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ENVIRONMENTAL LEGAL



**ORANGE  
COUNTY  
WATER  
DISTRICT**

OFFICE OF THE  
GENERAL MANAGER

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JAN 22 1996

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SOUTHWEST NAVFACE

M60050.002636  
MCAS EL TORO  
SSIC #5090.3

January 12, 1996

Mr. Gerard Thibeault  
Santa Ana Regional Water Quality Control Board  
3737 Main Street, Suite 500  
Riverside, CA 92501-3339

Mr. John Scandura  
California Department of Toxic Substances Control  
245 West Broadway, Suite 425  
Long Beach, CA 90802-4444

**SUBJECT: Principal Aquifer Cleanup Objectives for MCAS El Toro**

Dear Messrs. Thibeault and Scandura:

Orange County Water District (OCWD) staff has reviewed the comments from the U.S. Environmental Protection Agency (EPA) on the draft Interim Action Feasibility Study (IAFS) report for OU-1 at MCAS El Toro. We were surprised that the EPA's comments indicate that it may allow groundwater TCE concentrations at several times the state and federal drinking water standards to remain in the principal aquifer, a potable supply source. The comments submitted by your agencies do not specifically refute EPA's comments. However, we ask you, as the designated state regulatory agencies and signatories of the El Toro Federal Facilities Agreement, whether EPA's comments in regard to a possible no-action alternative for the principal aquifer are in compliance with state ARARs. Does state legislation such as the Porter-Cologne Water Quality Act and State Water Resources Control Board Resolution 68-16 apply here? Is the Department of Navy (DON) legally required to meet both federal and state ARARs when determining remedial action objectives?

I ask for your respective positions on these issues and whether they conform, in whole or in part, to those of EPA.

We believe that DON should be required to clean up the areas of both the shallow and principal aquifers that exceed the federal and state drinking water standards for all contaminants that were introduced by the base. We would

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Mr. Gerard Thibeault and Mr. John Scandura  
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like to schedule a meeting with you at your earliest convenience to discuss your positions on these issues so that we may determine our future course of action.

Sincerely,

  
William R. Mills Jr., P.E.  
General Manager

cc: Bonnie Arthur, U.S. EPA Region IX  
Rex Callaway, SWDIV Naval Facilities Engineering Command

TOTAL P.03