



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
NEW ENGLAND - REGION I  
1 CONGRESS STREET, SUITE 1100 (HBT)  
BOSTON, MASSACHUSETTS 02114-2023

December 21, 2006

Orlando Monaco  
Dept of the Navy, BRAC PMO Northeast  
Code 5090 BP MO NE/LM  
4911 South Broad St  
Philadelphia, PA 19112-1303

**Re: Letter dated December 14, 2006, received December 19, 2006, Subject: Remedial Investigation/Feasibility Study (RI/FS) Schedule for sites 12 & 17 and the Military Munitions Response Program (MMRP) and Quarry areas of concern (AOC) at the Naval Air Station Brunswick/Topsham, Maine**

Dear Mr. Monaco:

The Environmental Protection Agency (EPA) is in receipt of the letter referenced above which provided a cause for extension of schedules for documents under the Naval Air Station Brunswick, Maine Federal Facility Agreement dated October 19, 1990, as amended (FFA). The letter was in response to the EPA letter dated, December 12, 2006 which denied the Navy's request for extension dated, December 1, 2006, because the Navy had not provided a good cause as required by the FFA. However, even though a cause for an extension was included in the subject letter, EPA cannot accept the schedules as provided. Several documents are already overdue without explanation and EPA disagrees that the cause cited is a good cause under the FFA for the extension requested for site 17.

EPA has been aware of funding issues associated with the work to be completed at site 12 and the MMRP AOCs and agrees that the Navy's conference call notes from October 4, 2006 accurately indicate a force majeure is appropriate justification for extension of the site 12 RI/FS and the MMRP SI schedule. However, the letter indicates that the Draft Supplemental PA Report was provided on December 6, 2006 and EPA has not yet received this document. Therefore, EPA cannot accept the site 12 schedule as provided and denies the requested extension request.

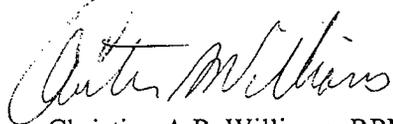
In addition, the October 4, 2006 conference call notes do not indicate that the Navy had requested funding and had not received such funding to provide an RI work plan for EPA review. The work plan the notes mention was the one the Navy had provided in June 2006, which the State and EPA rejected because it wasn't acceptable. The work plan received was for verification of removal action confirmation samples at depth for site 17. An RI work plan, according to CERCLA guidance, includes sampling to support a risk assessment and the methodology to be used for both the ecological and human health risk

assessment. EPA did not receive an RI work plan on December 15, 2006 as the subject letter indicates. Therefore, EPA again denies the subject extension request for site 17.

In deference to the Parties planned vacations at the end of 2006, EPA requests that the Navy add these issues to the regularly scheduled conference call on January 9, 2007 and then to provide a new schedule extension request in accordance with the FFA within 21 days of receipt of this letter.

If you have any questions with regard to this letter, please contact me at (617) 918-1384.

Sincerely,



Christine A.P. Williams, RPM  
Federal Facilities Superfund Section

cc. David Peterson/EPA (peterson.david@epa.gov)  
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