

6.0 List of Applicable or Relevant and Appropriate Requirements and Performance Standards

6.1 Overview

Under CERCLA, remedial actions designed to clean up or abate contaminants in the ground-water or in soil, sediment, and surface waters must be designed, constructed, and operated to comply with all federal and more stringent state ARARs. ARARs include both federal requirements under any federal environmental law and state requirements under state environmental or facility siting laws that are more stringent than federal requirements and that have been identified by the State of California in a timely manner.

Applicable requirements are those cleanup standards, standards of control, and other substantive environmental protection requirements, criteria, or limitations promulgated under federal environmental, state environmental, or facility siting laws that specifically address a hazardous substance, pollutant, contaminant, remedial action, location, or other circumstance at a CERCLA site. Relevant and appropriate requirements include those that, while not “applicable” to a hazardous substance, pollutant, contaminant, remedial action, location, or other circumstance at a CERCLA site, nevertheless address problems or situations sufficiently similar to those encountered at the CERCLA site to indicate their use is well suited to the particular site. If a given requirement is both relevant and appropriate to a particular site, it constitutes a valid legal requirement for that site. A requirement must either be applicable or both relevant and appropriate to be an ARAR. If no ARAR addresses a particular situation, or if an ARAR is insufficient to protect human health or the environment, then non-promulgated standards, criteria, guidance, and TBC advisories are identified as additional performance standards in a ROD.

In general, on-site actions need to comply with only the substantive aspects of these requirements, not with corresponding administrative requirements (such as, but not limited to, permits, recordkeeping, and reporting).

All laws and statutes identified as ARARs for a particular site or action must be considered and applied during the design, construction, and operation of any remedial action at the particular site. ARARs are identified on a site-specific basis from data and information concerning that site. Data and information concerning the objectives of site remediation, specific actions that are being considered as remedies at that site, the hazardous substances located on the site, the physical and geological characteristics of the site, and the potential human and ecological receptors at or near the site must be analyzed and considered to properly identify ARARs at a particular site. All federal and more stringent state requirements that address or impact any of these conditions must be included as site ARARs.

The three categories of ARARs are described hereafter.

- Chemical-specific ARARs establish numerical values or provide methodologies that, when applied to site-specific conditions, result in the establishment of numerical values. These ARARs are developed by identifying the contaminants at a site that pose a threat to human health or the environment and that must be remediated. Chemical-specific ARARs determine acceptable concentrations of specific hazardous substances, pollutants, and contaminants in the environment and establish the levels to which the soil or groundwater at the affected site must be cleaned or restored to protect human health and the environment. Chemical-specific ARARs also establish the levels at which certain actions must be taken while transporting, treating, or storing hazardous wastes recovered during remediation.
- Location-specific ARARs are designed to protect the unique characteristics of the site or other areas potentially affected by site activities during the design, construction, or operation of remedial activities. Location-specific ARARs place restrictions on the concentrations of hazardous substances or the conduct of activities solely because the site occurs in, or may affect, a special location. Some examples include the protection of wetlands and vernal pools; protection of endangered or threatened species and their habitats; and the protection of fish and game from unauthorized taking.
- Action-specific ARARs are technologically or activity-based requirements or limitations on the particular remedial actions at the site. Some examples include prohibitions or restrictions against the discharge of chemicals or contaminants to the air, water, or soil and the proper transfer, treatment, or storage of chemicals and contaminants.

6.2 ARARs Identification, Development, and Evaluation

6.2.1 Methodology

As the lead agency, the Department of the Air Force has performed, in consultation with the U.S. EPA, each of the following actions consistent with CERCLA, the NCP, and the Travis AFB FFA.

- Identified federal ARARs for each remedial action alternative addressed in the NEWIOU FS, taking into account site-specific conditions found in the NEWIOU.
- Reviewed potential state ARARs identified by the State to determine whether each potential ARAR satisfied CERCLA and NCP criteria that must be met to qualify as state ARARs.
- Evaluated and compared federal ARARs and their state counterparts to determine which state ARARs are more stringent or are an addition to the federal ARARs.
- Reached a conclusion as to which federal and state requirements were the most stringent ARARs for each selected alternative.

