Terry Tamminen
Agency Secretary
Cal/EPA

Department of Toxic Substances Control

Edwin F. Lowry, Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Arnold Schwarzenegger
Governor

June 2, 2004

Mr. John Hill
Closure Business Line Team Leader
Department of the Navy
Southwest Division
Naval Facilities Engineering Command
1220 Pacific Highway
San Diego, California 92132-5190

CONCURRENCE WITH FINAL FINDING OF SUITABILITY TO TRANSFER (FOST), FOR PHASE IVB PROPERTY, AND DETERMINATION OF NO FURTHER ACTION FOR DEPARTMENT OF DEFENSE HOUSING FACILITY NOVATO (Parcel 15), LOCATED ON THE FORMER HAMILTON ARMY AIRFIELD, DATED APRIL 27, 2004

Dear Mr. Hill:

The Department of Toxic Substances Control (DTSC), and the Regional Water Quality Control Board (RWQCB), (collectively, the State), have reviewed the above referenced document and supporting qualitative risk assessment dated April 20, 2004.

The State hereby concurs with the FOST with one unresolved regulatory comment as follows: DTSC requests that the Navy provide a copy of the County of Marin Environmental Health Services Local Enforcement Agency (LEA) letter dated March 29, 2004, to property recipient. This letter advises the Navy that any construction of structures within 1000 feet of a landfill should be reviewed and approved by the LEA.

DTSC has also determined that No Further Action is necessary for Parcel 15 pursuant to California Health and Safety Code (HSC) Chapters 6.8 and 6.5 beyond the implementation of a land use covenant (LUC). The State's concurrence on the FOST is contingent on the Navy's signing of a LUC with the State prior to parcel transfer. This LUC will implement groundwater use restrictions based on impacts to groundwater from an MTBE plume originating from the adjacent Underground Storage Tank (UST) Site 957/970.

To complete the State's Site Mitigation Process, the Phase IVB property will be included in the basewide Remedial Action Plan and subsequent DTSC Certification.

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The State reserves the right to address any appropriate environmental or human health related issues should additional information concerning the environmental condition of subject property become available in the future.

Furthermore, please note that should this property be considered for the proposed acquisition and/or construction of school properties utilizing state funding, a separate environmental review process in compliance with California Education Code 12710 et.seq, will need to be conducted and approved by DTSC.

If you have any questions, please feel free to contact Ms. Theresa McGarry, Project Manager, at (916) 255-3664.

Sincerely,

Anthony J. Landis

Anthony J. Landis, P.E.
Chief
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Office of Military Facilities

Enclosures

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