



DEPARTMENT OF THE NAVY
SOUTHWEST DIVISION
NAVAL FACILITIES ENGINEERING COMMAND
ENVIRONMENTAL DIVISION
1220 PACIFIC HIGHWAY, RM 18
SAN DIEGO, CALIFORNIA 92132-5181

M60050.000132
MCAS EL TORO
SSIC # 5090.3

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May 13, 1993

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Joe J. Zarnoch
Project Manager
State of California Environmental Protection Agency
Department of Toxic Substance Control, Region 4
Site Mitigation Branch
245 Broadway, Suite 350
Long Beach, CA 90802-4444

Re: IDENTIFICATION OF STATE "APPLICABLE" OR "RELEVANT AND APPROPRIATE"
REQUIREMENTS (ARARs) FOR THE REMEDIAL INVESTIGATION AND FEASIBILITY
STUDY (RI/FS) AT MARINE CORPS AIR STATION, EL TORO

Dear Mr. Zarnoch:

Pursuant to our previous discussions and paragraphs 7.6(a) & (b) of the Federal Facility Agreement (FFA) and consistent with §V.A.2.c of the August 1, 1990 Memorandum of Understanding Between the Department of Health Services, the State Water Resources Control Board, and the Regional Water Quality Control Boards For the Cleanup of Hazardous Waste Sites, we are hereby requesting that the Department of Toxic Substances Control, as the lead agency for the State of California, identify potential State chemical-specific and location-specific ARARs for Operable Units (OUs) #1-3 (IR Sites #1-22); and in addition, action-specific ARARs for OU-#1 (IR Site #18).

Via the CH2M Hill transmittal of April 8, 93 (addressed to Mr. Manny Alonzo) and the May 7, 93 submittal of the Phase I Remedial Investigation Technical Memo, we transmitted to you preliminary site characterization data for IR Sites #1-22. The site characterization data should allow you to begin to identify, with specificity, State chemical-specific and location-specific ARARs for IR Sites #1-22 as well as action-specific ARARs for IR Site #18. Please note that a similar request for action-specific ARARs will be transmitted after remedial alternatives have been screened and developed for the Detailed Analysis of Alternatives phase of the FS.

In addition, the Department of the Navy 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 above-identified IR Sites, which have entered the RI/FS phase.

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 RI/FS process, can cause severe disruptions in timely implementation of remedial action. To ensure timely and complete ARARs identification, for each IR Site listed, above 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 particular OU (or IR Site).

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3. A description of how the potential State ARAR would apply to potential remedial action, including: specific numeric discharge, effluent, or emission limitations; 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 via first class mail addressed to me and postmarked within 30 calendar days of receipt of this request. We would like to discuss your response at a meeting as provided in FFA ¶7.6(b). Please direct any technical questions that you may have concerning this request to the undersigned (619-532-2532) and any legal questions to Rex Callaway, Associate Counsel (Environmental), SOUTHWESTNAVFACENCOM (619-532-1662).

Sincerely,



F. ANDREW PISZKIN
Remedial Project Manager
By direction of
the Commanding Officer

Copy to:
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