



DEPARTMENT OF THE NAVY  
SOUTHWEST DIVISION  
NAVAL FACILITIES ENGINEERING COMMAND  
1220 PACIFIC HIGHWAY  
SAN DIEGO, CA 92132-5190

5090  
Ser 05BL.TM/0539  
February 10, 1999

Mr. Alvaro Gutierrez  
California Environmental Protection Agency  
Department of Toxic Substances Control  
5796 ~~7596~~ Corporate Way  
Cypress, CA 90630

Dear Mr. Gutierrez:

We received your letter of January 29, 1999, regarding the Pre-Final Record of Decision (ROD) for Sites 3-6A at the former Naval Station Long Beach. This letter detailed the various reasons for the delay of approving the ROD by the Department of Toxic Substances Control (DTSC).

We would like to confirm that the only unresolved issue is the Land Use Covenant (LUC) language contained in Section 4.2 of the ROD. The current LUC language in Section 4.2 was developed jointly by the DTSC and Navy remedial project managers and real estate attorneys. They worked diligently for several days in late January to come up with this mutually agreeable LUC language.

It is our understanding that senior management at DTSC remains unwilling to sign the ROD due to additional concerns with the LUC language. Please provide DTSC's proposed changes to the LUC language so that the ROD can be signed at the earliest possible date.

Thank you in advance for your prompt attention to this matter. If you have any questions about this letter, please contact Mr. Thomas Macchiarella at (619) 532-4814 or the undersigned at (619) 532-4748.

Sincerely,

A handwritten signature in cursive script that reads "Alan K. Lee".

ALAN K. LEE  
BRAC Environmental Coordinator  
By direction of the Commander

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Copy to:  
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