6.2.2 Solicitation, Identification, and Evaluation of State ARARs

The Department of the Air Force followed the procedures of the process set forth in 40 CFR, Section 300.515, and the Travis AFB FFA for remedial actions in seeking state assistance in

identification of state ARARs. The CERCLA, NCP, and FFA requirements for remedial actions provide that the lead federal agency request that the State identify chemical-specific and location-specific state ARARs. The lead agency requested chemical-, location-, and action-specific ARARs from Cal-EPA/DTSC on 20 February 1997. The request letter included, as an attachment, the ARARs tables developed during the NEWIOU FS. These tables were developed using responses from the following:

- California Integrated Waste Management Board;
- Cal-EPA/DTSC;
- State Water Resources Control Board;
- California RWQCB;
- Bay Area Air Quality Management District (BAAQMD); and
- CDFG.

During the review and analysis of ARARs identified by the State, and following considerable discussion with the representatives from the various state agencies, many of the requirements identified by the State as potential ARARs were determined to be valid ARARs by the lead agency. The NEWIOU FS (Radian, 1996b) including ARARs, was finalized on 12 September 1997 with agency concurrence. These ARARs became the basis of ARARs in the subsequent NEWIOU Groundwater IROD (Travis AFB, 1997), WABOU FS (CH2M HILL, 1998a), WABOU Groundwater IROD (Travis AFB, 1998b), and the WABOU Soil ROD (Travis AFB, 2002a) with very few minor changes to suit the specific sites and media addressed in each document. Draft ARARs tables for NEWIOU soil, sediment, and surface water sites were developed from these previous tables of ARARs, updated to reflect any changes in regulations, and submitted to the U.S. EPA, Cal-EPA/DTSC, and San Francisco Bay RWQCB on 28 February 2002. Agency comments were subsequently provided and discussed in various remedial program manager (RPM) meetings. Upon review of the ARARs tables for inclusion in this ROD, in an effort to make this ROD somewhat more brief, the Air Force decided to not re-list the numerous ARARs applicable to the CAMU because those requirements are already set forth in the WABOU Soil ROD. The ARARs applicable to the CAMU that were set forth in the WABOU Soil ROD also apply to the remedial actions involving the CAMU taken pursuant to the NEWIOU SSSW ROD, and they are incorporated by reference into this ROD.

6.3 Determination of ARARs

This section identifies those requirements applicable or relevant and appropriate to soil, sediment, and surface water remediation; those that had no relevance were excluded from consideration. Specifically excluded were the following.

- Location-specific requirements addressing conditions not present at NEWIOU remediation sites;
- Chemical-specific requirements for COCs not present at NEWIOU remediation sites; and

- Action-specific requirements for remedial alternatives not used at NEWIOU remediation sites.

The ARARs for NEWIOU soil, sediment, and surface water sites and remedial actions, except those included in the WABOU Soil ROD concerning the CAMU, are listed in Tables II-6-1 through II-6-6 (all tables come at the end of this section).

6.4 Action-Specific ARARs

These ARARs place restrictions on remedial activities that may negatively impact the surrounding environment. The potential NEWIOU soil, sediment, and surface water remedial alternatives were analyzed to identify potential impacts to the environment. Those considered are discussed in the following sections.

6.4.1 Hazardous Waste Treatment, Storage, and Disposal Requirements

These requirements are technology- or activity-based requirements that place limitations on actions taken with respect to the hazardous waste. Regulations promulgated under the applicable provisions of the state-authorized federal RCRA and the more stringent provisions of the California Hazardous Waste Control Law (HWCL) are relevant and appropriate to RCRA-permitted storage facilities and the proper characterization of hazardous waste and storage and disposal of such waste. If any hazardous wastes are identified that will be transported off site, they will be disposed of and handled under applicable provisions of the state-authorized federal RCRA program. Many of the HWCL provisions are either applicable or relevant and appropriate because they describe requirements for the safe handling of contaminated materials and precautions for preventing further contamination. These requirements are identified in Tables II-6-1, II-6-2, II-6-3, and II-6-4.

6.4.2 Water Resources Requirements

The Porter-Cologne Water Quality Control Act (PCWQCA) is one of the statutory bases for regulation of discharges of waste to land that could impair either surface water or groundwater quality in California. It establishes the authority of the state, through its regional water quality control boards, to protect the quality of the surface water and ground water. Under the authority of the PCWQCA, the RWQCB developed the San Francisco Bay Basin Plan. The RWQCB considers Chapter 2 of the Plan (beneficial uses), Chapter 3 (water quality objectives) and Chapter 4 (implementation plan) to be soil ARARs. The Air Force and U.S. EPA do not agree that these Basin Plan Chapters should be soil ARARs in this soil ROD.

