



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

N96095.AR.000301  
NWIRP CALVERTON NY  
5090.3a

NOV 2 1997

Mr. James Colter  
Department of the Navy  
Naval Facilities Engineering Command  
10 Industrial Highway, Mail Stop #62  
Lester, PA 19113-2090

Re: NWIRP - Calverton

Dear Mr. Colter:

This is in reference to your letter to Mr. Marsden Chen, of the NYSDEC, dated June 4, 1997, a copy of which we received. In the referenced letter, you requested that the remedial actions at the NWIRP-Calverton facility be continued under the NYSDEC Inactive Hazardous Waste Disposal Site program or the federal CERCLA authority in lieu of the RCRA corrective action authority.

We recently received a copy of a letter which Mr. Jeffrey McCullough, of the NYSDEC, sent to you, dated September 29, 1997, stating that either renewal of the NYSDEC Part 373 Permit or preparation of a RCRA corrective action order would be the only regulatory instruments acceptable for continuing the corrective action authority at the facility. We defer to the State of New York's response on this issue.

Furthermore, since the authority for issuing RCRA corrective action permits has been delegated to the State of New York, the Part 373 Permit renewal would constitute the complete RCRA Permit, and a new (separate) HSWA Permit would not be issued by the USEPA for this closed facility. Any new permit or order would, of course, need to address remedial activity from all solid waste management units (SWMU) at the Calverton site.

If you would like to discuss this further, please feel free to contact Ms. Carol Stein, P.E., of my staff, at (212) 637-4181.

Sincerely yours,

  
Raymond Basso, Chief  
RCRA Programs Branch

cc: Steven Kaminski, NYSDEC  
Marsden Chen, NYSDEC