

MEMORANDUM FOR THE RECORD

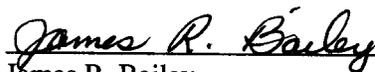
**Finding of Suitability to Lease**

**Space Used by the Treasure Shop, Building U-53,  
Norfolk Naval Base, Norfolk, VA  
File No. LIC-0-1098**

In accordance with ASN I&E Memorandum of 22 December 1993, I have reviewed the Environmental Baseline Survey (EBS) Checklist and related appropriate information concerning this property as provided by Janice C. Bradley, Real Estate Contracting Officer, Hampton Roads/Iceland IPT in Memorandum to Atlantic Division, Naval Facilities Command, Code EV32 dtd 3 Feb 2003.

Commander, Navy Region, Mid-Atlantic (Regional Engineer) has requested a Finding of Suitability to Lease (FOSL) to be prepared for the use of space in Building U-53 by the Treasure Shop. No preceding FOSL appears to exist in the LANTDIV FOSL record for the building space under this file number. An Environmental Baseline Survey (EBS) Checklist was prepared on 27 August 2002 by Robert M. Schonk, Jr and no environmental problems were noted.

Hazardous substances or petroleum products have not been stored for one year or more or known to have been released, treated or disposed of on the parcel.



James R. Bailey  
Head, Environmental Support Branch  
Environmental Quality Division  
Atlantic Division, Naval Facilities Engineering Command



Date

322-4931

LIC-O-1098

OPAR BJ

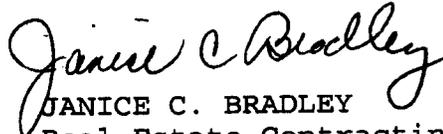
3 Feb 03

**MEMORANDUM FOR CODE EV32**

Subj: REQUEST FOR ENVIRONMENTAL BASELINE SURVEY/FOSL

Encl: (1) COMNAVREG MID-Atlantic ltr 4535 RE 282/40 of  
13 Nov 02 as endorsed

1. As evidenced by enclosure (1), we have been requested to prepare a License to cover use of Building U-53 for a "Treasure Shop".
2. Based on the information enclosed, please furnish a FOSL to support development of the License for a five-year term.
3. Recommend you use our file number "LIC-0-1098" to identify this action. If you require reference to the contract number, N62470-03-RP-00060 has been assigned for the initial five year License. In the event succeeding License is prepared, the file number will be carried over to the new five-year instrument.
4. If additional information is required, please contact me at 322-4931. I look forward to your reply.



JANICE C. BRADLEY  
Real Estate Contracting Officer  
Hampton Roads/Iceland IPT



**DEPARTMENT OF THE NAVY**

COMMANDER IN CHIEF  
U.S. ATLANTIC FLEET  
1582 MITSCHER AVENUE SUITE 250  
NORFOLK, VA. 23551-2487

11000  
Ser N4641R/487  
18 DEC 02

FIRST ENDORSEMENT on COMNAVREG MIDLANT ltr 4535 Ser RE 282/40  
of 13 Nov 02

From: Commander, U.S. Atlantic Fleet  
To: Commander, Atlantic Division, Naval Facilities  
Engineering Command (OPAR/BJ)

Subj: REQUEST FOR REAL ESTATE INSTRUMENT TO COVER SPACE USED BY  
THE TREASURE SHOP IN BUILDING U-53

1. Forwarded, concurring with request to issue appropriate real estate outgrant necessary for continuing operations of the Treasure Shop in Building U-53.

2. COMLANTFLT's POC is Mr. Vic Patton, N4641, at (757) 836-7992 (DSN 836) or fax 836-5522.

  
M. B. GEMENDER  
Branch Head for Facility  
Management  
Shore Activities Readiness

Copy to:  
COMNAVREG MIDLANT



## DEPARTMENT OF THE NAVY

COMMANDER  
NAVY REGION, MID-ATLANTIC  
6506 HAMPTON BLVD.  
NORFOLK, VA 23508-1273

IN REPLY REFER TO:  
4535

RE 282/40

NOV 13 2002

From: Commander, Navy Region, Mid-Atlantic (Regional Engineer)  
To: Commander, Atlantic Division, Naval Facilities  
Engineering Command (OPAR-BJ)  
Via: Commander, U. S. Atlantic Fleet

Subj: REQUEST FOR REAL ESTATE INSTRUMENT TO COVER SPACE USED  
BY THE TREASURE SHOP IN BUILDING U-53

Ref: (a) PHONCON EFDLANT, Mike Newbill / Regional Facilities  
Operations Office, Robert Morrison of 26 Sep 02

Encl: (1) List of Treasure Shop Charitable Contributions for the  
2001-2002 Shop Year  
(2) Site Approval  
(3) COMNAVREGMIDLANT ltr 11000 RE 00 OF 13 Sep 02  
(4) Commonwealth of Virginia, Department of Historic  
Resources ltr DHR File #2002-1416 of 27 Sep 02  
(5) Memorandum of Understanding (MOU) Between  
The Treasure Shop and Naval Station, Norfolk (copy)  
(6) Treasure Shop Information Sheet (Copy)  
(7) National Environmental Policy Act (NEPA) Record of  
Categorical Exclusion (CATEX)  
(8) Clean Air Act - General Conformity Rule Record of  
Non-Applicability (RONA)  
(9) Environmental Baseline Survey (EBS) Checklist

1. It is hereby requested that an appropriate outgrant be prepared to formalize the current use of space in Building U-53, Naval Station, Norfolk by The Treasure Shop. The Treasure Shop is a non-profit, charitable organization, which operates a retail store, occupying approximately 5,409 square feet of space. This organization is staffed by volunteer personnel who receive used merchandise, in the form of donations and on consignment basis, for resale. Items placed on consignment basis return 30% of the sale price to charity. Enclosure (1) provides a listing of 2001-2002 contributions benefiting the Navy (community), and enclosure (2) provides a Site Approval, illustrating the area used.

2. The Treasure Shop was recently required to relocate, from Building E-13 to its present site at Building U-53, for the

Subj: REQUEST FOR REAL ESTATE INSTRUMENT TO COVER SPACE USED  
BY THE TREASURE SHOP IN BUILDING U-53

Navy's convenience, due to other pressing needs and plans for Building E-13. As the Building U-53 space was the only suitable and available area to accommodate the necessary relocation of Treasure Shop operations, and their continued on-base charitable services were considered desirable and in the best interest of the Government, the Building U-53 area was assigned to the Treasure Shop without competition. The move was made quickly and inadvertently omitted the normal consideration of cultural/historical factors. As a result, reference (a) subsequently advised that usual State Historical Preservation Office documentation would not be appropriate and forthcoming. However, enclosures (3) and (4) provide correspondence which addresses this situation.

3. Enclosures (1) through (9) provide supporting/informational documentation for the requested real estate action. Enclosure (5) MOU should remain in effect for the duration of the requested real estate instrument and become a part of such instrument. Title V Checklist Data, for the McKinney Act, was not provided since The Treasure Shop is considered a Federal use of the property.

4. Recovery of administrative costs, associated with the processing of this request, is not considered desirable or appropriate. Additionally, as stated in paragraph 1, The Treasure Shop is a non-profit, charitable organization, established to benefit and support Military personnel and their dependents. Therefore, we request that compensation (rent) not be required. Lastly, as indicated in enclosure (5), The Treasure Shop should not pay for utilities. Historically, the above charges have never been assessed this organization, during its approximate 30-year existence.

