

APPENDIX A

Analysis of Potential Applicable or Relevant and Appropriate Requirements (ARARs)

A.1 INTRODUCTION

A.1.1 Purpose

The following applicable or relevant and appropriate requirements (ARARs) analysis is a method by which specific statutes, regulations, and guidance, which apply to remedial activities at the North, East, and West Industrial Operable Unit (NEWIOU) can be identified from a universe of potentially applicable statutes, regulations, and guidance. The identification of ARARs is an iterative process, with the final determination of ARARs being made by the lead agency, as part of the selection of the response action, in the Record of Decision.

This evaluation has been conducted to: (1) evaluate and identify potential federal and California state ARARs and (2) express the position of the Department of the Air Force with respect to each of the potential ARARs identified.

A.1.2 Summary of CERCLA and NCP Requirements

Section 121(d) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) states that remedial actions on CERCLA sites must attain, or the decision document must justify the waiver of, any federal or more stringent state environmental standards, requirements, criteria, or limitations that are determined to be legally applicable or relevant and appropriate.

Applicable requirements are those cleanup standards, standards of control, and other substantive environmental protection requirements, criteria, or limitations promulgated under federal or state law that specifically address the situation at a CERCLA site. The requirement is applicable if the jurisdictional prerequisites of the standard show a direct relationship when objectively compared to the conditions at the site. If the requirement is not legally applicable, then the requirement is evaluated to determine whether it is relevant and appropriate. Relevant and appropriate requirements are those cleanup standards, standards of

control, and other substantive environmental protection requirements, criteria, or limitations promulgated under federal or state law, that while not applicable, address problems or situations similar to the circumstances of the proposed response action and are well suited to the conditions of the site (US. Environmental Protection Agency, 1988). The criteria for determining relevance and appropriateness are listed in Title 40, Code of Federal Regulations (CFR), Section 300.400(g)(2), and include the following:

The purpose of the requirement and the purpose of the CERCLA action.

The medium regulated or affected by the requirement and the substances found at the CERCLA site.

The substances regulated by the requirement and the substances found at the CERCLA site.

Any variances, waivers, or exemptions of the requirement and their availability for the circumstances at the CERCLA site.

The type of place regulated and the type of place affected by the release or CERCLA action.

The type and size of structure or facility regulated and the type and size of structure or facility affected by the release or contemplated by the CERCLA action.

Any consideration of use or potential use of affected resources in the requirement and the use or potential use of the affected resource at the CERCLA site.

Tables included in this appendix present each potential ARAR identified for consideration by state agencies and determined to be applicable or relevant and appropriate by the lead agency. For each requirement identified as valid, the lead agency has provided a

determination of ARAR status (i.e., applicable or relevant and appropriate). For the determination of relevance and appropriateness, the pertinent criteria were examined to determine whether the requirements addressed problems or situations sufficiently similar to the circumstances of the release or remedial action contemplated, and whether the requirement was well suited to the site.

In order to qualify as a state ARAR under CERCLA and the National Contingency Plan (NCP), a state requirement must be:

A state law;

An environmental or facility siting law;

Promulgated (of general applicability and legally enforceable);

Substantive (not procedural or administrative);

More stringent than the federal requirement;

Identified in a timely manner;

Consistently applied.

In order to constitute an ARAR, a requirement must be substantive. Therefore, only substantive provisions of requirements identified as ARARs in this analysis shall be considered ARARs. Provisions of generally relevant federal and state statutes and regulations that were determined to be procedural or non environmental, are not considered ARARs and are not included. Permits are considered procedural or administrative requirements. Section 121(e)(1) of CERCLA states that "*No Federal, State, or local permit shall be required for the portion of any removal or remedial action conducted entirely on site, where such remedial action is selected and carried out in compliance with this section.*"

Nonpromulgated advisories or guidance issued by federal or state governments are not legally binding and do not have the status of ARARs. Such requirements may, however, be useful, and are to be considered. "To be considered" requirements (TBCs) complement ARARs but do not override them. They are useful for guiding decisions regarding cleanup levels or methodologies when regulatory standards are not available.

As the lead federal agency, the Department of the Air Force has primary responsibility for identification of federal ARARs at Travis AFB. Potential federal ARARs that have been identified for the NEWIOU Feasibility Study are discussed below. Pursuant to definition of the term "on-site" (i.e., area of extent of contamination) in 40 CFR 300.5, the on-base areas and the volatile organic compound (VOC) plume extending north and south of the base boundary are considered as on-site for purposes of this ARARs analysis. Extraction wells, VOC treatment facilities, injection wells, and conveyance systems connecting those items are defined as "on-site."

Identification of potential state ARARs was initiated through requests that the California Department of Toxic Substances Control (DTSC) identify potential state ARARs. The ARARs that were identified by the state and determined to be valid requirements by the lead agency are included in Tables A.1 through A.5, below. Federal ARARs identified by the lead agency are included in Table A.6.

A.2 IDENTIFICATION AND EVALUATION OF ARARs

A.2.1 Methodology

In preparing this ARARs analysis, Department of the Air Force undertook the following measures consistent with CERCLA and the NCP:

Identified federal ARARs for each remedial action alternative addressed in the FS, taking into account site-specific information for the NEWIOU.

Reviewed potential state ARARs identified by the state in order to determine whether they satisfy CERCLA and NCP criteria that must be met in order to constitute state ARARs.

Evaluated and compared federal ARARs and their state counterparts in order to determine which state ARARs are more stringent or are in addition to the federal ARARs.

Reached a conclusion as to which federal and state ARARs were the most stringent and/or "controlling" ARARs for each alternative.

A.2.2 Identification and Evaluation of State ARARs

The process of identification and evaluation of potential state ARARs by the State and Department of the Air Force is described in this subsection.

A.2.2.1 Solicitation of State ARARs under NCP

EPA guidance recommends that the lead federal agency consult with the state when identifying state ARARs for remedial actions. Department of the Air Force followed the procedures of the process set forth in 40 CFR Section 300.515 and Section 7.6 of the Federal Facilities Agreement (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 (Department of the Air Force, in this case) request that the state identify chemical-specific and location-specific state ARARs upon completion of site characterization, and again request identification of all categories of state ARARs (chemical-specific, location-specific, and action-specific) upon completion of identification of remedial alternatives for detailed analysis. The state must respond within 30 days of receipt of the lead federal agency's requests.

A.2.2.2 Chronology of Efforts to Identify State ARARs

The lead agency requested chemical- and location-specific ARARs from the state agencies on 30 August 1995. Following submission of the Detailed Analysis of Alternatives (DAA), the lead agency requested identification of ARARs, to include action-specific ARARs from the state agencies. That request was forwarded to the state agencies on 21 February 1996.

A.2.2.3 General Approach to Addressing State ARARs Responses

This ARARs analysis addresses the potential state ARARs identified in state agency submittals made in response to the lead agency's 30 August 1995 request for ARARs identification. The state response to the 21 February 1996 request was received by the lead agency on 10 April 1996. Comments were also received from state agencies in the following letters:

California Integrated Waste Management Board Letter, dated May 28, 1996

Department of Toxic Substances Control Board Letter, dated June 3, 1996

State Water Resources Control Board Letter, dated June 10, 1996

California Regional Water Resources Control Board Letter, dated June 10, 1996

The following tables address the potential ARARs identified by the state agencies in the initial responses and follow-up comments. The Department of the Air Force has accepted many state-identified potential ARARs as having applicability to remedial actions sites within the NEWIOU, or as being relevant and appropriate to these remedial actions. The determination of whether a particular ARAR is applicable or relevant is depicted in each table in the column denoted by the "Type" heading. A narrative summary of the contents of each ARAR identified is depicted in each table in the column denoted by the "Description" heading. A description of the general applicability of each ARARs is depicted in the column entitled "Remarks." Any

potential state ARAR not specifically identified or discussed in these tables have been determined by Department of the Air Force to not constitute a valid ARAR for the NEWIOU.

