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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

08.01-05/14/90-00459

Ms. Edythe McKinney
Assistant Secretary for
Environmental Protection
Department of Environment, Health
and Natural Resources
512 North Salisbury Street
Raleigh, North Carolina
27611

Mr. Ray Goldstein
Assistant Counsel (Environmental)
Department of the Navy
Naval Facilities Engineering
Command
200 Stovall Street
Alexandria, Virginia
22332-2300

RE: Federal Facility Agreement for U.S. Marine Corps
Camp Lejeune, North Carolina

Dear Ms. McKinney and Mr. Goldstein:

Reference is made to the Federal Facility Agreement (FFA) under Section 120 of CERCLA required for a Federal National Priority List Site negotiated between EPA, the Navy and the State of North Carolina for U.S. Marine Corps Camp Lejeune, North Carolina. This is an inquiry to determine the State's position with respect to being a signatory to the Agreement.

Negotiations were complete in the Fall of 1989; the Letter of Intent was signed in January 1990 by both EPA and the State. At that time the Navy raised a few new issues. In February 1990 the Navy transmitted a proposal to the State to resolve the last remaining issue(s) between the State and the Navy in regards to the level of signature and participation by the State for the FFA. Since then our office has made numerous inquiries of the negotiators of the Agreement on both staffs as to the status of the issue(s).

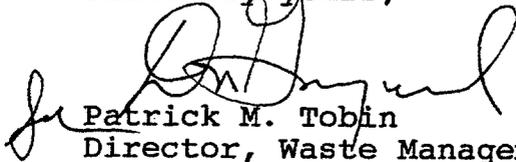
Although your staffs have been very cooperative and changes have been made in the Agreement by all parties, there has been no apparent progress in resolving the final issue(s) in order to obtain the Navy's concurrences and/or signatures on the Letter of Intent for the Agreement. In our discussions with both staffs, there does not

appear to be any significant problem preventing resolution of the issue(s); yet we have not received any indication of what is delaying the final resolution and subsequent approval of the draft Agreement and signature of the Letter of Intent so that we may proceed with the public notice process.

The Region considers the continued delay in the implementation of this Agreement to be a serious matter and that continued delay may significantly and adversely impact the remedial process at the facility and related necessary funding. The EPA may be forced to consider proceeding with a two party agreement until the State and the Navy can resolve any remaining issues and make the necessary decisions needed to enter into a three party Agreement.

The Region is willing to provide any assistance it can to facilitate the resolution of any remaining issues and allow the parties to proceed with a three party Agreement. Please contact Beverly A. Spagg of my staff at (404) 347-3016 and indicate the State's intent with respect to being a signatory to this Agreement.

Sincerely yours,



Patrick M. Tobin
Director, Waste Management Division

cc: Sheila Ashton, NAVFAC-Norfolk
LtCol J. Wellington, Camp Lejeune
Nancy Scott, NC-AG