5. The points of contact for The Treasure Shop are: Chairman, Barbara Maas, at 489-4275 and Bookkeeper, Deb Dziubinski at 423-0790. Their mailing address is: The Treasure Shop, P. O. Box 15351, Norfolk, Virginia 23511-0351.

Subj: REQUEST FOR REAL ESTATE INSTRUMENT TO COVER SPACE USED  
BY THE TREASURE SHOP IN BUILDING U-53

6. Regional Facilities Operations Office point of contact is  
Mr. Robert Morrison at (757) 322-3011.

  
ANTHONY J. COX  
By direction *for*

Copy to:  
COMLANTFLT (N4641)

**The Treasure Shop  
Charitable Contributions for the  
2001-2002 Shop Year**

1. Edmarc Hospice for Children	450
2. NMFA (National Military Family Association)	300
3. Samaritan House	450
4. Chesapeake Care	300
5. Foodbank of Southeastern Virginia	400
6. Navy Marine Corps Relief Society	400
7. Union Mission- Children's Home (Hope Haven)	400
8. Mobile Meals of Norfolk	400
9. Meals on Wheels - Virginia Beach	400
10. Fisher House	500
11. Armed Services YMCA Hampton Roads	300
12. Navy Services Family Line (Compass Program)	250
13. CANDII House	400
14. Surflant Scholarship Fund	250
15. Dolphin Scholarship Fund	250
16. Wings Over Atlantic Scholarship Fund	250
17. Big Brothers/Big Sisters	200
18. Goodwill	300
19. Hampton Roads USO	500
20. Ronald McDonald House	500
21. YWCA Battered Women (Norfolk)	300
22. Red Cross / Cromwell House (Norfolk)	<u>200</u>

**TOTAL DONATED TO CHARITIES**

**\$7,700**

ENCL (1)

REQUEST FOR PROJECT SITE APPROVAL/EXPLOSIVES SAFETY CERTIFICATION NAVFAC 11010/31 (REV. 4-87)

**PART I**

INSTRUCTIONS IN NAVFACINST 11010.44E

**SECTION A**

1. To: Commander, Navy Region, Mid-Atlantic (Regional Engineer)			2. From: Treasure Shop, Naval Station, Norfolk		
3. Program Year: FY02	4. Cost (\$000): N/A	5. Type Funding: N/A	6. Activity UIC: N62688	7. Date: 08/28/02	
8. Category Code and Project Title: (740-34) Relocate Treasure Shop, U-53				9. Project Number: N/A	
10. Type of Project: <input type="checkbox"/> New Construction <input type="checkbox"/> Change Use <input type="checkbox"/> Addition to Existing Facility <input type="checkbox"/> Major Modification to Existing Facility			<input type="checkbox"/> Relocation of Structure <input type="checkbox"/> Maintenance and/or Repairs <input type="checkbox"/> Repair By Replacement <input checked="" type="checkbox"/> Other: Reassignment of Space		
11. Type of Request: <input checked="" type="checkbox"/> Site Approval <input type="checkbox"/> Explosives Safety Certification <input type="checkbox"/> Resubmitted					
12. Project Description: Project will relocate the Treasure Shop from a small location building E-13 (Old Train Station) to a slightly larger location (5409 SF) building U-53 (Chapel). This space reassignment is necessary due to Treasure Shop having a requirement for additional space. None of the existing locations will be altered in anyway.  Note: Treasure Shop is a non- profit organization and all proceeds go to local charities.					
13. Set(1) of Project Maps Attached			14. Set() Part II Division(s) Attached		

**SECTION B**

1. Name/Code/Phone No. of Reviewer: Fred Myers/ Code 271FM/ 322-2340		2. Date Received: 08/27/02
3. No siting problems involved.		
4. Action: (check appropriate box(es))		
<input type="checkbox"/> Site Approved <input type="checkbox"/> Site Disapproved <input type="checkbox"/> Returned <input type="checkbox"/> Additional Data	<input type="checkbox"/> Requires NAVFACHQ Approval <input type="checkbox"/> Explosives Safety <input type="checkbox"/> Airfield Safety <input type="checkbox"/> Electromagnetic Radiation Safety	
5. Date Approval/Forwarding:	6. Signature of Approving/Forwarding Official:	

