



DEPARTMENT OF THE NAVY

NAVAL FACILITIES ENGINEERING COMMAND

200 STOVALL STREET

ALEXANDRIA, VA 22332-2300

IN REPLY REFER TO

08.01-04/03/90-00482
April 3, 1990

Nancy Scott
Associate Attorney General
North Carolina Department
of Justice
P.O. Box 629
Raleigh, NC 27602

Re: Federal Facility Agreement for
Marine Corps Base Camp LeJeune

Dear Nancy:

I have authority from my clients to propose the following changes to the Federal Facility Agreement (FFA) for Marine Corps Base (MCB) Camp Lejeune which would resolve the differences regarding the issue of the representation of the State of North Carolina. This proposal is significantly different in form from the previous proposal in my letter dated Feb. 2, 1990 to Edythe McKinney, Assistant Secretary for Environmental Protection, North Carolina Department of Environment, Health and Natural Resources.

I propose that the following two sentences be added as the second and third sentences of Section II ("Parties") of the FFA for MCB Camp Lejeune:

"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 will sign the FFA "For Form and Format". There would be no other changes to the FFA or to the Letter of Intent. If I have transcribed it correctly, I believe that this proposal is what you and I informally discussed during our last telephone conversation.

If the State of North Carolina agrees to this proposal, I will need a confirmation letter from your office. After I have received that letter, we will insert two replacement pages into the FFA, sign the Letter of Intent and return the original documents to EPA so that the public comment process can begin. I would like to complete these last formalities as soon as possible.

Please feel free to contact me to discuss this matter further, if necessary. I appreciate your cooperation in this matter and look forward to hearing from you.

Sincerely yours,



RAY GOLDSTEIN
Assistant Counsel (Environmental)

cc: Beverly Spagg
Gordon Davidson
Robert Warren
Col J. Cathcart
LtCol J. Wellington
LtCol P. Wilbur
Sheila Ashton
John Wittmann
William Judkins
Peter Kushner

UNRECORDED IN GOVERNMENT EXPENSE