Potential ARARs have been divided into six tables. Tables A.1 through A.5 reflect potential ARARs identified by state agencies which were determined by the lead agency to constitute valid substantive requirements. For facilitation of review, tables A.1 through A.5 are grouped by remediation type (i.e., air remediation requirements, landfill remediation requirements, etc.). Table A.6 contains federal ARARs identified by the lead agency.

A.2.3 Additional Comments

During the review and analysis of ARARs identified by the State and Regional Water Boards, the following requirements were identified by the state as potential ARARs and determined to be valid requirements by the lead agency. However, the lead agency and the state have been unable to reach agreement on the scope and/or applicability of these ARARs to the NEWIOU. With respect to these requirements, the lead agency agrees to disagree with the state on the interpretation and applicability of these requirements to NEWIOU sites or remedial actions.

State Water Board Resolution 92-49 - We do not agree with the Regional Water Board's interpretation that cleanup to background levels is required unless a demonstration is made that cleanup to background levels is not technologically and economically feasible.

Title 23 CCR, Division 3, Chapter 15 - We do not concur with the Board's position that the monitoring requirements of Chapter 15 apply to all units.

Title 23 CCR Section 2511(d). We do not agree with the Board's interpretation that this requirement is applicable to unauthorized or unintentional releases.

Title 23 CCR Section 2550.4. We do not agree with Board's classification of Section 2550.4 as an "Applicable" requirement.

A.2.4

ARARs Tables

ARARs	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	540	541	542	543	544	545	546	547	548	549	550	551	552	553	554	555	556	557	558	559	560	561	562	563	564	565	566	567	568	569	570	571	572	573	574	575	576	577	578	579	580	581	582	583	584	585	586	587	588	589	590	591	592	593	594	595	596	597	598	599	600	601	602	603	604	605	606	607	608	609	610	611	612	613	614	615	616	617	618	619	620	621	622	623	624	625	626	627	628	629	630	631	632	633	634	635	636	637	638	639	640	641	642	643	644	645	646	647	648	649	650	651	652	653	654	655	656	657	658	659	660	661	662	663	664	665	666	667	668	669	670	671	672	673	674	675	676	677	678	679	680	681	682	683	684	685	686	687	688	689	690	691	692	693	694	695	696	697	698	699	700	701	702	703	704	705	706	707	708	709	710	711	712	713	714	715	716	717	718	719	720	721	722	723	724	725	726	727	728	729	730	731	732	733	734	735	736	737	738	739	740	741	742	743	744	745	746	747	748	749	750	751	752	753	754	755	756	757	758	759	760	761	762	763	764	765	766	767	768	769	770	771	772	773	774	775	776	777	778	779	780	781	782	783	784	785	786	787	788	789	790	791	792	793	794	795	796	797	798	799	800	801	802	803	804	805	806	807	808	809	810	811	812	813	814	815	816	817	818	819	820	821	822	823	824	825	826	827	828	829	830	831	832	833	834	835	836	837	838	839	840	841	842	843	844	845	846	847	848	849	850	851	852	853	854	855	856	857	858	859	860	861	862	863	864	865	866	867	868	869	870	871	872	873	874	875	876	877	878	879	880	881	882	883	884	885	886	887	888	889	880	881	882	883	884	885	886	887	888	889	890	891	892	893	894	895	896	897	898	899	900	901	902	903	904	905	906	907	908	909	910	911	912	913	914	915	916	917	918	919	920	921	922	923	924	925	926	927	928	929	930	931	932	933	934	935	936	937	938	939	940	941	942	943	944	945	946	947	948	949	950	951	952	953	954	955	956	957	958	959	960	961	962	963	964	965	966	967	968	969	970	971	972	973	974	975	976	977	978	979	980	981	982	983	984	985	986	987	988	989	980	981	982	983	984	985	986	987	988	989	990	991	992	993	994	995	996	997	998	999	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	10010	10011	10012	10013	10014	10015	10016	10017	10018	10019	10020	10021	10022	10023	10024	10025	10026	10027	10028	10029	10030	10031	10032	10033	10034	10035	10036	10037	10038	10039	10040	10041	10042	10043	10044	10045	10046	10047	10048	10049	10050	10051	10052	10053	10054	10055	10056	10057	10058	10059	10060	10061	10062	10063	10064	10065	10066	10067	10068	10069	10070	10071	10072	10073	10074	10075	10076	10077	10078	10079	10080	10081	10082	10083	10084	10085	10086	10087	10088	10089	10090	10091	10092	10093	10094	10095	10096	10097	10098	10099	100100	100101	100102	100103	100104	100105	100106	100107	100108	100109	100110	100111	100112	100113	100114	100115	100116	100117	100118	100119	100120	100121	100122	100123	100124	100125	100126	100127	100128	100129	100130	100131	100132	100133	100134	100135	100136	100137	100138	100139	100140	100141	100142	100143	100144	100145	100146	100147	100148	100149	100150	100151	100152	100153	100154	100155	100156	100157	100158	100159	100160	100161	100162	100163	100164	100165	100166	100167	100168	100169	100170	100171	100172	100173	100174	100175	100176	100177	100178	100179	100180	100181	100182	100183	100184	100185	100186	100187	100188	100189	100190	100191	100192	100193	100194	100195	100196	100197	100198	100199	100200	100201	100202	100203	100204	100205	100206	100207	100208	100209	100210	100211	100212	100213	100214	100215	100216	100217	100218	100219	100220	100221	100222	100223	100224	100225	100226	100227	100228	100229	100230	100231	100232	100233	100234	100235	100236	100237	100238	100239	100240	100241	100242	100243	100244	100245	100246	100247	100248	100249	100250	100251	100252	100253	100254	100255	100256	100257	100258	100259	100260	100261	100262	100263	100264	100265	100266	100267	100268	100269	100270	100271	100272	100273	100274	100275	100276	100277	100278	100279	100280	100281	100282	100283	100284	100285	100286	100287	100288	100289	100290	100291	100292	100293	100294	100295	100296	100297	100298	100299	100300	100301	100302	1003

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Potential State ARARS
Waste Transfer, Treatment, and Storage and Disposal Requirements

Source	Section	Type	Description	Remarks
Title 22 CCR Chap 12, Art 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.
Title 22 CCR Chap 14 Art 6	66264.94	Applicable	Establishes general groundwater monitoring requirements and concentration limits.	Sections in this article are applicable to permitted hazardous waste facilities. Also applicable to sites containing surface impoundments, waste piles, land treatment units or landfills that received hazardous waste after July 26, 1982 for purposes of detecting, characterizing, and responding to releases to groundwater, surface water or the unsaturated zone.
	66264.96(c)	Applicable	Establishes monitoring requirements upon removal of all waste and contaminated material from a management unit. Requires monitoring showing all levels in compliance with water quality standards for three consecutive years.	
	66264.97	Applicable	Establishes groundwater monitoring requirements during the closure and post-closure periods.	
	66264.100	Applicable	Establishes requirements for establishment of corrective management programs for owners and operators of regulated units.	