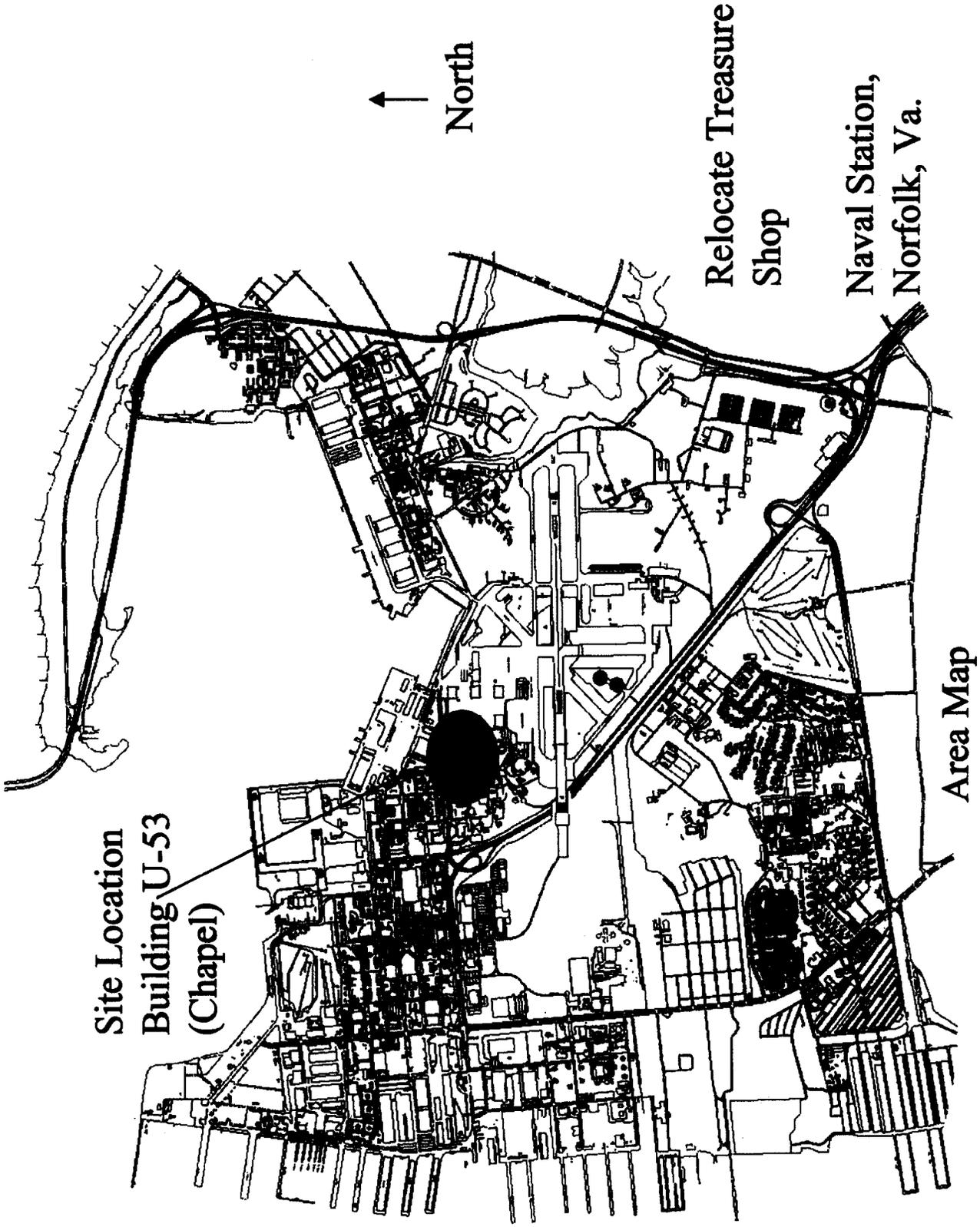
**SECTION C**

1. Name and Code of Reviewer:		2. Date Reviewed:	
3. Safety Review Requested: (check appropriate box(es))			4. Date:
<input type="checkbox"/> NAVORDCEN <input type="checkbox"/> CNO <input type="checkbox"/> DDESB <input type="checkbox"/> NISE EAST <input type="checkbox"/> NAVAIR <input type="checkbox"/> OTHER			
5. Date of Safety Certification:			
	NAVORDCEN	CNO	DDESB   NISE EAST   NAVAIR   OTHER

**SECTION D**

1. Approvals:		2. Certification Identification:	
<input checked="" type="checkbox"/> Site Approved <input type="checkbox"/> Site Disapproved <input type="checkbox"/> Deferred/Returned <input type="checkbox"/> Explosives Safety Certification Approved <input type="checkbox"/> Explosives Safety Certification DISAPPROVED <input type="checkbox"/> Interim Construction Waiver Approved		3. Remarks:	
4. Other Approvals Required:		5. Approving Official CDR. A. COX <i>for</i>	
<input type="checkbox"/> Airfield Safety Waiver Required <input type="checkbox"/> Final Explosives Safety Review Required		6. Date: 11/12/02	

ENCL (2)



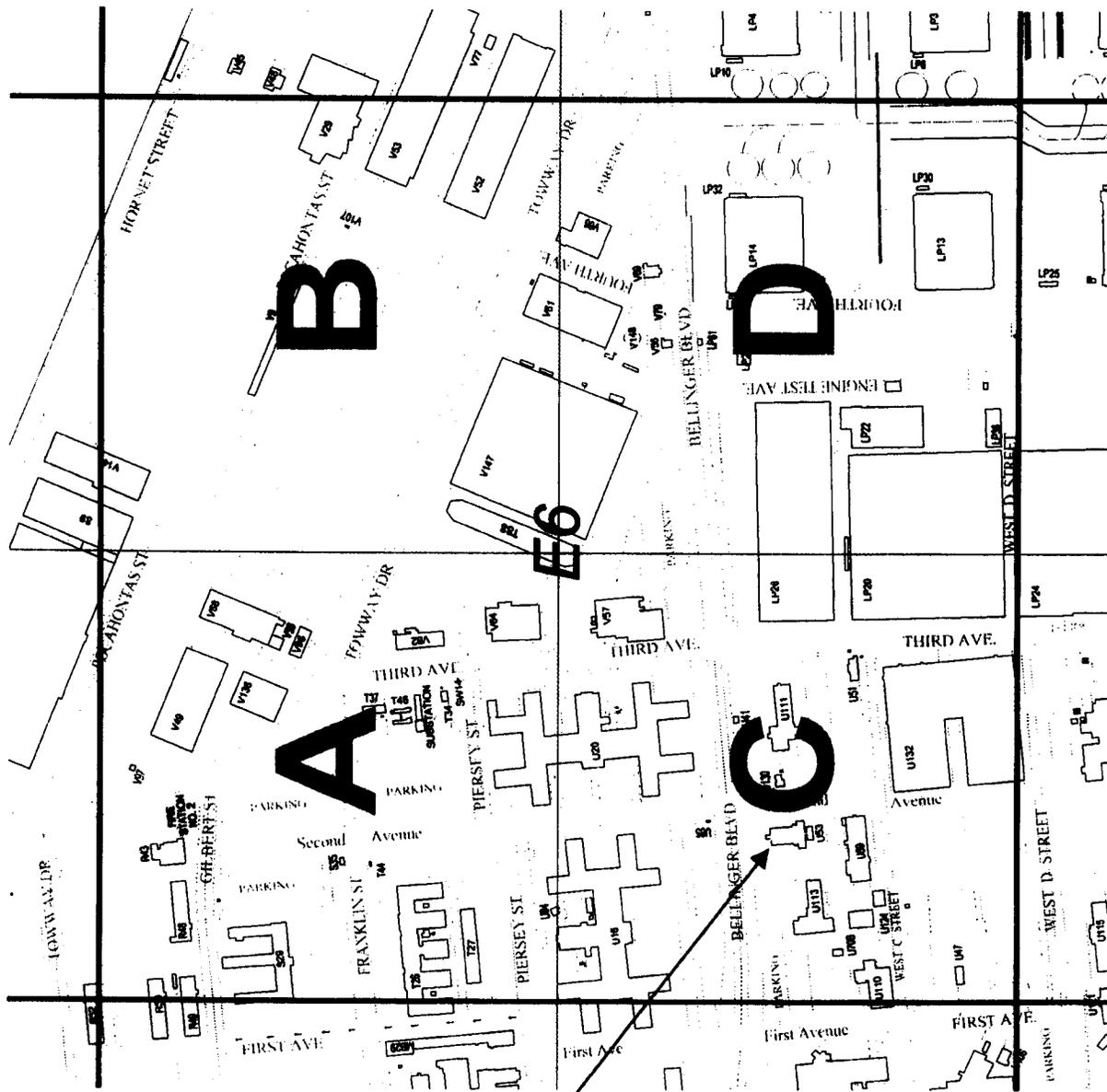
Site Location  
Building U-53  
(Chapel)

North

Relocate Treasure  
Shop

Naval Station,  
Norfolk, Va.

