



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

N68311.000669
NAVSTA LONG BEACH
SSIC #5090.3

5090
Ser 1832.KB/027
October 17, 1995

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Alvaro Gutierrez
Department of Toxic Substances Control
Region 4
245 West Broadway, Suite 245
Long Beach, CA 90802-4444

Dear Mr. Gutierrez:

Pursuant to our previous discussions 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 (RWQCB) for the Cleanup of Hazardous Waste Sites, we are hereby requesting that the Department of Toxic Substances Control (DTSC), as the lead agency for the State of California, identify potential State action-specific ARARs for Installation Restoration (IR) Site 3.

Please refer to the May 17, 1995, Draft Remedial Investigation and the June 16, 1995 Draft Feasibility Study when identifying State action-specific ARARs. The removal action proposed at Site 3 is excavation and off site disposal of arsenic contaminated soil.

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 for the above-identified IR site.

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) and (h). Experience to date around the country has shown that a failure to identify ARARs with sufficient precision, can cause severe disruptions in timely completion of a remedial action. To ensure timely and complete ARARs identification, for the 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.

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2. A brief description of why the potential State ARAR is applicable or relevant and appropriate to the particular Operable Unit (or IR Site).
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, level, 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 the undersigned and postmarked within 30 calendar days of receipt of this request. Your timely response will assist in the Navy's efforts to complete the non-time critical removal.

Please direct any technical questions that you may have concerning this request to the undersigned at (619) 532-3873 and any legal questions to Mr. Armando Alvarez, Assistant Counsel (Environmental), at (619) 532-3262.

Sincerely,



KURT BAER
Remedial Project Manager
By direction of
the Commanding Officer

Copy to:
Commander
Long Beach Naval Shipyard (Codes 106, 106.3)
300 Skipjack Road
Long Beach, CA 90822-5099