

5090
Ser 09ER2EG/L4294
6 Jul 1994

Mr. Thomas P. Lanphar
State of California Environmental Protection Agency
Department of Toxic Substance Control, Region 2
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2737

Subj: Identification of State Applicable or Relevant and Appropriate Requirements (ARAR) for the Remedial Investigation/Feasibility Study (RI/FS) at Naval Station Treasure Island

Dear Mr. Lanphar:

Pursuant to our previous discussions and paragraphs 7.7 (a) & (b) of the Federal Facility Site Remediation Agreement (FFSRA) 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 installation restoration (IR) Sites 1, 4, 6 - 17, 19 - 22, 24, 25, and 27 - 29 at Naval Station Treasure Island.

In our letter of November 8, 1993 we transmitted to you the draft Phase I Remedial Investigation (RI) report. In addition, we discussed this data at the Project Managers' meetings of March 21, 30, April 15, 21, and 28, 1994. The draft Phase I RI data should allow you to begin to identify, with some specificity, State chemical-specific and location-specific ARARs. 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 to be considered (TBC) 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 individual 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 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, 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 post-marked within 30 calendar days of receipt of this request. We would like to discuss your response at a meeting as provided in FFSRA paragraph 7.7 (b). Please direct any technical questions that you may have concerning this request to the undersigned at (415) 244-2560 and any legal question to Marvin Norman (415) 244-2100.

Sincerely,

Original signed by:

Ernesto M. Galang
Remedial Project Manager

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Copy to:

California Department of Toxic Substances Control (Attn: Ms. Mary Rose Cassa)
California Regional Water Quality Control Board (Attn: Ms. Gina Kathuria)
California Department of Fish and Game (Attn: Dr. Michael Martin)
US Environmental Protection Agency, Region IX (Attn: Ms. Rachel Simons)
US Fish & Wildlife Services (Attn: Mr. Steve Schwarzbach)
Bay Area Air Quality Management District (Attn: Mr. Julian Elliot)
Bay Conservation and Development Commission (Attn: Mr. Steve McAdam)
National Oceanic & Atmospheric Administration (Attn: Ms. Denise Klimas)
Restoration Advisory Board (Attn: Mr. Don Angus)
Restoration Advisory Board (Attn: Ms. Michelle Dunne-Iverson)
NAVSTA Treasure Island (Attn: Mr. Jim Sullivan)
NAVSTA Treasure Island (Attn: Mr. Eddie Sarmiento)
PRC Environmental Management, Inc. (Attn: Ms. Anne Ording)

Blind copy to:

09ER2, 09ER2EG
Admin Records (3 copies)
Writer: E. Galang, 09ER2EG, X-2560
Chron, blue, pink, green
File: NAVSTA Treasure Island