Area Map

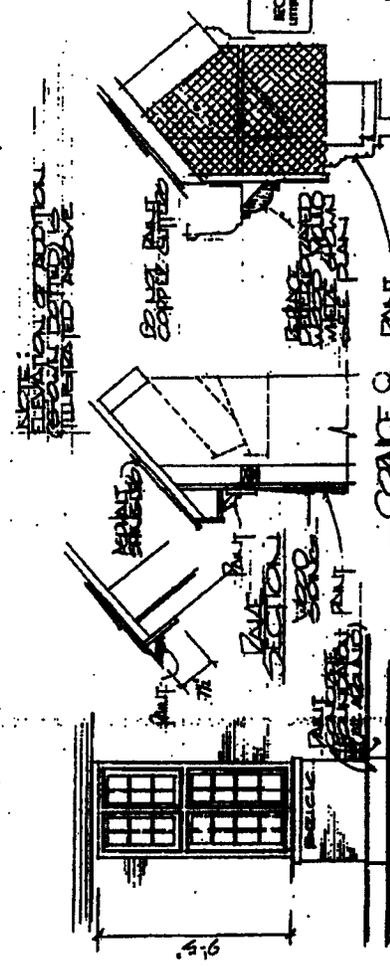
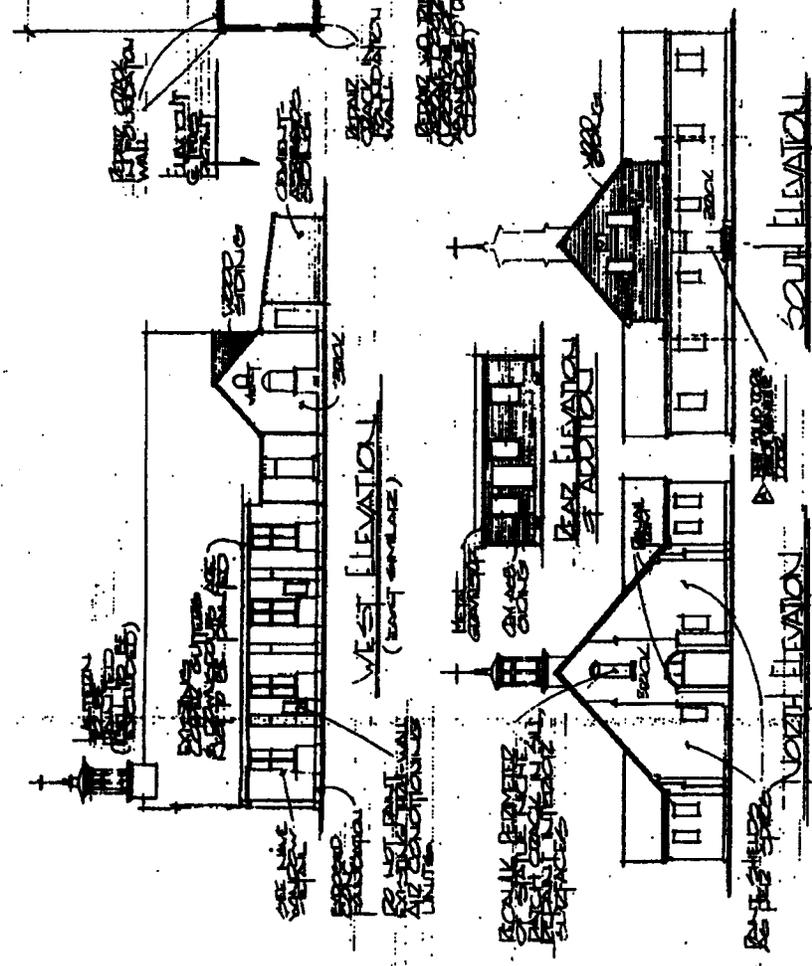
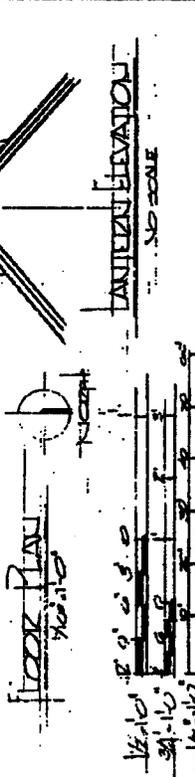
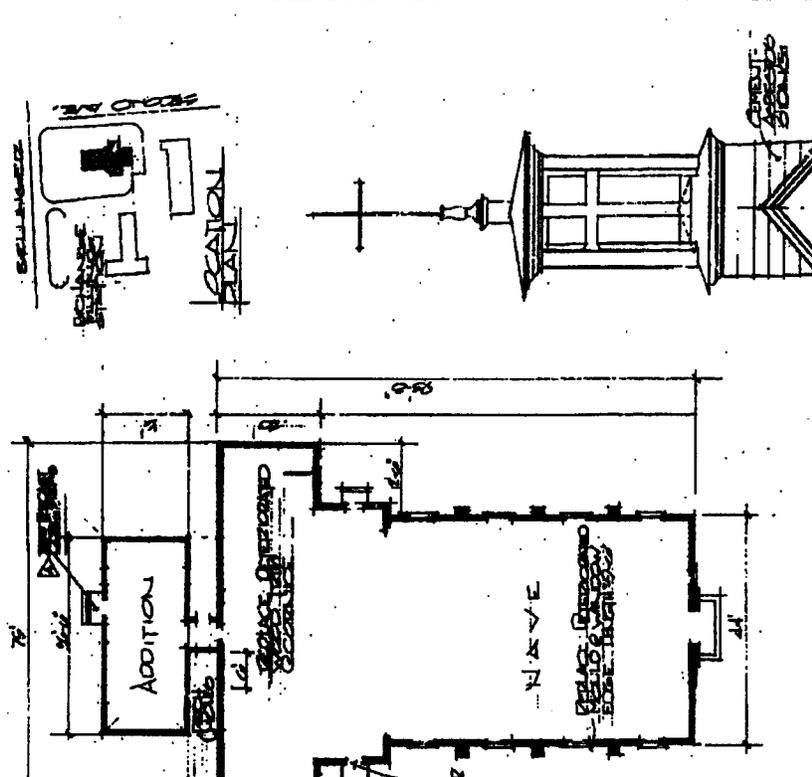


Site Location  
 Building U-53  
 (Chapel)

Relocate Treasure Shop To  
 Building U-53  
 Naval Station, Norfolk, Va.

Site Location Map

NO.	DATE	DESCRIPTION
1	10/11/53	AS BUILT CHANGES
2		
3		
4		
5		



PROJECT NO.	10279
DATE	10/11/53
BY	W. J. ...
CHECKED BY	...
SCALE	NO SCALE
PROJECT NAME	UNIT 11 NAVAL CHAPEL Bldg 53
CLIENT	EXTERIOR PAINTING AND MINOR REPAIRS
PROJECT NO.	80091
DATE	4/21/55
BY	...
CHECKED BY	...

DEPT. OF THE NAVY, NAVAL FACILITIES ENGINEERING CENTER  
 NAVY, WASHINGTON, D.C.

AS PART OF RECORD DRAWING  
 UNIT NO. 10279

COALCE G. WINDOY / LEAD  
 PAINTER

DO NOT SCALE



**DEPARTMENT OF THE NAVY**

COMMANDER  
NAVY REGION, MID-ATLANTIC  
8506 HAMPTON BLVD.  
NORFOLK, VA 23508-1273

IN REPLY REFER TO:

11000  
RE 00  
13 SEP 2002

Ms. Kathleen Kilpatrick  
Director  
Department of Historic Resources  
Commonwealth of Virginia  
2801 Kensington Avenue  
Richmond, VA 23221

Subj: ADAPTIVE REUSE OF CHAPEL (BUILDING U-53), NAVAL AIR STATION  
HISTORIC DISTRICT, NAVAL STATION NORFOLK, VIRGINIA

Dear Ms. Kilpatrick:

We are pleased to report that the Navy has implemented an adaptive reuse of the former Catholic Chapel (Building U-53) at Naval Station Norfolk (formerly Naval Air Station Norfolk) that will ensure its preservation for the foreseeable future. The chapel, built in 1943, is a Category 2 historic property under the Programmatic Agreement (PA) for the Navy's Historic Buildings in Hampton Roads. It was actively used until several years ago when services for all denominations were consolidated at another facility. Initially it appeared that there was no viable reuse and the building was under consideration for demolition. Recognizing that this chapel is an important part of the historic fabric of Naval Station Norfolk, the Navy recently made a decision to retain the building and adapt it to serve as the new home of the Naval Station Norfolk Treasure Shop, a non-profit thrift shop run by the Officers' Wives Club. Renovations were promptly initiated to capture available funding and to allow related space assignments to be met for other programs. Construction is now complete and the Treasure Shop has moved in and is open for business.