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Potential State ARARS
Waste Transfer, Treatment, and Storage and Disposal Requirements

Source	Section	Type	Description	Remarks
Title 22 CCR Chap 14, Art 7	66264.111	Applicable	Establishes closure standards for a permitted hazardous waste facility. Specifically, closure should minimize the need for maintenance of the facility, and control, minimized or eliminate the emission of hazardous chemicals into the environment.	Sections in this article are applicable to closure of a permitted hazardous waste facility. However, it is unlikely that a hazardous waste facility will be constructed for CERCLA activities that will later require closure.
	66264.112	Applicable	Establishes content requirements for a closure plan of a hazardous waste facility.	The substantive portions section 66264.112, paragraphs (a) and (b) [except permit and reporting requirements of (a)(1) and (a)(2) which are procedural] provide the contents and requirements of the closure plan portion of the remedial documents.
	66264.114	Applicable	Establishes requirements for the disposal or decontamination of equipment, structures, and soils at a closing hazardous waste facility.	
	66264.117	Applicable	Establishes requirements for post closure care and property use of a closing hazardous waste facility to include requirements for continued monitoring and maintenance.	
	66264.118	Applicable	Establishes closure standards to minimize the need for maintenance and to minimize emissions of hazardous chemicals into the environment.	The substantive portions of section 66264.118, paragraphs (a), (b) and (c) [except permitting and reporting requirements of (a) which are procedural] are applicable to provide the content and requirements of the closure plan portion of the remedial documents.

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Source	Section	Type	Description	Remarks
Title 22 CCR Chap 14, Art 9	66264.171	Applicable	Sets standards for containers holding hazardous waste for chemicals recovered from sediments, surface soils, or groundwater.	Sections in this article are applicable to sites or actions where waste containers are used.
	66264.172	Applicable	Requires use of containers that are compatible with the recovered material for the storage of that material.	
	66264.173	Applicable	Requires that containers used to transport material must be closed during transport and that waste be handled to minimize damage to containers.	
	66264.174	Applicable	Establishes requirements for inspecting containers weekly.	
	66264.175	Applicable	Establishes requirement for adequate secondary containment for stored waste.	
	66264.176	Applicable	Requires isolating waste from sources of ignition if waste is ignitable.	
	66264.177	Applicable	Requires segregation of waste from incompatible waste.	
	66264.178	Applicable	Establishes the requirement remove all hazardous waste and waste residue at closure.	Section 66264.178 is applicable to all sites where closure of containment systems will occur.

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Waste Transfer, Treatment, and Storage and Disposal Requirements

Source	Section	Type	Description	Remarks
Title 22 CCR Chap 14, Art 10	66264.193	Applicable	Delineates requirements for tank systems including containment and detection of releases.	Sections in this article are applicable to any site or alternative where tanks or tank systems are used.
66264.194	Applicable		Delineates requirements for tank systems including general operating requirements.	
66264.195	Applicable		Delineates requirements for tank systems including inspections.	
66264.196	Applicable		Delineates requirements for tank systems including response to leaks or spills.	
66264.197	Applicable		Delineates requirements for tank systems including closure and post-closure care.	Section 66264.197, paragraphs (a), (c)(3) and (c)(4) are not applicable with respect to the requirements for cost estimates and financial responsibility requirements.
66264.198	Applicable		Delineates requirements for tank systems including special care requirements for reactive wastes.	Section 66264.198 is applicable to sites with ignitable wastes [i.e., free product] or reactive waste [ultraviolet oxidation or catalytic oxidation] from water or air remediation activities.
66264.199	Applicable		Delineates requirements for tank systems including special requirements for incompatible wastes.	

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Waste Transfer, Treatment, and Storage and Disposal Requirements

Source	Section	Type	Description	Remarks
Title 22 CCR, Chap 14, Art 12	66264.251	Applicable	Establishes the requirement for management of waste piles and includes design and operating requirements.	Applicable to sites where excavated materials are classified as hazardous waste, as identified through proper characterization processes, and managed in waste piles.
	66264.254	Applicable	Establishes the requirement for management of waste piles including monitoring and inspection requirements.	
	66264.256	Applicable	Establishes the requirement for management of waste piles including special requirements for ignitable or reactive wastes.	
	66264.257	Applicable	Establishes the requirement for management of waste piles including special requirement for incompatible waste.	
	66264.258	Applicable	Establishes the requirement for management of waste piles including the requirements for closure and post-closure care.	
	66264.259	Applicable	Establishes the requirement for management of waste piles including special requirements for hazardous waste F020, F021, F022, F023, F026, and F027.	

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Potential State ARARS
Waste Transfer, Treatment, and Storage and Disposal Requirements

Source	Section	Type	Description	Remarks
Title 22 CCR, Chap 14, Art 14	66264.301	Applicable	Establishes requirements for hazardous waste disposal in a landfill including design and operating requirements.	Applicable to landfills where consolidation activities will occur. However, all Travis AFB landfills predate 1992. Only paragraph (a) applies to Travis. As such, all Travis AFB landfills are exempt from liner requirements.
	66264.303	Applicable	Establishes requirements for hazardous waste disposal in a landfill including monitoring and inspection requirements.	Section 66264.303 is applicable to landfills where consolidation activities will occur. However, consolidation in Travis AFB landfills will occur in existing footprints, and will be exempt with liner requirements in accordance with 66264.301 (a).
	66264.310	Applicable	Establishes requirements for hazardous waste disposal in a landfill including closure and post-closure requirements following final closure of the landfill.	
	66264.312	Applicable	Establishes requirements for hazardous waste disposal in a landfill including special requirements for ignitable wastes.	Applicable for all landfills which accept consolidation wastes.
Title 22 CCR Chap 14, Art 15.5	66264.552	Applicable	Establishes corrective action management unit (CAMU) requirements and defines the classification of remediation waste placed in a CAMU.	Applicable to landfills which consolidate waste from various sites.
	66264.553	Applicable	Establishes CAMU requirements for temporary units.	

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Source	Section	Type	Description	Remarks
Title 22 CCR Chap 14, Art 16	66264.601	Applicable	Specifies performance standards for miscellaneous units that transfer, treat, store or dispose of hazardous waste.	Applicable at Travis AFB sites where miscellaneous units will be created. However, it is unlikely that miscellaneous units will be used as part of remediation actions at Travis AFB.
	66264.602	Applicable	Establishes analysis, inspection, response, reporting, monitoring and corrective action standards for miscellaneous units.	Section 66264.602 requirements related to response and reporting procedures are procedural and do not apply.
	66264.603	Applicable	Establishes maintenance standards for miscellaneous units.	
Title 22 CCR Chap 14, Art 17	66264.702	Relevant and Appropriate	Establishes environmental protection standard limits for hazardous waste facility operations.	Relevant and appropriate to any site where hazardous waste is treated, stored, recycled or disposed, with exception of permitting requirements. Permitting requirements are not applicable to CERCLA activities.
	66264.704	Relevant and Appropriate	Requirements for specifying concentration limits for hazardous constituents downwind from the regulated units for soil, soil pore gas and open air.	
	66264.705	Relevant and Appropriate	Establishes requirement to specify the points at which monitoring must be conducted by the owner or operator.	
	66264.706	Relevant and Appropriate	Establishes operator requirements for monitoring of air/soil pore gas.	
	66264.707	Relevant and Appropriate	Establishes compliance monitoring requirements for owners and operators	
	66264.708	Relevant and Appropriate	Establishes owner or operator requirements for a corrective action program.	

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Waste Transfer, Treatment, and Storage and Disposal Requirements

Source	Section	Type	Description	Remarks
Title 22 CCR Chap 14, Art 27	66264.1032	Applicable	Establishes emission limits when process vents are used.	Applicable to actions involving closed vent systems. Potentially applicable to all sites with emissions to air, including but not limited to, vapor-phase carbon and catalytic oxidation.
	66264.1033	Applicable	Establishes standards for closed vent systems and control devices.	
	66264.1034	Applicable	Establishes test methods and procedures for closed vent systems.	
	66264.1035	Applicable	Establishes record keeping requirements for closed vent systems and parameters for design analysis and performance.	
Title 22 CCR Chap 14, Art 28	66264.1054	Applicable	Establishes that pressure relief devices in gas/vapor service shall be operated with no detectable emissions.	Applicable to actions involving gas/vapor extraction systems.
	66264.1063	Applicable	Establishes leak detection monitoring requirements.	
	66264.1064	Applicable	Establishes recordkeeping requirements for gas/vapors extraction systems.	
Title 22 CCR Chap 14, Art 29	66264.1101	Applicable	Establishes design and operating standards for containment facilities.	Potential applicable to all sites. However, it is unlikely that a containment building will be constructed at a CERCLA site.
	66264.1102	Applicable	Establishes closure procedures for containment buildings.	

