08.01-09/29/89-00178

(804) 445-1814

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2 9 SEP 1989

Mr. Bill Meyer
North Carolina Department of Environment, Health
and Natural Resources
Division of Solid Waste Management
P. O. Box 2091
Raleigh, North Carolina 27601-2091

Dear Mr. Meyer:

Enclosed please find two copies of the updated Federal Facilities Agreement for Marine Corps Base, Camp Lejeune dated September 27, 1989.

As discussed during a telephone conversation on September 27, 1989 between Ms. Beverly Spagg of the U.S. Environmental Protection Agency (EPA), Region IV and Ms. Sheila Ashton of this Command, the enclosed draft Agreement represents the EPA's final position and the end of their obligation to participate further in discussions between the State of North Carolina and the Marine Corps on the three outstanding issues identified below. A copy of the enclosed draft Agreement and a "clean" copy of the same draft Agreement (removing the proposed deletions and the underscores that identify the additions) were provided to EPA for their headquarter's review. Please note that the "clean" copy was left blank in the three locations where we have yet to resolve the language to be included in the final Agreement.

We believe that the three outstanding issues that remain to be resolved between the State of North Carolina and the Marine Corps are:

a. The identification of the State's Party to the Agreement;

b. The State's proposed revisions to the Force Majeure Section; and

c. The State's proposed Reimbursement of State Expenses language.

We have indicated in the Agreement our preferred language with regard to item a. above. If this language is unacceptable to you please provide your preferred language with the reasons for your position so we can elevate this issue to our headquarters for resolution.

As discussed during a telephone conversation between Ms. Lee Crosby of your staff and Ms. Sheila Ashton of our Command, items b. and c. will be forwarded to our headquarters for review and approval.

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We greatly appreciate your staff's willingness to work informally on the other changes that have been made to the August 21, 1989 draft Agreement. We feel that the three outstanding issues can be resolved in a timely manner.

Please have your staff contact Ms. Sheila Ashton at (804) 445-1814 with any comments or corrections they may have concerning the enclosed Agreement.

Sincerely,

P. A. RAKOWSKI, P.E.
Head, Environmental Programs Branch
Environmental Quality Division
By direction of the Commander

Encl:
(1) Federal Facility Agreement dated September 27, 1989 (2 copies)

Copy to: (w/encl)
Ms. Elaine Lavine
U.S. Environmental Protection Agency
Region IV
Office of Regional Counsel
345 Courtland Street
Atlanta, GA 30365
NAVFACENGCOM (Codes 18, 09CB2)
CNC (Codes LFL, CL)
MCB Camp Lejeune (Codes SJA, AC/S)
Blind copy to: (w/o encl)
09C
18S
182
182Z
09BS (w/o encl)
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