

Memorandum

N60028_001365
TREASURE ISLAND
SSIC NO. 5090.3.A

Date: March 3, 2006

To: Mr. David Rist
Remedial Project Manager
Office of Military Facilities
Department of Toxic Substances Control (DTSC)
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From: Department of Health Services
Environmental Management Branch
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1616 Capitol Avenue
Sacramento, California 95899-7413

Subject: Request for Applicable or Relevant and Appropriate Requirements (ARARs) for
Draft Feasibility Study for Installation Restoration, Naval Station Treasure Island,
California

This is in response to your request, dated February 7, 2006, for Applicable or Relevant and Appropriate Requirements (ARARs) for Naval Station Treasure Island.

As an Agreement State with the Nuclear Regulatory Commission (NRC), California licenses and monitors compliance of byproduct materials use as defined by the Atomic Energy Act of 1954. In addition, the Department of Health Services (DHS) controls the uses of naturally occurring radioactive materials (e.g. radium-226). DHS regulatory authority does not include the licensing and compliance monitoring of facilities under exclusive federal jurisdiction. This is the NRC's responsibility. DHS becomes involved when a federal facility (e.g. a military base) is going to close and revert to State control. We are currently providing radiological consultation for closing military bases in California in preparation for the bases being transferred into State, local or private ownership.

Listed below are the regulations, statutes and guidance that pertain to radioactive materials found on military bases in California.

1. Title 10, Code of Federal Regulations (CFR), Sections 20.1001-2402 and Appendices A through F, as incorporated by reference to Title 17, California Code of Regulations (CCR), Section 30253. A significant change in the regulations, as adopted by California, is that the federal term "licensee" is replaced by "user" as defined in Title 17, CCR, Section 30100.
2. Title 10, Code of Federal Regulations (CFR), Sections 20.1402 through 20.1404, Radiological Criteria for License Termination, Final Rule.
3. Relevant guidance documents published by the Nuclear Regulatory Commission

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(NRC) (e.g. NUREG/CR - 5849).

If you have questions about DHS' ARARs or their applications to this base, please contact me at (916) 449-5921.



Penny Leinwander
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