Travis AFB NEWIOU
Potential State ARARS
Waste Transfer, Treatment, and Storage and Disposal Requirements

Source	Section	Type	Description	Remarks
Title 22 CCR Chap 18, Art 1	66268.3	Applicable	Establishes land disposal restrictions, including a prohibition of using dilution as a substitute for treatment.	Applicable to sites where hazardous waste sites are disposed/treated in areas not designated as CAMUs or disposed / treated beyond the area of contamination. Section 66268.7, paragraph (a)(1)and (c)(2) are substantive requirements. The remainder of the section is procedural and not ARARs.
	66268.7	Applicable	Establishes land disposal restrictions, including requirements for waste analysis and record keeping.	
	66268.9	Applicable	Establishes land disposal restrictions including special rules for wastes that exhibit a characteristic.	
Title 22 CCR, Chap 18 Art 3	66268.30	Applicable	Establishes waste specific LDRs.	Applicable to sites where excavated material is classified as hazardous waste and disposed of or treated in an area not designated as a CAMU.
	66268.31	Applicable	Establishes waste specific prohibitions for wastes containing dioxin.	Requires identification of waste through the proper characterization process.
	66268.32	Applicable	Establishes land disposal prohibitions for certain hazardous wastes.	
	66268.33	Applicable	Establishes waste specific prohibitions - First Third Wastes.	
	66268.34	Applicable	Establishes waste specific prohibitions - Second Third Wastes.	
	66268.35	Applicable	Establishes waste specific prohibitions - Third Third Wastes.	
	66268.36	Applicable	Prohibits land disposal of newly listed EPA wastes.	
	66268.37	Applicable	Prohibits land disposal of ignitable and corrosive characteristic wastes whose treatment standards were vacated.	
	66268.38	Applicable	Identifies waste specific prohibitions on newly identified organic toxicity characteristic wastes and newly listed coke by-product and chlorotoluene wastes.	

Travis AFB NEWIOU
Potential State ARARS
Waste Transfer, Treatment, and Storage and Disposal Requirements

Source	Section	Type	Description	Remarks
Title 22 CCR Chap 18, Art 10	66268.100	Applicable	Establishes land disposal prohibitions for non-RCRA hazardous wastes.	Applicable to sites where excavated material is classified as a hazardous waste. If waste is identified through the proper characterization process, and managed in waste piles, it will be managed in accordance with these standards.
Title 22 CCR Chap 43	67430.3	Applicable	Establishes requirements for the removal of spilled or improperly deposited wastes.	Applicable to sites with excavated soils classified as extremely hazardous waste.
Title 22 CCR, Chap 45	67450.11	Applicable	Identifies influent waste streams and establishes treatment processes for influent waste streams eligible for treatment pursuant to permit by rule.	Applicable to all sites with identified influent waste streams.
Title 22 CCR Chap 18, Art 2	All Sections	Applicable	Establishes treatment technology for disposal of waste to land for non-RCRA wastes identified in section 66268.106.	Applicable to sites where excavated material is classified as hazardous waste. If waste is identified through the piles, it will be managed in accordance with these standards proper characterization process, and managed as waste.
Title 22 CCR Chap 18, Art 3	All Sections	Applicable	Establishes treatment standards for wastes F001 to F005.	
Title 22 CCR Chap 18, Art 4	All Sections	Applicable	Identifies the halogenated organic compounds regulated under section 66268.32.	
Title 22 CCR Chap 18, Art 5	All Sections	Applicable	Establishes treatment technology requirements for any disposal to land of wastes identified in section 66268.41.	
Title 22 CCR Chap 18, Art 11	All Sections	Applicable	Establishes prohibitions on storage of hazardous wastes restricted under Article 3 of this chapter or RCRA Section 3004 (42 USC 6924).	

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Potential State ARARS
Landfill Remediation Requirements

Source	Section	Type	Description	Remarks
Title 14 CCR Chap 3 Art 7.3	17636	Applicable	Establishes requirement that the weight or volume of waste accepted must be determined to an accuracy of + or - 10 percent. Applies to sites defined by PRC 40122.	Applicable to consolidation landfill sites with respect to consolidation materials.
	17637	Applicable	Establishes that the length and depth of any cuts made in natural terrain where fill will be placed and the depth to groundwater must be determined and documented. Applies to sites defined by PRC 40122.	
Title 14 CCR Chap 3, Art 7.4	17658	Applicable	Establishes that the perimeter of the landfill must be secured through barriers or topographic constraints to discourage unauthorized entry.	Applicable to landfill sites with consolidation activities or other activities where wastes will be uncovered or moved.
	17659	Applicable	Requires landfill roads to be reasonably smooth to minimize dust or tracking of materials on public roads.	
Title 14 CCR Chap 3, Art 7.5	17676	Applicable	Requires initiating unloading area, controlling windblown materials, and deposition at toe of fill.	
	17677	Applicable	Requires spreading and compacting of refuse in layers.	

**Travis AFB NEWIOU
Potential State ARARS
Landfill Remediation Requirements**

Source	Section	Type	Description	Remarks
Title 14 CCR Chap 3, Art 7.5 (Cont.)	17678	Applicable	Requires that the slope of the working face shall be maintained at a ratio which will allow effective compaction of the wastes. Requires the depth of the cuts and slopes of trench sides not exceed specified horizontal to vertical ratios.	Applicable to landfill sites with consolidation activities or other activities where wastes will be uncovered or moved.
	17680	Applicable	Requires stockpiled cover material and unacceptable native material be placed so as not to cause problems or interference with site operations.	
	17684	Applicable	Requires cover on fill where no additional refuse will be deposited within 180 days.	
	17686	Applicable	Establishes a prohibition on scavenging at a disposal site.	
	17687	Applicable	Establishes that salvaging is permitted in a planned and controlled manner.	
	17688	Applicable	Authorizes volume reduction and energy recovery in a planned and controlled manner.	
	17689	Applicable	Requires processing to be confined to the smallest area possible.	
	17690	Applicable	Requires salvage material to be safely isolated for storage.	
	17691	Applicable	Requires the storage time for salvage material be limited to a safe duration.	
	17692	Applicable	Establishes that items capable of impairing public health not be salvaged without prior approval by enforcement /local health agencies.	

**Travis AFB NEWIOU
Potential State ARARs**
Landfill Remediation Requirements

Source	Section	Type	Description	Remarks
Title 14 CCR Chap 3, Art 7.6	17701	Applicable	Requires that each site shall be operated and maintained so as to not create a nuisance.	Applicable to landfill sites with consolidation activities or other activities wastes will be uncovered or moved.
	17704	Applicable	The operator shall take adequate steps to monitor, collect, treat, and effectively dispose of leachates.	Section 17704 is applicable as applied consistent with the requirements of 22 CCR 66264.301.
	17705	Applicable	Establishes requirements for landfill gas control based on monitoring.	Applicable to all unclosed landfill sites.
	17706	Applicable	Requires operators take adequate measures to minimize dust.	
	17707	Applicable	Requires the operator control or prevent the propagation, harborage, or attraction of flies, rodents, or other vectors, and to minimize bird problems.	
	17708	Applicable	Requires adequate drainage to be provided. Effects of erosion shall be promptly repaired and steps taken to prevent further occurrence.	
	17709	Applicable	Requires that no solid waste be deposited in contact with surface or groundwater.	Applicable to landfill sites with consolidation activities or other activities where wastes will be uncovered or moved.
	17710	Applicable	Requires covered surfaces of the disposal area be graded to promote run-off and prevent ponding, accounting for future settlement.	
	17711	Applicable	Requires litter/loose materials to be routinely collected and disposed.	
	17713	Applicable	Requires that the disposal site shall not be a source of odor nuisances.	
	17714	Applicable	Requires that burning wastes shall be extinguished.	

