

DEPARTMENT OF THE NAVY
NORTHERN DIVISION
NAVAL FACILITIES ENGINEERING COMMAND
PHILADELPHIA, PENNSYLVANIA 19112-5094



6280
1142/RK/11d

07 APR 1986

From: Commanding Officer, Northern Division, Naval Facilities
Engineering Command
To: Commanding Officer, Naval Air Station, Brunswick, ME
Subj: FEDERAL AND STATE ENVIRONMENTAL AGENCIES OVERSITE AUTHORITY
OF NACIP PROGRAM
Ref: (a) NAS Brunswick ltr 6280 Ser 18000/469 of 11 Mar 86
(b) Executive Order 12316 of 14 Aug 81
(c) OPNAVINST 5090.1 of 26 May 83, Section 11204(b)

NAS BRUNSWICK NPL
ADMINISTRATIVE
RECORD

1. As requested in reference (a), advice on Federal and state environmental protection agencies oversight authority of the NACIP program is provided.
2. Under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), the President was given the authority to investigate a release or substantial threat of a release to: (1) identify the existence and the extent; (2) the source and nature of contaminants involved; and (3) the extent of danger to the public health or welfare or the environment. The President was also given the authority to conduct remedial actions or other response measures consistent with the national contingency plan to protect the public health or welfare or the environment. The President delegated, in reference (b), his functions, under CERCLA, to the Secretary of Defense with respect to releases from Department of Defense facilities or vessels.
3. The policy of providing the cognizant Environmental Protection Agency (EPA) Regional Office and appropriate state environmental agency with copies of completed (final) NACIP study reports was established in reference (c). The State of Maine Department of Environmental Protection (DEP) request to receive other NACIP program related reports and correspondence generated during the course of a study is not required by legislation. However, it has always been the Navy's policy to provide information to Federal, state and local environmental enforcement agencies on a cooperative basis.
4. Northern Division recommends that the Navy meet with the Maine Department of Environmental Protection to: discuss the role of the EPA, DEP and Navy in the NACIP program; and develop a cooperative line of communication which will not overburden the Navy's resources. This Command is available to assist in scheduling such a meeting.

1142 DS 4/13
114 G 4/4
5808
COPIER
FEDERAL GOVERNMENT

Green

NAS BRUNSWICK NPL
ADMINISTRATIVE
RECORD

6280

1142/RK/11d

07 APR 1980

Subj: FEDERAL AND STATE ENVIRONMENTAL AGENCIES OVERSITE AUTHORITY
OF NACIP PROGRAM

5. Questions concerning this matter should be directed to Robert Kowalczyk of the Environmental Branch of this Command. He can be reached at Autovon 443-6280 or (215) 897-6280.

A. RHOADS
By direction

Copy to:
COMNAVAIRLANT (Code 60)
COMNAVFAC (Code 1121)

1142RK RLK 4/3

1142 _____