Unfortunately, in my staff's haste to facilitate this project, the Regional Historic Preservation Officer was not consulted, and actions were taken at U-53 that were not evaluated for compliance with the Secretary of Interior's Standards. Additionally, your office was not provided written notice of these proposed actions in accordance with the stipulations of the PA. Fortunately, change at the building has been minimal and has not, in our opinion, diminished the characteristics of the property that qualify it for the National Register. Exterior work generally consisted of repair in-kind, painting of wood trim, window repairs, and encapsulation of cement asbestos sidewall shingles with vinyl siding. The cement asbestos shingles were located at the base of the steeple and on the walls of a one-story addition at the rear of the building. The Sanctuary is identified in the PA as the only architecturally and historically significant interior space. The pews (of modern origin - constructed of pressboard), chancel furniture, and religious furnishings were removed, the walls painted, vinyl flooring installed, a low partition (40" high) built between the chancel and nave, and new track lighting installed in the choir loft. In summary, the exterior appearance remains unchanged, and while the interior has lost the feeling

ENCL(3)

**Subj: ADAPTIVE REUSE OF CHAPEL (BUILDING U-53), NAVAL AIR STATION  
HISTORIC DISTRICT, NAVAL STATION NORFOLK, VIRGINIA**

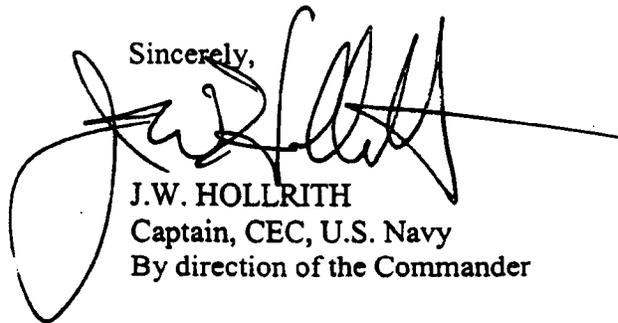
and character of a worship space because of the furniture removal, its architectural integrity generally remains intact. Several before (1999) and after (September 2002) interior and exterior photographs of the building are enclosed.

My purpose in writing is to notify you of this situation and, in our ongoing efforts to be good stewards of our historic properties, to propose that we review available historic and photographic information on the chapel and provide you with copies of those items that may be useful in understanding its historic and architectural significance. Additionally, since it is likely that your agency would have requested appropriate documentation of the property if the proper consultative process had been followed, we propose to prepare and submit Intensive Level DSS files for your records.

We do value our partnership with your agency and your contributions to the many past successes in the CNRMA Cultural Resource program. We sincerely regret this instance of non-compliance with the stipulations of the Programmatic Agreement. Please be assured that we will continue to polish our internal review processes to avoid or minimize future occurrences of this type. We appreciate the continued excellent technical support that you and your staff provide to the Navy and look forward to your response to our proposals concerning resolution of this matter.

Please feel free to contact Mr. Michael B. Newbill, Regional Historic Preservation Officer, at (757) 322-4884 if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'J.W. Hollrith', with a long horizontal line extending to the right.

**J.W. HOLLRITH**  
Captain, CEC, U.S. Navy  
By direction of the Commander

Encl:  
Photographs of Building U-53



# COMMONWEALTH of VIRGINIA

## Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

W. Tayloe Murphy, Jr.  
Secretary of Natural Resources

Kathleen S. Kilpatrick  
Director

Tel: (804) 367-2323  
Fax: (804) 367-2391  
TDD: (804) 367-2386  
www.dhr.state.va.us

September 27, 2002

Department of the Navy  
Commanding Officer  
Navy Public Works Center  
9742 Maryland Avenue  
Norfolk, Virginia 23511-3095

Re: Adaptive Reuse of Chapel (Building U-53)  
Naval Air Station Historic District  
Naval Station Norfolk, Virginia  
DHR File # 2002-1416

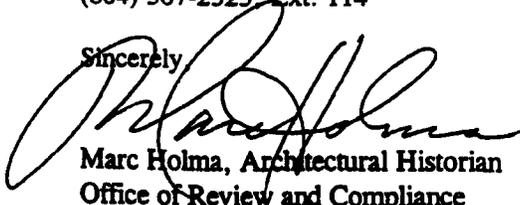
Dear Captain Hollrith:

We have received the information regarding the above referenced project. It is our understanding that the Navy rehabilitated the former Catholic Chapel (Building U-53) at Naval Station Norfolk for use as a non-profit thrift shop run by the Officers' Wives Club. The chapel is a contributing resource in the Naval Air Station Historic District. Although the Navy's efforts to find an adaptive reuse for this historic property is commendable, unfortunately DHR was not afforded the opportunity to comment regarding the undertaking as required under our existing Programmatic Agreement (PA) with the Navy.

We look forward to continuing our cooperative relationship with Naval Station Norfolk to assist in the preservation of its significant historic resources. We believe that the existing PA is one important instrument to achieving this goal. Please continue to consult with us regarding future projects within the framework of the PA.

If you have any questions about the Section 106 review process or our comments, please call me at (804) 367-2323 Ext. 114

Sincerely,



Marc Holma, Architectural Historian  
Office of Review and Compliance

Administrative Svcs.  
10 Courthouse Avenue  
Petersburg, VA 23803  
Tel: (804) 863-1685  
Fax: (804) 863-6196

Petersburg Office  
15-B Bollingbrook Street  
Petersburg, VA 23803  
Tel: (804) 863-1690  
Fax: (804) 863-1627

Portsmouth Office  
612 Court Street, 3<sup>rd</sup> Floor  
Portsmouth, VA 23704  
Tel: (757) 396-6709  
Fax: (757) 396-6712

Roanoke Office  
1090 Penmar Avenue, SE  
Roanoke, VA 24013  
Tel: (540) 857-7585  
Fax: (540) 857-7588

Winchester Office  
107 N. Kent Street, Suite 205  
Winchester, VA 23301  
Tel: (540) 722-3427  
Fax: (540) 722-7535

ENCL (4)

MEMORANDUM OF UNDERSTANDING  
BETWEEN  
NAVAL STATION NORFOLK VIRGINIA  
AND  
THE TREASURE SHOP

1. Purpose. The purpose of this Memorandum of Understanding is to establish an agreement between Naval Station Norfolk and The Treasure Shop regarding the use of Building U-53, Naval Station Norfolk.

2. Scope. The key parties to this agreement are Commanding Officer, Naval Station Norfolk (Host) and Chairperson, The Treasure Shop (tenant).

3. Responsibilities

A. Naval Station Norfolk will:

(1) Provide cyclical maintenance of Building U-53, including, but not limited to, exterior painting, roof repairs, window replacements and performing major maintenance and repair as determined by annual inspection reports.

