



06.01-6/17/02-2986

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JUN 17 2002

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

4WD-FFB

Mr. Paul Rakowski
Head, Environmental Program Section
Department of Navy -- Atlantic Division
Naval Facilities Engineering Command
Code 1823
Norfolk, Virginia 23511-6287

SUBJ: Engineering Remedies for OU 6 & 19
Sites 36, 43, 44, 54 & 84
MCB Camp Lejeune NPL Site
Jacksonville, North Carolina

Dear Mr. Rakowski :

The intent of this letter is to document The U.S. Environmental Protection Agency (EPA) Region 4's position on the Record of Decisions (ROD) and removal actions planned for Operable Units (OU) 6 & 19. The EPA and Navy have been unable to reach an agreement on the selected remedies. Specifically, the Navy does not agree to place in the RODs, requirements for quarterly inspections and annual certifications, (monitoring), of the institutional controls, as stated in the Land Use Control Assurance Plan (LUCAP), dated May 24, 1999.

Without commitments in the ROD for monitoring the institutional controls, EPA cannot ensure that the remedy will remain protective in the future. Therefore, EPA will not approve these RODs as they are currently written.

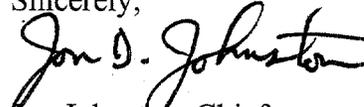
In a conference call on June 11, between EPA, the State of North Carolina and the Navy, it was stated that the Navy does not intend to proceed to sign and issue the RODs without EPA's or the State's concurrence. As discussed, our agencies are in agreement with the engineering component of the remedies as they are specifically described in the Proposed Remedial Action Plans. It is EPA's understanding, in light of this fact, the Navy will proceed to conduct removal actions to implement the engineering components of the RODs, in lieu of having signed RODs.

It should be understood, that without having signed RODs, the actions are not considered final and will not render the site protective. Following resolution of the national dispute between EPA and DOD regarding EPA's post-ROD authority, the sites may require further assessment, which could result in additional actions. These actions could include soil removals to reduce contaminants to levels which would render the sites suitable for unrestricted reuse.

Achieving cleanup goals is of paramount importance and neither EPA nor DOD wants to delay any cleanup activities while we are resolving this national dispute. We urge you to continue the cleanup and also make certain that institutional controls are in place to protect the public, facility personnel and the environment. The final site determinations will be made when these issues have been resolved and the RODs have been issued for signature.

EPA Region 4 will share this letter with Camp Lejeune's Restoration Advisory Board, and it should also be placed in the Administrative Record. We look forward to continuing our constructive relationship with Camp Lejeune and the Navy while this debate is resolved at the national level.

Sincerely,



Jon Johnston, Chief
Federal Facilities Branch

cc: Jack Butler, NCDENR
Steve Martin, LANTDIV
Scott Brewer, Camp Lejeune
Neal Paul, Camp Lejeune
Allison Abernathy, HQ