Travis AFB NEWIOU
Potential State ARARS
Landfill Remediation Requirements

Source	Section	Type	Description	Remarks
Title 14 CCR Chap 3, Art 7.8	17766	Applicable	Establishes a requirement to maintain a written emergency response plan.	Applicable to landfill sites with consolidation activities or other activities where wastes will be uncovered or moved.
	17767	Relevant and Appropriate	Establishes security requirements and closure procedure for open landfills.	Section 17767, paragraphs (c) through (f) are relevant requirements. Paragraph (a) is not applicable per paragraph (b). Paragraphs (f) and (g) are procedural and therefore not ARARs.
	17773	Applicable	Establishes criteria for a final cover on the landfill.	Applicable to landfill sites where a final cover will be constructed. Section 17773, paragraphs (b) through (e) are applicable substantive requirements.
	17774	Applicable	Establishes construction quality assurance parameters for final cover.	Section 17774, paragraphs (a) and (c) through (h) are applicable substantive requirements.
	17776	Applicable	Establishes final grading requirements for the final cover.	Section 17776, paragraphs (a) and (c) through (f) are applicable substantive requirements.
	17777	Applicable	Establishes final site face requirements for the final cover.	
	17778	Applicable	Establishes final drainage requirements for the final cover.	Section 17778, paragraphs (a) and (c) through (j) are applicable substantive requirements.
	17779	Applicable	Requires that the design and construction of the slopes must protect the integrity of the final cover and minimize soil erosion.	Section 17779, paragraphs (a) and (c) through (i) are applicable substantive requirements.
	17781	Applicable	Leachate must be monitored, collected, treated, and discarded appropriately.	Applicable to landfill sites which will be closed at part of the remedial action. Section 17781, paragraphs (a) (b) (c) & (e) are applicable substantive requirements. Paragraph (c) and (d) are not ARARs with respect to reporting requirements.

Travis AFB NEWIOU
Potential State ARARs
Landfill Remediation Requirements

Source	Section	Type	Description	Remarks
Title 14 CCR Chap 3, Art 7.8 (Cont.)	17783	Applicable	Requires landfill gas to be collected & analyzed; concentration of combustible gas at the landfill boundary must be =<5%. Trace gases must not be at levels that cause adverse health/environmental impact.	Applicable to landfill sites which will be closed at part of the remedial action. Section 17781, paragraphs (a) (b) (c) & (e) are applicable substantive requirements. Paragraph (c) and (d) are not ARARs with respect to reporting requirements.
	17788	Applicable	Requires the landfill to be maintained and monitored for no less than 30 years following closure.	
	17796	Applicable	Establishes requirements for use of landfill following closure.	
Title 14 CCR Chap 5, Art 3.2	18222	Relevant and Appropriate	Establishes the planning requirements necessary to ensure solid waste is handled and disposed in manners that protect public health and safety and the environment must be conducted.	Applies to sites where consolidation activities will occur. Relevant and appropriate to establish format for contents of the remedial action documents.
Title 14 CCR Chap 5, Art 3.4	18265.3	Relevant and Appropriate	Establishes contents of the final closure plan.	Relevant and appropriate at landfill closure site for content requirement of the closure plan. Section 18262.3, paragraphs a(1) to (a)(5) are relevant and appropriate to consolidation sites; paragraphs (a)(6) to (a)(8) are procedural and not ARARs.
	18275	Relevant and Appropriate	Establishes post closure maintenance plan requirements for solid waste disposal sites.	Relevant and appropriate at landfill closure site.
			Establishes a requirement to submit certification of final closure to local agencies.	

Travis AFB NEWIOU
Potential State ARARs
Air Remediation Requirements

Source	Section	Type	Description	Remarks
(Bay Area Air Quality Management District Regulations)	308	Applicable	Establishes that fugitive emission from equipment or facilities must comply with all applicable requirements.	Applicable to all sites and all actions which may result in fugitive emissions.
	316	Applicable	Establishes levels for various air contaminants at which the permitting requirements 2-1-301 and 2-1-301 become applicable.	Relevant and appropriate to all sites and actions in establishing the level of emissions levels at which applicable substantial requirements trigger. Permit requirements of 2-1-301 and 2-1-302, as well as APCO procedural requirements, are not ARARs.
	501	Applicable	Establishes emission monitoring requirement.	Applicable to all sites or actions where equipment with potential to release emissions to the air, with respect to substantive provisions in Volume V regarding monitoring.
Regulation 2, Rule 2	112	Applicable	Establishes exemptions from abatement control equipment requirements for secondary pollutants.	Applicable to sites where abatement devices are used. Potentially applicable to all sites.
	301	Applicable	Establishes BACT requirement for certain new sources.	Applicable to all actions with potential to discharge to air. Not applicable for permitting requirements or authority to construct but applicable for determining the applicability of BACT to a new source.
	302	Applicable	Establishes offset requirements for certain new sources.	Applicable to all actions with potential to discharge to air. Not applicable for permitting requirements or authority to construct but applicable for determining offset requirements for a new source. Currently, Travis AFB emits <50 tons annually.

Travis AFB NEWIOU
Potential State ARARS
Air Remediation Requirements

Source	Section	Type	Description	Remarks
Regulation 2, Rule 2 (Cont.)	308	Applicable	Establishes BACT and PSD requirements for new or modified facilities in Class 1 areas.	Applicable to all sites and actions where new sources are implemented. Potential applicability to all sites.
	315	Applicable	Incorporates 40 CFR 51.166 as a part of Rule 2.	Applicable to all sites or action with potential to discharge to the air.
	412	Applicable	Establishes standards upon sources following relaxation of any enforceable limitation.	Applicable with respect to substantive provisions of this or other regulation triggering this section.
	418	Applicable	Establishes criteria for the use of stacks.	Applicable to all sites or actions where a stack is used in the remediation. Potentially applicable to all sites.
	501	Applicable	Establishes pre-construction area monitoring requirements for new sources.	Applicable to all new sources. Potential applicability to all sites and alternative actions. Operation requirements set forth in subsection 501.2 constitute a valid ARAR. Section 501.1 is a procedural requirement and not an ARAR.
	502	Applicable	Establishes post-construction area monitoring requirements for new sources.	Applicable to new sources. Potential applicability to all sites and alternative actions. Monitoring requirements constitute a valid ARAR. Provisions regarding permit to operate and authority to construct are procedural and not ARARs.
	601	Applicable	Establishes methodology for ambient air quality monitoring.	Applicable to all sites or alternative actions where a new source is implemented.
	602	Applicable	Establishes criteria for stack height.	Applicable to all sites or actions where a stack is used in the remediation. Potentially applicable to all sites.
	606	Applicable	Establishes emissions calculations for permitting offsets.	Applicable with respect to methodology for calculation of offset credits. Permitting requirements and procedures, and authority to construct procedures, are procedural and not valid ARARs.

