



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

N30519\_000371  
NFD POINT MOLATE  
SSIC NO. 5090.3.A

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Ser 06CM.MB/1278  
September 11, 2003

**CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Ms. Adriana Constantinescu  
California Regional Water Quality Control Board  
San Francisco Bay Region  
1515 Clay Street, Suite 1400  
Oakland, CA 94612

Dear Ms. Constantinescu:

**SUBJECT: IDENTIFICATION OF STATE APPLICABLE OR RELEVANT AND APPROPRIATE REQUIREMENTS FOR THE FEASIBILITY STUDY OF INSTALLATION RESTORATION SITE 4 AND DISPOSAL AREA #5 AT NAVAL FUEL DEPOT POINT MOLATE, RICHMOND, CALIFORNIA**

Pursuant to accomplishing the goals of the Naval Fuel Depot Point Molate (NFD Point Molate) Installation Restoration (IR) program, we are hereby requesting that the California Regional Water Quality Control Board (San Francisco Bay Region), as the lead agency for the State of California, identify potential State chemical-specific and location-specific, and action-specific Applicable or Relevant and Appropriate Requirements (ARARs) for the Drum Lot #1 (IR Site 4) and Disposal Area #5 at NFD Point Molate.

The site characterization data presented in the Phase I Remedial Investigation (RI) report, (October 1994), Phase II RI (June 2000), Field Summary Report Supplemental Investigation Site-Specific Phase II Environmental Baseline Survey (August 2002), Report for Basewide Groundwater Monitoring October 2002 (January 2003), and Human Health and Ecological Risk Assessment IR Site 4 (March 2003) should allow you to begin to identify, with some specificity, State chemical-specific and location-specific ARARs. For action-specific ARARs, no action, monitoring natural attenuation and institutional controls, and institutional controls (enhanced reductive dechlorination) have been identified for the remediation of IR Site 4 and Disposal Area #5. The remedial alternatives will be discussed in detail in the Feasibility Study (FS), which will be issued in November 2003.

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 Site, which has entered the FS phase. Please coordinate responses from all California state agencies.

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 FS process can cause severe disruptions in timely implementation of remedial action. To ensure timely and complete ARARs identification for IR Site 4 and Disposal Area #5, please include the following information:

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1. A specific citation to the statutory or regulatory provision(s) for the potential State ARAR and the date of enactment or promulgation.
2. A brief description of why the potential State ARAR is applicable or relevant and appropriate to IR Site 4 and Disposal Area #5.
3. A description of how the potential State ARAR would apply to the 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 postmarked within 30 calendar days of receipt of this request. Please direct any technical questions that you may have concerning this request to Mr. John Kowalczyk (619) 532-0972 and any legal questions to Mr. Nick Bollo, Environmental Counsel at (619) 532-0909.

Sincerely,



MICHAEL S. BLOOM  
BRAC Environmental Coordinator  
By direction of the Commander

Copy to:  
Mr. Rod Satre  
Richmond Redevelopment Agency  
City of Richmond  
1401 Marina Way South  
Richmond, CA 94804

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Writer: J. Kowalczyk, 06CM.JK, 2-0972

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E-mail/ARAR Request to RWQCB Site4.doc

JKK