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MOFFETT FIELD
SSIC NO. 5090.3

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
215 Fremont Street
San Francisco, Ca. 94105

0 9 DEC 1987

Captain C.T. Moyer III
Naval Air Station
Moffett Field, CA 94035-5000

Reference: Naval Air Station Moffett Field Letter
5090 Ser 00/2982

Dear Captain Moyer:

This letter is in response to your letter addressed to Judith Ayres regarding applicable or relevant and appropriate requirements (ARARs) for Naval Air Station Moffett Field (Moffett). This letter also confirms the phone conversation between Chloe Jue with the Western Division Naval Facilities Engineering Command and Lewis Mitani of this office on 15 October 1987 regarding ARARs for Moffett. By Executive Order 12580 dated January 23, 1987 the U.S. Navy is the lead agency for response actions at Moffett. As the lead agency, it is your responsibility to ensure that remedial actions comply with federal and state ARARs.

Interim Environmental Protection Agency (EPA) guidance identifies three types of ARARs:

1. Contaminant Specific - these are health or environmental based standards for substances which have been established under other environmental programs.
2. Location Specific - these requirements restrict certain activities from taking place at certain locations (i.e. historic preservation, flood-plains, etc.).
3. Action Specific - these requirements may specify particular performance levels, actions or technologies, as well as specific levels or methodology for setting specific levels for discharged or residual chemicals (i.e. Clean Water Act pretreatment standards for discharges to POTWs).

The identification of ARARs will be an iterative process throughout the Remedial Investigation/Feasibility Study (RI/FS). The revised National Contingency Plan (NCP), which is due out in a few months, and forthcoming guidance will specify certain times in the RI/FS where ARAR identification should take place.

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Initial guidance calls for the contaminant and location specific ARARs to be identified during the RI and action specific ARARs to be identified during the FS. It is the lead agency's responsibility for identifying ARARs. The identification of ARARs will then be reviewed by the regulatory agency(ies).

As for potential ARARs that EPA administers, Section 121(d) of SARA cites federal environmental law that may be considered ARARs including but not limited to, the Toxic Substances Control Act (TSCA), the Safe Drinking Water Act (SDWA), the Clean Air Act (CAA), the Clean Water Act (CWA), the Marine Protection, Research and Sanctuaries Act, and the Solid Waste Disposal Act (SWDA). In addition, the National Oil and Hazardous Substances Pollution Contingency Plan 40 CFR Part 300 (NCP), preamble Part V, lists potential ARARs. We are developing guidance on ARARs under the CWA, SDWA, CAA and the Resource Conservation and Recovery Act (RCRA). We encourage you to examine the requirements of these laws.

As to State and other Federal agency ARARs you should contact all concerned State and Federal regulatory agencies, including but not limited to agencies involved in hazardous waste management (such as the California Department of Health Services and the Regional Water Quality Control Board) as well as agencies involved with natural resource management (such as the California Coastal Commission, the California Department of Fish and Game, the U.S. Department of the Interior, and National Oceanic and Atmospheric Administration).

EPA requests you prepare an initial list of ARARs to be submitted for regulatory agency review. We would be pleased to meet with your staff to discuss concerns related to the development of ARARs after submittal of your initial list.

If you have any questions regarding this letter please contact Lewis Mitani of my staff at (415) 974-7836.

Sincerely,

for 
Jeff Zelikson, Director
Toxics and Waste Management Division

CC: Tom Berkins, RWQCB, San Francisco Bay Region
Howard Hatayama, DHS