



DEPARTMENT OF THE NAVY
PORTSMOUTH NAVAL SHIPYARD
PORTSMOUTH, N. H. 03804-5000

N00102.AR.000311
NSY PORTSMOUTH
5090.3a

IN REPLY REFER TO:

July 18, 1995

Paul Marchessault
United States Environmental Protection Agency
Acting Chief Federal Facilities Superfund Section
J.F. Kennedy Federal Building
Boston, MA 02203-2211

Dear Mr. Marchessault:

As was indicated in your letter dated May 25, 1995 the U.S. Environmental Protection Agency (EPA) has identified two potential issues associated with the transition from RCRA to CERCLA in the Installation Restoration Program. These issues were also identified and discussed in Navy, EPA, and State of Maine Department of Environmental Protection (MEDEP) Project Managers Team Meetings.

The first issue concerns EPA involvement with the development of documents that are not covered by or are beyond the scope of the HSWA permit. As has been stated by Mr. Endyke in the Project Managers Team meetings, the shipyards position in regard to any action is to have EPA and MEDEP concurrence prior to initiating the action regardless of the status of Federal Facilities Agreement (FFA) negotiations.

The second issue concerns a request for a schedule for the remediation of the Solid Waste Management Units. At a Project Managers Team meeting, a schedule was been provided to the EPA. However, the change over from RCRA to CERCLA and from a Technical Review Committee to a Restoration Advisory Board coupled with changes in funding policy within the United States Congress as stated in a letter to Mr. DeVillars on 22 May 1995 from the Department of the Navy makes scheduling the remediation actions a dynamic process resulting in constant schedule changes. These schedule changes are discussed in the Project Managers Team meetings and in the future will be formally documented in the Site Management Plan currently under development.

If you have any questions or concerns regarding this partnering effort, please contact Fran Endyke at (207) 438-2071.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ken Plaisted".

Ken Plaisted

By Direction of the Shipyard Commander

Copy to: EPA(M. Cassidy), MEDEP(N. Beardsley), NORTHDIV(Lt Conroy)