shown that a failure to identify ARARs with sufficient precision, early in the process, can cause severe disruptions in timely implementation of remedial action. To ensure timely and complete ARARs identification, please include the following information:

1. A specific citation to the statutory or regulatory provision(s) for the potential State ARAR and the date of enactment or promulgation.
2. A brief description of why the potential STATE ARAR is applicable or relevant and appropriate to the Site 35.
3. A description of how the potential State ARAR would apply to potential remedial action, including: specific numeric discharge, effluent, or emission limitations;

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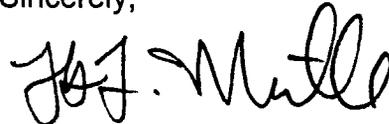
hazardous substance/constituent action or cleanup levels; etc., if the State intends to take the position that the potential State ARAR includes such limitations, levels, etc.

4. If the State believes its proposed ARAR is more stringent than the corresponding Federal ARAR, please provide the rationale and technical justification for this position.

5. If the State determines that there is not enough information to fully respond to our request, please identify any additional information that would be required to support identification of State ARARs and their application.

Consistent with 40 CFR 300.515(h)(2), we are requesting that you send a response within 30 calendar days of receipt of this request. If you have any technical questions concerning this request, please call Greg Lorton at (619) 532-0953. For any legal questions, please call Mr. Rex Callaway, Environmental Counsel at (619) 532-0988.

Sincerely,



THOMAS L. MACCHIARELLA
BRAC Environmental Coordinator
By direction of the Director