(2) Make repairs to the electrical and plumbing system, heads, hallways, stairs and walls not caused by tenant's sole use of the facility. Budget for and maintain built-in air conditioning systems and hot water heaters.

(3) Provide structural fire protection including inspections and maintenance of primary fire alarm system.

(4) Provide adequate utilities, including heat, air conditioning, electricity, water and sewage.

(5) Provide pest control service for all common use areas.

(6) Provide building inspections periodically to ensure areas are maintained properly and securely.

(7) Provide trash removal services (empty dumpsters as required).

OPTIONAL FORM NO (7-00)

**FAX TRANSMITTAL**

Page # of pages =

To	Bob Morrison	From	Sharon Moore
Date/Agency		Phone #	322-2967
Fax #	445-4896	Fax #	444-0748

NSN 7546-01-217-7500

FORM 101

GENERAL SERVICES ADMINISTRATION

ENCL(5)

(8) Provide approved paint and painting materials for interior painting.

**B. The Treasure Shop will:**

(1) Be responsible for the cleanliness and physical appearance of Building U-53.

(2) Be conservative in the use of utilities.

(3) Be responsible for interior painting other than cyclical. Ensure that repainting projects are started only with the prior approval of the Naval Station Norfolk's Facility Management Specialist. However, tenant improvement to assigned space is strongly encouraged.

(4) Be responsible for the replacement of light bulbs and fluorescent tubes.

(5) Be financially responsible for the following:

(a) Repairs to walls and decks caused by tenant's sole use of facility.

(b) Repairs to interior electrical and plumbing systems caused by tenant's sole use of facility.

(c) Reimburse host activity for negligent or willful damage.

(d) Procurement, installation and maintenance of all furnishings.

(e) All telephone costs, to include local, toll and operator assisted charges.

(f) Be responsible for janitorial services, garbage/refuse disposal and general cleanliness of the immediate area adjacent to refuse receptacles.

(g) Notify host activity when pest control or maintenance service is required.

(h) Be liable for any loss of, or damage to, the premise as a result of its use.

(i) Indemnify and hold harmless the host, its officers, agents, servants and employees from all liability under the Federal Tort Claims Act, or otherwise, for death or injury to all persons, or loss or damage to the property of all persons resulting from the use of Building U-53 by tenant.

(j) Comply with all fire prevention directives.

4. Liaison. Resolution of routine matters concerning this agreement may be accomplished through the following points of contact:

Naval Station Norfolk:

Facility Management Specialist  
Navy Public Works Office  
Sewells Point  
Richard Heinrich  
444-2434

The Treasure Shop:

Day Manager  
Mon & Wed (10am-2pm)  
1<sup>st</sup> & 3<sup>rd</sup> Sat of each MO (10am-1pm)  
423-0790

5. Effective Date. This memorandum of understanding is effective upon signature by both parties. It is subject to revision at any time by mutual consent of the parties, or to termination by provision of 30 days notification by either party.



Barbara Maas  
Chairperson  
The Treasure Shop



J. F. BOUCHARD  
CAPT, USN  
Commanding Officer  
Naval Station Norfolk

23 Aug 02  
Date

22 AUG '02  
Date

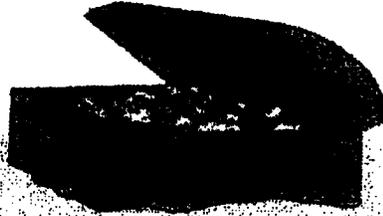
POC:

DEB DZIUBINSKI

423-0790 SHOP

423-2138 HOME

# TREASURE SHOP



A UNIQUE PLACE TO BUY AND SELL

LOCATED ON THE CORNER OF  
BELLINGER BLVD AND SECOND AVENUE  
IN THE FORMER IMMACULATE CONCEPTION  
CHAPEL U- 53, NAVAL STATION NORFOLK

Open September through May

Mondays & Wednesdays

10:00 AM - 2:00 PM

First and Third Saturdays

Each month

10:00 AM - 1:00 PM

(excluding holidays)

Consignments 10:00 AM - Noon

**423-0790**

ALL PROCEEDS DONATED TO LOCAL CHARITIES

ENCL(6)

**DEPARTMENT OF DEFENSE  
DEPARTMENT OF THE NAVY  
NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)  
Record of Categorical Exclusion  
For  
Naval Station Norfolk, Virginia  
  
Relocate Treasure Shop, U-53**

**1. Background:** The proposed action will relocate the Treasure Shop from building E-13 (Old Train station) to building U-53 (Chapel). This relocation or reassignment of space complies with the National Environmental Policy of 1969. Neither an environmental assessment nor environmental impact statement will be prepared. The record of categorical exclusion meets the requirements of CFR Part 775.

**2. Applicable Exclusions:** This project falls under Categorical Exclusion (d) of OPNAVINST 5090.1 B Ch 2 of 1 November 1999, which reads:  
" Relocation of personnel into existing Federally owned or commercially leased space that does not involved a substantial change in the supporting infrastructure ".

**3. Proposed Action:** This project will relocate the Treasure Shop from building E-13 (Old Train Station) to building U-53 (Chapel 5409 SF). None of the existing locations will be altered in any way.

**4. Alternatives Considered:**

- a. Status Quo: Currently, The Treasure Shop occupies space in building E-13. This existing space is too small for their operation. This is not a viable option.
- b. Relocation: The Treasure Shop has a requirement for additional space and will be relocated to building U-53 (Chapel). This relocation or reassignment will support their operation. Treasure Shop is an NON- Profit Organization and all proceeds are donated to local charities. This is the only viable option available.

**5. Summary of Environmental Impacts:** After consideration by the Department of the Navy, it has been found that this action would not have a significant effect on the quality of the human environment, either individually or cumulatively.

a) The project will not impact wetlands, endangered or threatened species, historic, cultural or archeological resources, or hazardous waste. Also, this project will have no impact on any known archaeological, cultural or historic resources eligible or currently determined eligible for listing on the National Register of Historic Places.

b) The project would not involve effects on the human environment that are highly uncertain, involving unique or unknown risks, or are scientifically controversial.

c) The project would not establish precedents or make decisions in principle for future actions without significant effects.

d) Some dust accumulations during the milling process expected during construction. However, these impacts will be limited in scope and duration.

ENCL (7)

Conformance to the Clean Air Act is documented in a separate "Record of Non-Applicability".

6. **Summary:** No significant environmental impacts would occur as a result of the proposed action, therefore, an Environment Assessment (EA) or an Environmental Impact Statement (EIS) will not be prepared.

7. **Review:** This project was reviewed for compliance with the National Environment Policy Act of 1969, as implemented by OPNAVINST 5090.1 B Ch2 of 9 November 1999, by Fred Myers, Regional Engineer, Sewell's Point Planning Department Code 271FM, at (757) 322-2340.

Approved by:

  
M. BEEBE

CDR, CEC, USN

PUBLIC WORKS CENTER, SEWELL'S POINT PUBLIC WORKS OFFICER

Date: 9/6/02

DEPARTMENT OF DEFENSE  
DEPARTMENT OF THE NAVY

**GENERAL CONFORMITY RULE**

**RECORD OF NON-APPLICABILITY**  
for  
**(Relocate Treasure Shop, U-53)**

The Clean Air Act, as amended in 1990, requires federal action to conform to an approved State Implementation Plan (SIP) designed to achieve or maintain an attainment designation for air pollutants as defined by the National Ambient Air Quality Standards (NAAQS). The General Conformity Rule (40 CFR Parts 51 and 93) implements these requirements for actions occurring in air quality nonattainment and maintenance areas.