Travis AFB NEWIOU
Potential State ARARS
Air Remediation Requirements

Source	Section	Type	Description	Remarks
Regulation 2, Rule 4	304	Applicable	Establishes limitations for use of bankable deposits.	Applicable to all sites and alternative actions involving the use of a new source.
	305	Applicable	Establishes conditions for withdrawal of bankable deposits.	
	412	Applicable	Establishes withdrawal procedures for banked deposits.	
	601	Applicable	Establishes emission calculation procedures to be used in this rule.	
Regulation 6	301	Applicable	Establishes limitations on visible emissions and opacity.	Applicable to landfill sites, any soil site where excavation occurs, or air-stripping actions.
	302	Applicable	Establishes limitations on emission rates.	Applicable to landfill sites, any soil site where excavation occurs, or air-stripping actions.
	303	Applicable	Establishes limitations on emission rates, concentration, visible emissions and opacity.	Applicable to all sites utilizing internal combustion engines < 25 liters or any site where soldering, brazing, or welding activities occur.
	305	Applicable	Establishes limitations on visible emissions and opacity.	Applicable to all sites.
	310	Applicable	Establishes limitations on particulate weight from specified sources.	Applicable to all sites. Sections 310.1, 310.2 and 310.3 are not applicable or relevant to remediation activities at Travis AFB.
	311	Applicable	Establishes limitations on emission rates from any emission source.	Applicable to all sites. However, no activities which would trigger this requirement are anticipated at the NEWIOU.
	401	Applicable	Establishes requirement that plant operators recognize appearance of emissions at all times.	Applicable to all sites. However, no activities which would trigger this requirement are anticipated at the NEWIOU.
	501	Applicable	Establishes requirements for sampling facilities and instruments.	Applicable to all sites or actions where emissions occur.

**Travis AFB NEWIOU
Potential State ARARS
Air Remediation Requirements**

Source	Section	Type	Description	Remarks
Regulation 8, Rule 34	111	Applicable	Establishes exemptions for certain solid waste disposal sites.	Applicable to NEWIOU landfills.
	113	Applicable	Establishes exemption for periods of inspection and maintenance.	Applicable to NEWIOU landfills.
	301	Applicable	Establishes emission control system gas collection requirements for landfills.	Applicable to NEWIOU landfills sites not meeting the exemption requirements set forth in subsections 111.1, 111.2, or 111.3.
	303	Applicable	Establishes maximum organic compound concentrations at the surface of a landfill.	
	503	Applicable	Establishes quarterly testing requirements.	
	504	Applicable	Establishes criteria for instruments used to measure organic compounds.	
	601	Applicable	Establishes methodology for the determination of emissions.	
	602	Applicable	Establishes leak measurement criteria.	
	603	Applicable	Establishes landfill gas sampling criteria.	
	604	Applicable	Establishes methodology for determining concentrations of methane and nitrogen.	
Regulation 8, Rule 40	110	Applicable	Establishes an exemption for calculation of aeration volumes for exposed surfaces.	Applicable to NEWIOU soil sites.
	111	Applicable	Establishes an exemption for calculation of aeration volumes for exposed surfaces.	
	112	Applicable	Establishes exemption for calculation of aeration volume for soil used in sampling.	
	113	Applicable	Establishes an exemption for calculation of aeration volumes chemicals with boiling point >302 degrees F.	Applicable to all NEWIOU soil sites contaminated with non-volatile hydrocarbon compounds only.
	114	Applicable	Establishes an exemption for calculation of aeration volumes for soil excavated during pipeline leak repairs.	Applicable to water remediation sites where pipelines contain hazardous compounds (i.e. TCE contaminated water).

Travis AFB NEWIOU
Potential State ARARs
Air Remediation Requirements

Source	Section	Type	Description	Remarks
Regulation 8, Rule 40	301	Applicable	Establishes methodology and rates for soil aeration.	Applicable to soil sites and soil aeration alternatives.
	302	Applicable	Establishes increased aeration rates for organic compounds where the emissions are reduced by at least 90 percent by weight.	
	303	Applicable	Establishes requirements for soil storage piles to minimize emissions to the atmosphere resulting from aeration.	
	310	Applicable	Establishes requirements for removal or replacement of storage tanks which previously contained organic compounds.	Applicable to sites where removal or replacement of USTs will occur. Potentially applicable to all sites, although there are presently no known USTs are NEWIOU remediation sites.
	311	Applicable	Establishes restrictions on vapor freeing a tank.	Applicable to sites or activities where tanks are used as part of the remedial action.
	312	Applicable	Establishes restrictions on ventilating a tank.	
	601	Applicable	Establishes parameters for soil sampling at aeration site.	Applicable to soil sites and soil remediation alternatives.
	602	Applicable	Establishes measurement of organic content requirements for organic compounds in soil.	
	603	Applicable	Establishes parameters for measuring emissions of organic compounds from soils.	

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Potential State ARARS
Air Remediation Requirements

Source	Section	Type	Description	Remarks
Regulation 8, Rule 47	109	Applicable	Establishes regulatory exemptions for small emissions.	Applicable to air stripping and soil vapor extraction alternatives.
	112	Applicable	Establishes exemptions from this Rule for aeration of contaminated soil and removal of underground storage tanks.	
	113	Applicable	Establishes exemption for air stripping and soil vapor extraction operations less than 1 pound per day.	Section 113 is applicable except for procedural requirements pertaining to APCO and permitting requirements are not ARARs.
	301	Applicable	Establishes air stripping and soil vapor extraction emission control requirements for benzene, vinyl chloride, perchloroethylene, methylene chloride and/or trichloroethylene.	
	302	Applicable	Establishes emission control requirements for air stripping and soil vapor extraction operations with greater than 15 pounds per day emissions.	
	601	Applicable	Establishes methodology for air stripper water sampling.	Applicable to alternatives utilizing air stripping technology.
	602	Applicable	Establishes methodology for the measurement of organic compound concentrations in water.	
	603	Applicable	Establishes methodology for measurement of emissions of organic compounds.	Applicable to air stripping and soil vapor extraction alternatives.

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Potential State ARARS
Air Remediation Requirements

Source	Section	Type	Description	Remarks
Regulation 11	301	Applicable	Establishes daily emission levels for the discharge of lead or lead compounds.	Applicable to alternative actions which have the potential for emissions of lead or lead compounds into the atmosphere.
	302	Applicable	Establishes daily lead emission levels which impact ground level concentrations.	
	303	Applicable	Establishes limits on lead emission levels by prohibiting emissions which result in average ground level concentrations greater than 1.0 ug/l above background.	
	501	Applicable	Establishes monitoring equipment requirements.	
	601	Applicable	Establishes requirements for calculating ground level emissions of lead or lead compounds.	
	602	Applicable	Requirements for establishing background concentration levels of lead.	Sections 11-1-603 and 11-1-604 are applicable for substantive portions of the Manual of Procedures, Volume VI, Section 2, only.
	603	Applicable	Establishes requirements for monitoring concentrations of lead, including atmospheric sampling, siting, and reporting procedures.	
	604	Applicable	Requirements for establishing daily emission limits of lead.	

Travis AFB NEWIOU
Potential State ARARs
Fish and Game Requirements

Source	Section	Type	Description	Remarks
California Fish and Game Code	1600 et seq	To Be Considered	Establishes coordination requirements between the lead agency and the Department of Fish and Game.	Section 1600 et seq will be considered consistent during remediation activities. Federal requirements which rise to the level of ARARs also require coordination between the state and lead agency.
	1908	Applicable	Establishes a prohibition on the import, taking or possession of rare or endangered native plants.	Applicable to all sites.
	2080	Applicable	Establishes a prohibition on the import, taking or sale of threatened or endangered native plants.	
	2090	Relevant and Appropriate	Requires state lead agencies to consult with the Department of Fish and Game to ensure authorized actions will not jeopardized endangered or threatened species.	Relevant and appropriate for federal agencies at all sites where endangered or threatened species are located.
	2091	Relevant and Appropriate	Requires state agencies to use alternative actions where 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.	