Travis AFB and the regulatory agencies have used the MCLs that are included as water quality objectives in the Basin Plan as one factor in the development of soil acceptance levels for the CAMU. This process, and the resulting acceptance criteria, are described in the *Corrective Action Management Unit Soil Acceptance Criteria* Technical Memorandum (Radian, 2001). U.S. EPA has concurred with the procedures set forth in this technical memorandum, including the levels set for soil acceptance. However, the Air Force does not agree that the Basin Plan chapters put forth by the Water Board should be considered ARARs for the CAMU. The U.S. EPA concurs that the Basin Plan chapters should not be considered ARARs for the CAMU.

In the Air Force's and U.S. EPA's view, the appropriate ARARs for the CAMU are the RCRA CAMU requirements set forth in 40 CFR 264.551 (previously 264.552) and adopted by the State of California in 22 CCR 66264.552(c). These regulations include the following narrative requirements for creation of a CAMU: (1) The CAMU shall facilitate the implementation of reliable, effective, protective, and cost-effective action measures; and (2) waste management activities associated with the CAMU shall not create unacceptable risks to humans or to the environment resulting from exposure to hazardous wastes, hazardous substances, or hazardous constituents. Thus, Travis AFB and regulatory agencies, in implementing these criteria, used the MCLs as a guide in setting the CAMU soil acceptance levels, to achieve protectiveness and eliminate unacceptable risks to the underlying groundwater. (U.S. EPA's more recent CAMU regulation allows a facility to use the CAMU regulations discussed above if a substantially complete CAMU proposal was submitted prior to 20 November 2000. See 67 Fed. Reg. 2961, 22 January 2002; 40 CFR 264.550[b].) The regulatory agencies have concurred that Travis AFB met the substantive portion of this requirement prior to the deadline.)

State requirements are considered to be ARARs only when they are more stringent than federal requirements. The CAMU regulations, being part of the federally authorized RCRA program, are considered by the Air Force and the U.S. EPA to be federal requirements. The Air Force and U.S. EPA do not consider the Basin Plan to be more stringent than the CAMU regulations for the purpose of this remedial action.

Travis AFB has not yet selected ARARs for any remedial action that might be necessary for the groundwater underlying the CAMU. Thus, the MCLs have not been determined to be relevant and appropriate for the groundwater. For this reason, also, the Air Force and U.S. EPA do not consider it appropriate to select the MCLs as ARARs for the CAMU.

Because Travis AFB, U.S. EPA, and the State have all previously concurred on the CAMU acceptance criteria and the procedure used to determine those criteria in the WABOU Soil ROD, all the parties have agreed not to initiate a dispute under the FFA regarding whether the Basin Plan should be considered an ARAR for the remedial actions related to the CAMU. This ROD will be amended accordingly if the Air Force subsequently determines that the Basin Plan is an ARAR.

6.5 Location-Specific ARARs

These ARARs place restrictions on remedial activities that may be conducted on site because of the presence of unique site features. The location of the NEWIOU soil, sediment, surface water, and groundwater sites and surrounding areas were analyzed for unique site features to identify ARARs. The unique site features considered are discussed hereafter.

Habitats of Rare, Threatened, Endangered, and Special-Status Species

Vernal pools that may contain an endangered species, including the Vernal Pool Tadpole Shrimp and the Vernal Pool Fairy Shrimp, have been identified. Other endangered species, including the Black-Shouldered Kite, Boggs Lake Dodder, Burrowing Owl, Coopers Hawk, California Gull, Golden Eagle, Loggerhead Shrike, Northern Harrier, Red Fox, Tri-Colored Blackbird, Contra Costa Goldfields, Northwestern Pond Turtle, and San Francisco Forktail Damselfly have been observed at least once at Travis AFB and have the potential to be found at NEWIOU sites. Several more stringent state ARARs protective of site ecology also have been

