



DEPARTMENT OF THE NAVY

NAVAL AIR STATION
MOFFETT FIELD, CA 94035-5000

IN REPLY REFER TO

5090
Ser 189/3 207
24 AUG 1988

Hazardous Materials Division
Stanislaus County Department of Environmental Resources
Attn: Dr. Jim Simpson
1716 Morgan Road
Modesto, CA 95351

Gentlemen:

In your letter (received June 6, 1988) you asked us to determine responsibilities for Naval Auxiliary Landing Field (NALF) Crows Landing under California's Health and Safety Code, Section 25500 et seq. This section is commonly known as California's Community Right-To-Know Act. This act specifically regulates "businesses", defined as any profit or nonprofit "employer, self-employed individual, trust firm, joint stock company corporation partnership, or association." This definition does not include the United States Government nor any of its agencies. Therefore, the California Community Right-To-Know Act by its own terms does not apply to Navy operations at NALF Crows Landing.

In the spirit of cooperation our Environmental coordinator inspected NALF Crows Landing for threshold planning quantities (TPQ) of hazardous substances listed in Appendix A of 40 CFR 355. NALF Crows Landing stores no hazardous substances that meets TPQ. Attached is the exemption statement you requested in your letter.

If you have any further questions regarding this matter contact Mr. Michael Cain our Environmental Coordinator at (415) 966-5744.

Sincerely,

Encl:

(1) Exemption Statement

Copy to:

Officer in Charge, Naval Auxiliary Landing Field, Crows Landing
Commander Western Division, Naval Facilities Engineering Command,
Attn: Kate D' Andrea

14

IMPORTANT

PLEASE READ THIS AFTER YOU HAVE READ THE COVER LETTER

EXEMPTION STATEMENT

I understand the requirements of Chapter 6.95, Division 20, Section 25500 et seq. of the Health and Safety Code which pertains to emergency planning by businesses using hazardous materials. My business is exempt from the business emergency plan requirements because of one of the following exemptions:

- It does not handle a hazardous material, or a mixture containing a hazardous material, in a quantity that exceeds a total weight of 500 pounds, or a total volume of 55 gallons, or 200 cubic feet at standard temperature and pressure for compressed gas at any one time during the year; and/or
- The hazardous material handled by this business is contained solely in a consumer product packaged for direct distribution to, and use by, the general public; and/or
- Hazardous material used by this business is for the purposes of cultivating the soil or raising or harvesting an agricultural or a horticultural commodity; and/or
- Other (Describe in detail for review by administering agency)

This exemption applies only while you remain under the minimum quantity limits for hazardous materials. If you exceed the limits at any time during the year then you must comply with the provisions of the law.

To prevent further action by the administering agency you must certify that you are exempt from this law. To accomplish this you must complete and mail this notice to the address listed below.

MAIL TO: Stanislaus County Environmental Resources Department
Hazardous Materials Division
1716 Morgan Road, Modesto, CA 95351

I certify, under penalty of perjury, that I have read the information regarding Chapter 6.95 of the Health and Safety Code, and that my business is exempt from these requirements. I understand that random checks may be conducted to insure exemption status.

Name (Print) C.T. MOYER III, CAPTAIN, U.S. NAVY, COMMANDING OFFICER, NAS MOFFETT FIELD CA

Signature _____

Name of Business NAVAL AUXILIARY LANDING FIELD, CROWS LANDING

Address CROWS LANDING, CA 95313

Date _____ Phone (415)966-5746