Naval Station, Norfolk is located in the Hampton Roads Intrastate Air Quality Control Region. This region was recently designated as a maintenance area (i.e., an area with a maintenance plan approved under Section 175 of the Clean Air Act) for ozone. The redesignation provides for maintenance of the standard through the year 2008. The region is in attainment for all other NAAQS.

The proposed action is to relocate the Treasure Shop from a small location, building E-13 (Old Train Station) to building U-53 (Chapel) with a larger location (5409 SF). The Environmental Protection Agency (EPA) has ruled that some Federal actions are exempted from the requirement of conformity. Section 51.853 of the rule exempts actions that would result in no emission increase or an increase that is clearly de minimis such as (Actions with respect to existing structures, properties, facilities and lands where future activities conducted will be similar in scope and operation to activities currently being conducted at the existing structures, properties, facilities, and lands (e.g. relocation of personnel, disposition of federally owned existing structures, properties, facilities and lands, rent subsidies, operation and maintenance cost subsidies, the exercise of receivership or conservatorship authority, assistance in purchasing structures, and the production of coins and currency) (40 CFR 51.853 (c)(2)(x)).

To the best of my knowledge, the information provided is correct and accurate and I concur in the finding that the proposed action will conform to the SIP.

Prepared by: Robert G. Query

Date: 8/29/02

Approved by: *msl*  
*ksbc*

Date: 9/6/02

## Regional Commander, Navy Region-Mid-Atlantic The Clean Air Act - General Conformity Rule Checklist

In accordance with the Clean Air Act (CAA) of 1990 and 40 CFR Part 51, Subpart W (General Conformity Rule), all Federal agencies must make a determination as to whether a proposed action conforms to State Air Pollution Implementation Plans (often called SIPs), complies with the National Ambient Air Quality Standards (NAAQS), and does not contribute to the overall decline in regional air quality.

The following provides procedures for determining conformity for a Federal action that is to be conducted in the Hampton Roads area. Results shall be included in the Air Conformity section of the National Environmental Policy Act (NEPA) documentation.

### Section A

#### Conformity Exemption Test:

***Is the action (or portion of the action) exempt from conformity requirements? The following is a list of actions that will result in no or clearly de minimis emission, actions that will result in emissions that are not reasonably foreseeable, or actions that are simply exempt. Review the list of exemptions and check all that apply.***

- Prior to January 31, 1994, the NEPA documentation was completed or a contract was awarded to develop the environmental analysis and a written conformity determination was completed by March 15, 1994 (40 CFR 51.850 (c))
- Judicial and legislative proceedings (40 CFR 51.853 (c)(2)(i))
- Continuing and recurring activities such as permit renewals where activities conducted will be similar in scope and operation to activities currently being conducted (40 CFR 51.853 (c)(2)(ii))
- Rulemaking and policy development and issuance (40 CFR 51.853 (c)(2)(iii))
- Routine maintenance and repair activities, including repair and maintenance of administrative sites, roads, trails, and facilities (40 CFR 51.853 (c)(2)(iv))
- Civil and criminal enforcement activities, such as investigations, audits, inspection, examinations, prosecutions, and the training of law enforcement personnel (40 CFR 51.853 (c)(2)(v))
- Administrative actions such as personnel actions, organizational changes, debt management or collection, cash management, internal agency audits, program budget proposals, and matters relating to the administration and collection of taxes, duties and fees (40 CFR 51.853 (c)(2)(vi))
- The routine, recurring transportation of material and personnel (40 CFR 51.853 (c)(2)(vii))
- Routine movement of mobile assets, such as ships and aircraft, in home port reassignments and stations (when no new support facilities or personnel are required) to perform as operational groups and/or for repair or overhaul (40 CFR 51.853 (c)(2)(viii))
- Maintenance dredging and debris disposal where no new depths are required, applicable permits are secured, and disposal will be at an approved disposal site (40 CFR 51.853 (c)(2)(ix))

X

Actions with respect to existing structures, properties, facilities and lands where future activities conducted will be similar in scope and operation to activities currently being conducted at the existing structures, properties, facilities, and lands (e.g. relocation of personnel, disposition of federally owned existing structures, properties, facilities and lands, rent subsidies, operation and maintenance cost subsidies, the exercise of receivership or conservatorship authority, assistance in purchasing structures, and the production of coins and currency) (40 CFR 51.853 (c)(2)(x))

- The granting of leases, licenses such as for exports and trade, permits, and easements where activities conducted will be similar in scope and operation to activities currently being conducted (40 CFR 51.853 (c)(2)(xi))
- Planning, studies, and provisions of technical assistance (40 CFR 51.853 (c)(2)(xii))
- Routine operation of facilities, mobile assets and equipment (40 CFR 51.853 (c)(2)(xiii))
- Transfers of ownership, interests, and titles in land, facilities, and real and personal properties, regardless of the form or method of transfer (40 CFR 51.853 (c)(2)(xiv))
- The designation of empowerment zones, enterprise communities, or viticultural areas (40 CFR 51.853 (c)(2)(xv))
- Actions by any of the federal banking agencies or the Federal Reserve Banks (e.g. actions regarding charters, applications, notices, licenses, the supervision or examination of depository institutions or depository institution holding companies, access to the discount window, or the provision of financial services to banking organizations or to any department, agency, or instrumentality of the United States (40 CFR 51.853 (c)(2)(xvi))
- Actions by the Board of Governors of the Federal Reserve System or any Federal Reserve bank to affect monetary or exchange rate policy (40 CFR 51.853 (c)(2)(xvii))
- Actions that implement a foreign affairs function of the United States (40 CFR 51.853 (c)(2)(xviii))
- Actions (or portions thereof) associated with transfers of land, facilities, title and real properties through an enforceable contract or lease agreement where the delivery of the deed is required to occur promptly after a specific, reasonable condition is met (e.g. such as promptly after the land is certified as meeting the requirements of CERCLA), and where the Federal agency does not retain continuing authority to control emissions associated with the lands, facilities, title, or real properties (40 CFR 51.853 (c)(2)(xix))
- Transfers of real property, including land, facilities, and related personal property from a Federal entity to another Federal entity and assignments of real property, including land, facilities, and related personal property from a Federal entity to another Federal entity for subsequent deeding to eligible applicants (40 CFR 51.853 (c)(2)(xx))
- Action by the Department of the Treasury to affect fiscal policy and to exercise the borrowing authority of the United States (40 CFR 51.853 (c)(2)(xxi))
- Initial Outer Continental Shelf lease sales which are made on a broad scale and are followed by exploration and development plans on a project scale (40 CFR 51.853 (c)(3)(i))
- Electrical power marketing activities that involve the acquisition, sale and transmission of electric energy (40 CFR 51.853 (c)(3)(ii))
- Actions implementing a decision to conduct or carry out a conforming program such as prescribed burning actions which are consistent with a conforming land management plan (40 CFR 51.853 (c)(4))