identified. The California Fish and Game Code (CFGC) and regulations promulgated under this Code protect rare, endangered, or threatened species or habitats and require alternative actions at sites where impacts have the potential to occur. In addition to these state counterparts to the Endangered Species Act, the CFGC also establishes several requirements to protect site wildlife by prohibiting or restricting the unauthorized taking of other wildlife. The CFGC also regulates to protect aquatic life in the waters of the state. All remedial activities that have the potential to cause a discharge to any stream, lake, or other body of water must comply with the requirements of the CFGC. Table II-6-5 presents the CFGC ARARs. Several federal ARARs were identified that impact site ecology. The Endangered Species Act and implementing regulations set forth in Table II-6-6 apply to those remedial actions at NEWIOU sites where impacts to endangered wildlife could occur. To ensure that regulatory requirements are followed and impacts are avoided or mitigated, all sites will be surveyed for the presence of these resources immediately before beginning remedial activities. This survey will begin after all necessary site-specific data concerning the execution of soil, sediment, and surface water RAs become available.

6.6 Chemical-Specific Cleanup Levels (Based on TBCs)

The soil sites in the NEWIOU are contaminated primarily with SVOCs, fuels, PCBs, PAHs, dioxins, pesticides, and metals. Sediment sites are primarily contaminated with PAHs. As previously explained, following lengthy negotiations with the regulatory agencies encompassing both the previously executed WABOU Soil ROD and this NEWIOU SSSW ROD, the Air Force accepted the U.S. EPA's recommendation to use the current PRGs (Smucker, 2004) as a basis for soil cleanup levels for carcinogenic chemicals that equate to a fixed level of risk (1×10^{-6}) and for non-carcinogenic chemicals that equate to a fixed level of risk ($HI = 1$). As also previously discussed, PRGs are TBCs and not ARARs. The Air Force accepted human health cleanup levels based on PRGs for NEWIOU soil and sediment sites because most sites have multiple contaminants and a cumulative risk that needs to be addressed. Surface water cleanup levels were not developed because Alternative 10 (No Action) is the selected alternative for surface water sites. While using these PRGs potentially results in cleanup levels more conservative than required, Travis AFB determined that its site-specific situations with multiple contaminants justified accepting PRG-based cleanup levels. Travis AFB estimated the expense of justifying less conservative cleanup levels to the regulators in terms of time and money and ultimately determined that accepting the PRG-based cleanup levels will result in minimal incremental cleanup costs. This determination is applicable to the sites with PCB concentrations. This approach has already worked well under the WABOU Soil ROD. Cleanup levels based on PRGs will be used unless there are site-specific considerations that justify a less stringent cleanup level. In this ROD, there are no sites where a less stringent cleanup level was used.

Table II-6-1

Travis AFB - NEWIOU Soil Sites

State ARARs

California Department of Toxic Substances Control Requirements

North/East/West Industrial Operable Unit Soil, Sediment, and Surface Water Record of Decision, Travis AFB, California

Source	Requirement, Standard, or Criterion	Type	Description	Remarks	Sites and Alternatives
Title 22 CCR, Div 4.5, Chapter 39	67391.1(a), (b), (d), (e)(2), (f) and (i)	Relevant and Appropriate	Provides that if a remedy at property owned by the federal government will result in levels of hazardous substances remaining on the property at levels not suitable for unlimited use and unrestricted exposure, and it is not feasible to record a land use covenant, then the decision document will clearly define and include limitations on land use and other institutional control mechanisms to ensure future land use will be compatible with the levels of hazardous substances remaining on the property.	Pertains to sites with land use controls.	SD001 FT003 FT004 FT005 LF007 SS015 SS016 ST032 SD033 SD037
Title 22 CCR Chapter 12, Article 1	66262.11	Applicable	Requires a facility to make a determination as to whether waste is hazardous.	Applicable to wastes excavated or resulting from treatment processes.	SD001, FT003, FT004, FT005, LF007 SD033
Title 22 CCR Chapter 18, Article 1 (Land Disposal Restrictions - General)	66268.3	Applicable	Establishes land disposal restrictions, including a prohibition of using dilution as a substitute for treatment.	Applicable to hazardous wastes generated from site excavation activities. Restricts on-site disposal activities in unauthorized areas. Section 66268.7, paragraphs (a)(1), (b)(1)(2) and (3), and (c)(2) are substantive requirements. The remainder of the section is procedural and not ARARs.	SD001, FT003, FT004, FT005, LF007 SD033
	66268.7	Applicable	Establishes land disposal restrictions, including requirements for waste analysis and record keeping.		
ARAR	= applicable or relevant and appropriate requirements		NEWIOU	= North/East/West Industrial Operable Unit	
CCR	= California Code of Regulations		ROD	= record of decision	