**Travis AFB NEWIOU
Potential State ARARS
Fish and Game Requirements**

Source	Section	Type	Description	Remarks
California Fish and Game Code (Cont)	3005	Applicable	Prohibits the taking of birds or animals with net, pound, cage, trap, set line, wire, or poison.	Applicable to all sites.
	3511	Applicable	Prohibits taking of birds identified as "fully protected."	
	3513	Applicable	Prohibits taking or possession of mammals identified as "fully protected."	
	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 it can pass into the waters of the state.	
California Fish and Game Commission Policies	Management and Utilization of Fish and Wildlife on Federal Lands	To Be Considered	Establishes management policies and defines methodologies used in the protecting all fish, wildlife, and threatened and endangered species.	Although these policies are not promulgated regulations and therefore, cannot be legally defined as ARARs, these policies do contain substantive provisions which will be considered in the decision process, consistent with applicable federal laws and statutes.
	Wetlands Resource Policy	To Be Considered		

Travis AFB NEWIOU
Potential State ARARs
Fish and Game Requirements

Source	Section	Type	Description	Remarks
Title 14 CCR	40.00	Applicable	Prohibits the taking of possession of native reptiles and amphibians.	Applicable to all site and action alternatives.
40.10	Applicable		Prohibits the taking of possession of native reptiles and amphibians.	
460	Applicable		Prohibits the taking of certain fur bearing mammals at any time.	
640	To Be Considered		Establishes requirement for fish and wildlife planning to optimize fish and wildlife resources.	Section 640 will be considered to the extent feasible and consistent with CERCLA planning documents.
670.2	Applicable		Establishes species, subspecies, and varieties of native California plants as endangered, threatened, or rare.	
670.5	Applicable		Establishes species, subspecies, and varieties of native California plants as endangered, threatened, or rare.	

Travis AFB NEWIOU
Potential State ARARS
Water Remediation Requirements

Source	Section	Type	Description	Remarks
California Water Code (CWC)	13243	Applicable	Authorizes regional boards to specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted.	Applicable to sites or actions where potential discharges will occur.
(Porter-Cologne Water Quality Control Act - CWC section 13000 et seq)	13267(b)	Applicable	Authorizes regional boards to require persons who have discharged or will discharge to furnish technical or monitoring program reports which the regional board requires.	Applicable to sites where discharges exist or where potential discharges may occur.
	13304(a)	Applicable	Requires dischargers or those causing, permitting, or threatens to cause discharges of waste into the waters of the state in violation of requirements, or orders or prohibitions issued by regional or state boards, to clean up the waste or, in the case of threatened pollution or nuisance, take other necessary remedial action, including, but not limited to, overseeing cleanup and abatement efforts. Establishes procedural guidance for regional boards when discharges fail to take appropriate remedial action.	Applicable to the clean up or abatement of the effects of existing and threatened discharges of contaminants.
	13375	Applicable	Prohibits the discharge of chemical, radiological, or biological warfare agents into the waters of the state.	Applicable to sites where potential discharges may occur.

Travis AFB NEWIOU
Potential State ARARS
Water Remediation Requirements

Source	Section	Type	Description	Remarks
Porter-Cologne Water Act; California Water Code, Division 7, Sections 13000, 13140, 13263, 13267, 13304	State Water Board Resolution 68-16	Applicable	<p>Establishes policy that whenever the existing quality of water is better than the quality established in policies as of the date on which such policies become effective, such existing high quality will be maintained until it has been demonstrated to the State that any change will be consistent with maximum benefit to the people of the State, will not unreasonably affect present and anticipated beneficial use of such water and will not result in water quality less than that prescribed in the policies.</p> <p>Discharges or proposed discharges to existing high quality waters will be required to meet waste discharge requirements which will result in the best practicable treatment or control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.</p>	This policy applies to remedial action activities causing <u>active</u> discharges to surface water or groundwater.

**Travis AFB NEWIOU
Potential State ARARs
Water Remediation Requirements**

Source	Section	Type	Description	Remarks
Porter-Cologne Water Act; CWC Sections 13140, 13140, 13240	State Water Board Resolution 88-63	Applicable	Designates all ground and surface water of the state as drinking water with certain exceptions (TDS>3000 ppm, well yield<200 gpd, geothermal resources, waste water conveyance facility, or can't be reasonably treated for domestic use.	Applies to sites affected by waste discharge to groundwater or surface water. State primary MCLs are relevant and appropriate; however, the most stringent federal or state standard will be the ARAR for remedial action. (See 22 CCR 66435, 64444.5, 64473).
Porter-Cologne Water Act; CWC Sections 13140, 13240, 13260, 13263, 13267, 13300, 13304, 13307	State Water Board Resolution 92-49	Relevant and Appropriate	Establishes a requirement for the regional boards to apply certain policies and procedures for the oversight of investigations and cleanup and abatement activities resulting from discharges of waste which affect or threaten water quality. Also requires the application of Title 23 CCR, Division 3, Chapter 15, to cleanups.	Paragraphs IIIF and IIIG are relevant and appropriate to all NEWIOU sites where the discharges of wastes threatens or may affect the quality of ground or surface water. Requires an analysis of cleanup to the water quality objective, background, and where appropriate, a level between those two. (Also see remarks in the main text of Appendix A, paragraph A.2.3.)
Porter-Cologne Water Act; California Water Code Sections 13240, 13241, 13242, 13243	San Francisco Bay Water Quality Control Plan (Basin Plan)	Applicable	Describes the basins in the region, establishes beneficial uses of the ground and surface waters, establishes water quality objectives, protects beneficial uses, and incorporates state wide water quality control plans and policies.	Applicable to all sites and actions where remediation of ground or surface water will occur, or actions which have potential impact on surface water or groundwater.
Central Valley Water Quality Control Board	To Be Considered		The designated level methodology for waste classification and cleanup level determination.	To Be Considered requirement for all water remediation sites and for all actions with the potential to discharge to or otherwise impact ground or surface water.

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Water Remediation Requirements

Source	Section	Type	Description	Remarks
Title 23 CCR (Porter Cologne Water Quality Control Act - CWC Sections 13140 - 13147, 13172, 13260, 13263, 13267, 13304)	Division 3, Chapter 15	See Individual Sections	Establishes waste and siting classification systems and minimum waste management standards for discharges of waste to land for treatment, storage, and disposal.	See sections below for the application of specific sections of Chapter 15.
2510(d)	Relevant and Appropriate		Requires closure of existing waste management units IAW Chapter 15, Article 8. Applies to all areas where waste has been discharged to land on or before Nov. 27, 1984, but were not closed, abandoned, or inactive prior to that date.	This section is applicable to existing waste management units and only as invoked through 23 CCR 2511(d).
2510(g)	Applicable		Requires parties responsible for discharges at waste management units which were closed, abandoned, or inactive on the effective date of these regulations to develop and implement a monitoring program.	
2511(d)	Applicable or Relevant and Appropriate		Establishes exemption from provisions of this subsection for unintentional or unauthorized releases of waste or pollutants to the environment. Requires wastes, pollutants, or contaminated materials removed from the immediate place of release are discharged according to Article 2. Remedial actions intended to contain such wastes at the place of release shall implement applicable provisions of this subchapter to the extent feasible.	Applicable to waste management units in operation after November 27, 1984 and relevant and appropriate for units whose actions ceased prior to that date. Wastes, pollutants, or contaminated materials removed from the immediate place of release shall be discharged according to Article 2.

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Water Remediation Requirements**

Source	Section	Type	Description	Remarks
Title 23 CCR (Cont)	2522	Relevant and Appropriate	Requires that designated wastes be discharged to Class I or II management units. Applies to designated waste (nonhazardous waste that could cause degradation of surface or groundwater) to land for treatment, storage, or disposal.	Applicable to wastes being removed from landfills and bioremediation units.
	2523	Applicable	Requires that non-hazardous solid waste be discharged to a classified waste management unit.	Applicable to landfill consolidation activities.
	2550.4	Applicable or Relevant and Appropriate	Requires discharger to propose and the regional board to approve concentration limits for each constituent of concern for each medium monitored pursuant to 2550.7. For corrective action programs, establishes criteria for establishing concentration limits greater than background.	Applicable in setting groundwater cleanup levels for discharges to land. Remedial actions intended to contain such wastes at the place of release shall implement applicable provisions of this subchapter to the extent feasible. Relevant and appropriate as incorporated by Resolution 92-49.
	2550.6	Applicable	Requires monitoring for compliance with remedial action objectives for three years from the date of achieving cleanup objectives.	Applicable to groundwater remediation sites where waste has been discharged to land.
	2550.7	Applicable	Requires general soil, surface water, and groundwater monitoring.	
	2550.9	Applicable	Applies to sites where monitoring results show statistically significant evidence of a release. Requires an assessment of the nature and extent of the release, including a determination of the spatial distribution and concentration of each constituent.	

