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DEPARTMENT OF THE NAVY

NAVAL FACILITIES ENGINEERING COMMAND

200 STOVALL STREET

ALEXANDRIA, VA 22332-2300

IN REPLY REFER TO

March 21, 1990

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Re: Camp LeJeune FFA

Dear Counsel:

I have finally received a counter-proposal from Nancy Scott at the North Carolina Department of Justice to modify the Camp Lejeune FFA. They propose that the following two sentences be added as the second and third sentences to Section II ("Parties"):

"The North Carolina DEHNR is entering into this Agreement with the approval of the Governor of the State of North Carolina. The terms of this agreement shall apply to and be binding upon the State of North Carolina in accordance with N.C.G.S. Sections 130A-310.21, 130A-310.22, 130A-299, 130A-305 and 143B-7."

In addition to the signature by Edythe McKinney, the Attorney General of the State of North Carolina would sign the FFA "for form and format". There would be no other changes to the FFA or to the Letter of Intent. (I am assuming that they have internally resolved their concern that the FFA does not clearly bind the Department of the Navy.)

As I predicted, their proposal is a slight re-working of the language from the Robins AFB FFA. Their proposal is contingent upon its acceptance by the Governor. If we accept their proposal, I assume that the Marine Corps and the Navy could provide some support in this regard for their efforts with the Office of the Governor.

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I am interested in your comments on their counter-proposal. Frankly, I think that this is the best offer that I can get negotiating at this level. I appreciate your cooperation in this matter and look forward to hearing from you.

Sincerely yours,



RAY GOLDSTEIN
Assistant Counsel (Environmental)

cc: Bob Warren
Sheila Ashton
Bill Judkins