Table II-6-2

Travis AFB - NEWIOU Soil Sites

Federal ARARs*

Waste Transfer, Treatment, Storage, and Disposal Requirements

North/East/West Industrial Operable Unit Soil, Sediment, and Surface Water Record of Decision, Travis AFB, California

Source	Requirement, Standard, or Criterion	Type	Description	Remarks	Sites and Alternatives
*Title 22 CCR Chapter 18, Article 1	66268.9	Applicable	Establishes land disposal restrictions and special rules for wastes exhibiting a characteristic.	Applicable to hazardous wastes generated from site excavation activities. Restricts on-site disposal activities in unauthorized areas. Section 66268.7, paragraphs (a)(1), (b)(1)(2) and (3), and (c)(2) are substantive requirements. The remainder of the section is procedural and not ARARs.	SD001, FT003, FT004, FT005, LF007 SD033
*Title 22 CCR Chapter 18, Article 2	All Sections	Applicable	Establishes treatment technology for disposal of waste to land for RCRA and non-RCRA wastes identified in Section 66268.106.	Applicable to sites where excavated material is classified as hazardous waste or state-regulated waste. Wastes identified will be managed in accordance with these standards.	SD001, FT003, FT004, FT005, LF007 SD033

Note: The ARARs applicable to the CAMU that were set forth in Travis AFB's December 2002 WABOU Soil ROD (Travis AFB, 2002a) also apply to the remedial actions involving the CAMU taken pursuant to this NEWIOU SSSW ROD, and those requirements are incorporated by reference into this ROD.

* California statutes and regulations comprising federal authorized RCRA program.

ARAR = applicable or relevant and appropriate requirements
 CAMU = Corrective Action Management Unit
 CCR = California Code of Regulations
 NEWIOU = North/East/West Industrial Operable Unit
 RCRA = Resource Conservation and Recovery Act
 ROD = record of decision
 SSSW = soil, sediment, and surface water
 WABOU = West/Annexes/Basewide Operable Unit

Table II-6-3

Travis AFB - NEWIOU Soil Sites

State ARARs

Water Board Requirements

North/East/West Industrial Operable Unit Soil, Sediment, and Surface Water Record of Decision, Travis AFB, California

Source	Requirement, Standard, or Criterion	Type	Description	Remarks	Sites and Alternatives	
State Water Resources Control Board Order 99-08-DWQ	A (Discharge Prohibitions), B (Receiving Water Limitations), Section A (Storm Water Pollution Prevention Plan – para. 1, 5 thru 11)	Relevant and Appropriate	Requires control of storm water runoff discharges at construction sites that are equal to or greater than one acre in size, including clearing, grading, and excavation activities to be minimized using Best Available Technology Economically Achievable (BAT).	The substantive portions of these paragraphs are applicable to soil removal activities at sites listed. The permitting requirement is not an ARAR.	FT003, FT004, FT005, LF007,	18

ARAR = applicable or relevant and appropriate requirements

NEWIOU = North/East/West Industrial Operable Unit

ROD = record of decision

Table II-6-4

Travis AFB - NEWIOU Soil Sites

State ARARs

BAAQMD Air Remediation Requirements

North/East/West Industrial Operable Unit Soil, Sediment, and Surface Water Record of Decision, Travis AFB, California

Source	Requirement, Standard, or Criterion	Type	Description	Remarks	Sites and Alternatives
Regulation 6	301	Applicable	Establishes limitations on visible emissions and opacity.	Applicable to sites where excavation or construction activities have the potential to release particulate matter into the air (i.e., dirt and dust), or to sites where portable soldering, brazing, or welding equipment is used. Also applicable at sites where portable combustion engines of < 25 liters of displacement are used.	SD001, FT003, FT004, FT005, LF007, SD033
	302	Applicable	Establishes limitations on opacity.		
	303	Applicable	Establishes limitations on emission rates, concentration, visible emissions, and opacity.		
	501	Applicable	Establishes requirements for sampling facilities and instruments.	Applicable to all actions subject to Regulation 6.	

