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Ser 1911KH/Crows Landing/DOHS

14 OCT 1988

Department of Health Services
Toxic Substances Control Division
Alternate Technology Section
Attn: Mr. Arvind Shah
714/744 P Street
P.O. Box 942732
Sacramento, CA 94234-7320

**Subj: FEDERAL FACILITY PERMIT EXEMPTION FOR ON-SITE TREATMENT AT NAVAL
AUXILIARY LANDING FIELD CROWS LANDING**

In our September 22, 1988 letter to your department, we indicated that the Navy is interested in participating in the Department of Health Services Demonstration Grant awarded to Roy F. Weston, Inc. at Naval Auxiliary Landing Field (NALF), Crows Landing, CA. Since our letter to you, we have initiated arrangements with the Naval Civil Engineering Laboratory to contract with Roy F. Weston, Inc. to demonstrate their Low Temperature Thermal Treatment System at NALF Crows Landing.

In section 101 (23) and (24) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980 as amended by the Superfund Amendment and Reauthorization Act of 1986, the terms "removal" and "remedial" are defined as any action necessary to monitor, assess and evaluate the release or threat of release of a hazardous substance, as well as the disposal of removed material, or the actions necessary to prevent, minimize, or mitigate the damage to the public health and welfare or to the environment.

We consider the proposed research program including treatment of the soil to be a Removal Action. Section 121(a) of CERCLA provides that:

No Federal, State, or local permit shall be required for the portion of any removal or remedial action conducted entirely on-site, where such remedial action is selected and carried out in compliance with this section.

Therefore, we will not be applying for any treatment permits to conduct our proposed research program. However, the Navy and the Contractor will coordinate closely with all concerned regulatory agencies to assure that our activities satisfy environmental protection standards. We will also be developing an Engineering Evaluation/Cost Analysis (EE/CA) report and Action Memorandum for Removal Actions in order to meet the substantive requirements of federal and state laws.

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We will provide you with our draft EE/CA for review and comment. Questions regarding this matter can be directed to Commander, Western Division, Naval Facilities Engineering Command (Attn: Kathy Nakazawa, Code 1811KN at (415) 877-7505).

Sincerely,

Original signed by:

Louise T. Law
Head, HPL Section

Copy to:

Department of Health Services, Sacramento, ATS (Attn: Fred Tornature)
Department of Health Services, Sacramento (Attn: Gordon Stephens)
Environmental Protection Agency (Attn: Hick Morgan)
Regional Water Quality Control Board (Attn: Kenneth Landau)
Roy F. Weston, Inc. (Attn: John Chicca)

Blind copy to:

NCEL (Jeff Heath)
NAS Moffett Field (LT Heckman)
NALF Crows Landing (LT CHDR Kelley)
0905, 093, 1811, 1811KN, 1811RS, Admin. Record

WRITER: K. Nakazawa/1811KN/7502

TYPIST: B. Palmer/14 Oct 88/Ser 3825h

FILE: CROWS LANDING/DOHS