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Water Remediation Requirements

Source	Section	Type	Description	Remarks
Title 23 CCR (Cont)	2550.10	Applicable	Requires implementation of corrective action measures to ensure that cleanup levels are achieved. Also requires monitoring to determine the effectiveness of the corrective actions.	Applies to soil remediation actions and sites.
2581	Applicable		For wastes contained or left in place following remedial action if potentially affecting water quality. Includes closure of landfills and other areas where wastes have been discharged. Requires final cover be constructed IAW specific prescriptive standards.	
2582	Applicable		Requires surface impoundments to be closed by either removing all remaining contamination or closing the surface impoundment as a landfill.	Applies to areas where wastes containing free liquids were discharged.
2583	Applicable		Requires waste piles to be closed by removing all wastes and materials contaminated by wastes, or by constructing a cover IAW specific prescriptive standards.	Applies to sites where waste piles exist.

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Potential Federal ARARS
Requirements under the US Code and Related Regulations

Source	Section	Type	Description	Remarks
Title 16 USC (Endangered Species Act)	1531(c) 1536(a)	Applicable Applicable	Requires action to conserve endangered species and critical habitats upon which endangered species depend. Includes consultation with the Dept of Interior.	Applicable to all sites and alternative actions where endangered species or habits on which endangered species depend is present.
Title 50 CFR Part 402	All Sections	Applicable		
Title 16 USC (Fish and Wildlife Coordination Act)	662	Applicable	Regulates site actions that may effect fish or wildlife in lakes, stream, or other body of water by requiring coordination between the lead agency and the US Fish and Wildlife Service, Department of the Interior, and applicable state agencies.	Applicable to actions which are located at or near, or which impact, Union Creek and pond. Also includes groundwater remediation actions which impact these sites.
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.	Applicable to all sites where migratory birds or their habitats are located.

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Requirements under the US Code and Related Regulations

Source	Section	Type	Description	Remarks
(Nationwide Permits)	Title 33 CFR Part 330 Appendix A, Subpart B	Relevant and Appropriate	Establishes requirements for federal permitting and establishes substantive requirements related to permitting.	The substantive provisions of this section (paras 7, 12, 13, 16, 18, 19, 27, and 33) are relevant and appropriate to all sites. The permitting requirements are not ARARs.
	Appendix A, Subpart B	Relevant and Appropriate	Establishes conditions and prerequisites for nationwide permitting system.	The substantive portion of this section are relevant and appropriate to all sites. The permitting requirements are not applicable at a CERCLA site.
(Clean Water Act - EPA Administered Programs)	122.26	Applicable	Requirements to ensure stormwater discharges from remedial activities do not contribute to a violation of surface water quality standards.	Applicable to all alternative actions which have the potential to discharge to the stormwater system.
	122.41(d)	Applicable	Requires all reasonable steps be taken to minimize or prevent discharges which have a reasonable likelihood of causing adverse impacts on surface water quality.	Applicable to all alternative actions.
	122.41(e)	Applicable	Requires proper operation and maintenance of treatment and control systems and equipment.	Applicable to all alternative actions. However, the permitting requirements of this section are not an ARAR.
	122.44(d)	Applicable	Requires that discharges to surface water must achieve federal and state water quality standards.	Applicable to all alternative actions which have the potential to discharge to surface water.
Title 40 CFR Part 144 (Safe Drinking Water Act)	All Sections	Applicable	Establishes that the injection of fluids into subsurface through wells cannot violate primary MCLs, must be maintained and monitored.	Applicable to actions where reinjection to potential drinking water source occurs. Requires injected fluids be at or below MCLs.

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Potential Federal ARARS
Requirements under the US Code and Related Regulations

Source	Section	Type	Description	Remarks
40 USC (National Primary Drinking Water Standards) Title 40 CFR Part 141	300	Relevant and Appropriate	Establishes health based standards for public water systems [maximum contaminant levels (MCLs)].	Relevant and appropriate to remediation of groundwater and surface water where such waters are a potential a drinking water source. Included are groundwaters classified as Class II aquifers.
	141.11	Relevant and Appropriate	Establishes the federal allowable maximum contaminant levels (MCLs) for arsenic in community water systems and nitrates in non-community water systems.	
	141.12	Relevant and Appropriate	Establishes federal maximum contaminant levels (MCLs) for trihalomethanes.	
	141.13	Relevant and Appropriate	Establishes federal turbidity requirements for both community and non-community water systems.	
	141.50	Relevant and Appropriate	Establishes maximum contaminant level goals (MCLGs) for various organic contaminants.	
	141.51	Relevant and Appropriate	Establishes MCLGs for inorganic contaminants.	
	141.61	Relevant and Appropriate	Establishes MCLs for organic contaminants. Requires the best technology, treatment technique, or other means available for achieving compliance of MCLs contaminants.	
	141.62	Relevant and Appropriate	Establishes MCLs for inorganic contaminants. Requires the best technology, treatment technique, or other means available for achieving compliance of MCLs for identified contaminants, except fluoride.	

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Potential Federal ARARS**

Requirements under the US Code and Related Regulations

Source	Section	Type	Description	Remarks
40 CFR Part 230	230.10	Applicable	Prohibits discharge of dredged or fill material into waters or wetlands without a permit. Establishes limitations on such discharges.	Applicable to sites where wetlands and vernal pools are located. Permitting requirements are not a requirement at a CERCLA site and are not ARARS.
(Clean Water Act - Disposal of Dredged or Fill Material)	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 dispersement methods.	
	230.74	Applicable	Requires use of available technology, adapted to the particular site, to minimize the adverse effects of dredge and fill discharges.	
	230.75	Applicable	Requires minimization of adverse effects on populations of plants and animals caused by the discharge of dredge or fill materials.	
	230.76	Applicable	Requires use of fill or dredge material discharge methods which minimize the adverse effects on human use potential.	

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Potential Federal ARARS
Requirements under the US Code and Related Regulations

Source	Section	Type	Description	Remarks
Title 40 CFR Part 258	258.10	Relevant and Appropriate	MSWLF units within 10,000 feet of a runway used by turbojet aircraft must be designed & operated so the unit does not pose a bird hazard to the aircraft.	Relevant and appropriate to all consolidation landfill sites or other landfill site where remediation activities will result in the uncovering of inactive landfills.
(RCRA and Clean Water Act - Municipal Landfill Requirements)	258.21	Relevant and Appropriate	Requires MSWLFs to be covered with 6 inches of earthen material at the end of the day or more frequently if necessary.	
	258.22	Relevant and Appropriate	Requires that rodents, flies, mosquitoes, and animals capable of transmitting diseases to humans must be prevented or populations controlled at all times.	
	258.23	Relevant and Appropriate	Requires monitoring and control of, and sets concentration limits for methane at landfills sites.	
	258.25	Relevant and Appropriate	Requires natural or artificial barriers be used to prevent unauthorized vehicle traffic, illegal dumping, and public access to all MSWLFs.	
	258.26	Relevant and Appropriate	Requires run-on and run-off system to be designed to handle the potential flow from a 24-hour, 25-year storm.	
	258.51	Relevant and Appropriate	Requires installation of groundwater monitoring systems (GMS) that characterize the upper aquifer.	
	258.60	Relevant and Appropriate	Establishes final cover requirements for all MSWLF.	
	258.61	Relevant and Appropriate	Establishes federal post-closure care requirements for MSWLF.	