ARAR = applicable or relevant and appropriate requirements

BAAQMD = Bay Area Air Quality Management District

NEWIOU = North/East/West Industrial Operable Unit

ROD = record of decision

Table II-6-5

Travis AFB - NEWIOU Soil Sites

State ARARs

Fish and Game Requirements

North/East/West Industrial Operable Unit Soil, Sediment, and Surface Water Record of Decision, Travis AFB, California

Source	Requirement, Standard, or Criterion	Type	Description	Remarks	Sites and Alternatives
California Fish and Game Code	1908	Applicable	Prohibits the import, taking or possession of rare or endangered native plants.	Applicable to active remediation sites where rare or endangered native plants exist.	SD001, FT003, FT004, FT005, LF007, SD033 18
	2080	Applicable	Prohibits the import, taking or sale of threatened or endangered native plants.	Requires site surveys prior to action to determine presence of endangered/ threatened plants at the site and consideration of potential impact. Relevant and appropriate for federal agencies at all sites where endangered or threatened species are located. Requires coordination and, if appropriate, consideration of alternative actions at sites where impact to endangered or threatened species may occur. Will be considered at all sites where active remediation occurs.	
	2090	Relevant and Appropriate	Requires state lead agencies to consult with CDFG to ensure authorized actions will not jeopardized endangered or threatened species.		
	2091	Relevant and Appropriate	Requires state agencies to use alternative actions if impact to threatened or endangered species or habitat is found.		
	2092	Relevant and Appropriate	Requires state agencies to adopt reasonable alternative actions where project would result in the extinction of a species.		
	3005	Applicable	Prohibits taking of birds or animals with net, pound, cage, trap, set line, wire, or poison.	Applicable at all remediation sites where birds, mammals, or other animals and wildlife identified by the applicable statutory provision exist.	
	3511	Applicable	Prohibits taking of birds identified as "fully protected."		
	3513	Applicable	Prohibits taking of mammals that are identified as "fully protected."		

Table II-6-5 (Cont'd)

Travis AFB - NEWIOU Soil Sites

State ARARs

Fish and Game Requirements

North/East/West Industrial Operable Unit Soil, Sediment, and Surface Water Record of Decision, Travis AFB, California

Source	Requirement, Standard, or Criterion	Type	Description	Remarks	Sites and Alternatives
California Fish and Game Code (cont'd)	4700	Applicable	Prohibits taking or possession of mammals identified as "fully protected."	Note: These sections are applicable to the extent that the state law is more strict than the Federal Endangered Species Act or Migratory Bird Treaty Act. For example, in those cases where a species is listed as "fully protected" but not identified as federally endangered or protected, then the state law is applicable.	SD001, FT003, FT004, FT005, LF007, SD033
	5050	Applicable	Prohibits taking or possession of reptiles and amphibians identified as "fully protected."		
	5515	Applicable	Prohibits taking or possession of fish identified as "fully protected."		
	5650	Applicable	Prohibits deposit or placement of specified materials and substances into places where they can pass into the waters of the state.		

ARAR = applicable or relevant and appropriate requirements
 CDFG = California Department of Fish and Game
 NEWIOU = North/East/West Industrial Operable Unit
 ROD = record of decision

Table II-6-6

Travis AFB - NEWIOU Soil Sites

Federal ARARs

Requirements Under the U.S. Code and Related Regulations

North/East/West Industrial Operable Unit Soil, Sediment, and Surface Water Record of Decision, Travis AFB, California

Source	Requirement, Standard, or Criterion	Type	Description	Remarks	Sites and Alternatives	
Title 16 USC (Endangered Species Act)	1531(c)	Applicable	Requires action to conserve endangered species and critical habitats upon which endangered species depend. Includes consultation with the Department of Interior.	Activities at all remedial sites must be performed in such a way as to identify the presence of and to protect endangered or threatened plants and animals at the site. Species at Travis AFB include the Black-Shouldered Kite, Boggs Lake Dodder, Burrowing Owl, Coopers Hawk, California Gull, Golden Eagle, Loggerhead Shrike, Northern Harrier, Red Fox, Tri-Colored Blackbird, Vernal Pool Fairy Shrimp, Contra Costa Goldfields, Vernal Pool Tadpole Shrimp, Northwestern Pond Turtle, and San Francisco Forktail Damselfly.	SD001, FT003, FT004, FT005, LF007 SD033	18
	1536(a)	Applicable				
Title 16 USC (Migratory Bird Treaty Act)	703	Applicable	Prohibits unlawful taking, possession, and sale of almost all species of native birds in the U.S.	Species at Travis AFB include Black-Shouldered Kite, Burrowing Owl, Coopers Hawk, California Gull, Golden Eagle, Loggerhead Shrike, Northern Harrier, and Tri-Colored Blackbird.	SD001, FT003, FT004, FT005, LF007 SD033	18