- The portion of an action that includes major new or modified stationary sources that require a permit under the New Source Review (NSR) program or the Prevention of Significant Deterioration (PSD) program (40 CFR 51.853 (d)(1))
- Actions in response to emergencies or natural disasters such as hurricanes, earthquakes, etc., which are commenced on the order of hours or days after the emergency or disaster (40 CFR 51.853 (d)(2))
- Research, investigations, studies, demonstrations, or training where no environmental detriment is incurred and/or, the particular action furthers air quality research, as determined by the state agency primarily responsible for the applicable State Implementation Plan (SIP) (40 CFR 51.853 (d)(3))
- Alteration and additions of existing structures as specifically required by new or existing applicable environmental legislation or environmental regulations (e.g., hush houses for aircraft engines or scrubbers for air emissions) (40 CFR 51.853 (d)(4))
- Direct emissions from remedial and removal actions carried out under CERCLA and associated regulations to the extent such emissions either comply with the substantive requirements of the PSD/NSR permitting program or are exempt from other environmental regulations under the provisions of CERCLA and applicable regulations issued under CERCLA (40 CFR 51.853 (d)(5))
- Actions which are part of a continuing response to an emergency or disaster and which are to be taken more than 6 months after the commencement of the response to the emergency or disaster and the Federal agency taking the action makes a written determination that, for a specified period not to exceed an additional 6 months, it is impractical to prepare the conformity analysis which would otherwise be required and the actions cannot be delayed due to overriding concerns for public health and welfare, national security interests and foreign policy commitments (40 CFR 51.853 (E) and 40 CFR 51.853 (E)(1))

*If one of the exemptions listed above apply to the total action, stop here and document conformity by preparing a "Record of Non-applicability" as shown in Attachment A. Maintain record for at least 2 years after the action is completed.*

## **Section B**

### **De Minimis Exemption Test:**

***Are the total of all reasonably foreseeable direct and indirect emissions resulting from the action equal to or below the de minimis level? (Direct emissions are those emissions that are caused or initiated by the action and occur at the same time and place as the action. For example: Emissions from newly installed equipment such as storage tanks, boilers and generators. Indirect emissions are those emissions caused by the action, but may occur later in time and/or may be farther removed in distance from the action itself but that are still reasonably foreseeable. For example: Emissions from delivery trucks.) These actions are presumed to comply with the SIP. Calculate emissions and compare to total emission thresholds specified below. Whenever possible use AP-42 factors to calculate emissions.***

7. Are VOC emissions resulting from the action below the 100 tons per year de minimis threshold?

- No (Perform a conformity analysis. Go to Section C)
- Yes (Go to question 8)

8. Are NO<sub>x</sub> emissions resulting from the action below the 100 tons per year de minimis threshold?

- No (Perform a conformity analysis. Go to Section C)
- Yes

# ENVIRONMENTAL BASELINE SURVEY (EBS) CHECKLIST

page 1 of 2

Installation: NAVSTA NORVA LANTDIV File #: \_\_\_\_\_  
 Real Estate Transaction Description: Contract to move The Treasure Shop to a New Location, U-53.  
 Survey Completed by (name): Robert M. Schonk, Jr. Date: 8/27/02  
 Job Title: Head, Sewells Point Compliance Dept. Telephone Number: 757-444-3009 X352

## SITE SUMMARY INFORMATION

### 1. Information regarding hazardous materials or contamination

**A. Use of Facility:**  
 Prior Uses: Chapel  
 Future Uses: Consignment Shop

**B. Contaminants:**  Yes,  Suspected,  No  
 Comments:

**C. Hazardous Materials Use/Storage:**  
 Use,  Storage  
 Suspected Use,  Suspected Storage  
 Type of HM:  
 Comments:

**D. Treatment, Storage, Disposal of Hazardous Waste:**  Yes,  No,  Suspected  
 Comments:

**E. Underground Storage Tanks:**  
 Yes,  Suspected,  No  
 UST No. \_\_\_\_\_ Gals. \_\_\_\_\_  
 Comments:

**F. Above-Ground Storage Tanks:**  Yes,  No  
 AST No. \_\_\_\_\_ Gals. \_\_\_\_\_  
 Comments:

**G. Presence of Polychlorinated Biphenyl's (PCB's):**  Yes,  Suspected,  No  
 Comments:

**H. Asbestos:**  Yes,  Suspected,  No Friable  Accessible  
 Suspected  Non-Friable  Suspected  
 Comments: Asbestos floor tile being removed

**I. Lead Paint:**  Yes,  Suspected,  No  
 Comments: Paint being encapsulated

**J. Radon:**  Yes,  Suspected,  No  
 Comments:

**K. Radiological Materials:**  
 Yes,  Suspected,  No  
 Comments:

**L. Use of Adjacent Property:**  
 Current Use: Parking  
 Past Use: Parking

2. With regard to the subject site has the Activity complied with all federal and applicable state and local environmental laws and regulations?  Yes  No. Comments:

3. Additional information or comments regarding questions shown above (attach sheet(s) if additional room is needed):

ENCL (9)

# ENVIRONMENTAL BASELINE SURVEY (EBS) CHECKLIST

Page 1 of 2

## RECORDS REVIEW AND SITE VISIT

1. This EBS considers all sources of available information regarding environmentally significant current and past uses of real property and consists of the following:

A. A review of real estate property records and files:  Records,  Files,  None Comments:

B. A review of all reasonably obtainable federal, state, and local government records for the adjacent facility where a known release of any hazardous substances or any petroleum products has occurred and is likely to cause or contribute to a release or threatened release of any hazardous substances or petroleum products on the real property in question:  Federal,  State,  Local,  None Comments:

C. A review of aerial and/or historical photographs that may reflect prior uses of the property:  Yes,  No  
Comments:

D. Interviews with current and/or former employees involved in the operations:  Current Employees,  Former Employees,  None Comments:

E. A visual inspection of the areas listed below located on or near the subject site/parcel:  
Subject Site/Parcel:  Yes,  No If yes, evidence of potential contamination observed included:  Stained Soil,  Stressed Vegetation (not seasonally related),  Dead or ill wildlife,  Other signs of actual or potential release of a hazardous substances or petroleum products,  No apparent evidence on the site/parcel  
Buildings/Structures:  Yes,  No,  Exterior,  Interior,  NA  
Pipe/Pipelines:  Yes,  No,  NA  
Equipment:  Yes,  No,  NA  
Other Improvements:  Yes,  No,  NA  
Adjacent Properties:  Yes,  No,  NA  
Comments:

F. A list of potential sources of contamination on the installation and /or adjacent properties which could migrate to the subject site/parcel, which include:  Hazardous materials leaking,  Hazardous Waste,  Petroleum products,  Others,  No apparent contamination migrating to subject site/parcel.  
Comments:

## 2. Brief Synopsis of the EBS inspection

A. Description of past and current activities on the listed property and on the adjacent property (if applicable):  
Structure was a chapel and is being converted into a consignment shop. It is surrounded by parking

B. Description of hazardous substances or petroleum products (to include storage, release, treatment, or disposal) at the property and adjacent properties: Floor tile is being removed. Lead paint is being painted over or covered with vinyl siding

C. Any relevant information obtained from the search of records and/or files:

D. Any relevant information obtained from a review of the recorded chain of title documents regarding real property:

E. Brief summary stating the areas of real property evaluated and conclusions of the survey:

No environmental problems noted.