Table II-6-6 (Cont'd)

Travis AFB - NEWIOU Soil Sites

Federal ARARs

Requirements under the U.S. Code and Related Regulations

North/East/West Industrial Operable Unit Soil, Sediment, and Surface Water Record of Decision, Travis AFB, California

Source	Requirement, Standard, or Criterion	Type	Description	Remarks	Sites and Alternatives	
Federal Clean Water Act, Section 404, Title 33 CFR Part 330, Appendix A, Subpart B, Army Corps of Engineers Nationwide Permit Programs	Para 27	Applicable	Establishes requirements for activities in waters of the United States associated with the restoration of altered and degraded non-tidal wetlands and creation of wetlands on private lands.	The substantive portions of these paragraphs are applicable to activities related to construction and installation of remedial equipment. The permitting requirements are not ARARs.	SD001, LF007, SD033	18
Federal Clean Water Act, Section 404, Title 33 CFR Part 330, Appendix A, Subpart C, Army Corps of Engineers Nationwide Permit Conditions (NWP)	Para 2	Applicable	Requires any structure or fill authorized be properly maintained, including maintenance to ensure public safety.	The substantive portions of these paragraphs are relevant and appropriate. The notification requirements are not ARARs. Site activities related to construction and installation of remedial equipment give rise to these requirements.	SD001, LF007, SD033	18
	Para 4	Applicable	Requires that no activity may substantially disrupt the movement of those species of aquatic life indigenous to the water body.			
	Para 5	Applicable	Requires heavy equipment working in wetlands must be placed on mats or other measures must be taken to minimize soil disturbance.			

Table II-6-6 (Cont'd)

Travis AFB - NEWIOU Soil Sites

Federal ARARs

Requirements under the U.S. Code and Related Regulations

North/East/West Industrial Operable Unit Soil, Sediment, and Surface Water Record of Decision, Travis AFB, California

Source	Requirement, Standard, or Criterion	Type	Description	Remarks	Sites and Alternatives
40 CFR Part 230 (Clean Water Act - Disposal of Dredged or Fill Material)	230.10	Applicable	Prohibits discharge of dredged or fill material into waters or wetlands without a permit. Establishes limits on discharges.	Applicable to sites where wetlands and vernal pools are located. Permitting requirements are not applicable to CERCLA sites and are not ARARs.	SD001, LF007, SD033
	230.71	Applicable	Places limitations/requirements on the disposal and treatment of the dredged or fill material discharged.		
	230.72	Applicable	Establishes requirements and methods for the control of the effects of dredged or fill material after discharge, through use of levees, caps, lined containment areas, timing and placement.		
	230.73	Applicable	Establishes requirements for minimizing discharge effects by use of specific disbursement methods.		
	230.74	Applicable	Requires use of available technology, adapted to the particular site, to minimize adverse effects of dredge and fill discharges.		
	230.75	Applicable	Requires minimization of adverse effects on populations of plants and animals from the discharge of dredge/fill materials.		
	230.76	Applicable	Requires use of fill or dredge material discharge methods that minimize the adverse effects on human use potential.		
					18

Table II-6-6 (Cont'd)

Travis AFB - NEWIOU Soil Sites

Federal ARARs

Requirements under the U.S. Code and Related Regulations

North/East/West Industrial Operable Unit Soil, Sediment, and Surface Water Record of Decision, Travis AFB, California

Source	Requirement, Standard, or Criterion	Type	Description	Remarks	Sites and Alternatives
40 CFR 745.65(c) (Soil lead hazard on residential property)	745.65(c)	Relevant and Appropriate	Establishes a hazard standard of 400 ppm for residual lead in bare soil for children's play areas.	Applicable to sites where the residual lead concentration in the soil exceeds 400 ppm.	FT002, FT003, FT004, SS015, SD033, SD037 17

- ARAR = applicable or relevant and appropriate requirements
- CERCLA = Comprehensive Environmental Response, Compensation, and Liability Act
- CFR = Code of Federal Regulations
- NEWIOU = North/East/West Industrial Operable Unit
- ppm = parts per million
- ROD = record of decision
- USC = United States Code