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**Pennsylvania Department of Environmental Protection****Lee Park, Suite 6010
555 North Lane
Conshohocken, PA 19428
June 21, 2000****Southeast Regional Office****610-832-6012
Fax 610-832-6022****Mr. Orlando Monaco
Naval Facilities Engineering Command
(NAVFACENGCOM)
Northern Division
Environmental Contracts Branch
Mailstop No. 82
10 Industrial Highway
Lester, PA 19113****Re: Warminster Naval Air Development Center
NPL Site
Warminster Township
Bucks County
Record of Decision, Operable Unit 9
Letter of Concurrence****Dear Mr. Monaco:**

The Record of Decision (ROD) dated June 2000, for Operable Unit 9 (OU 9), which pertains to soil, sediment and surface water at Area A, Warminster Naval Air Development Center (the Site), has been reviewed by the Commonwealth of Pennsylvania's Department of Environmental Protection (Department).

The main components of OU 9, as described in the ROD are:

1. Area A is an area of the Warminster NADC that was identified as a disposal area. It includes Site 1, Site 2 and Site 3 and the impoundment area, which are west of Jacksonville Road, along the northern property line.
2. Groundwater associated with Area A has been designated Area A groundwater, and is addressed as Operable Unit 1. An interim ROD was signed in September 1993, and a final ROD will be issued in the future.
3. In 1998, a removal action resulted in the excavation and disposal offsite of about 6,700 tons of non-hazardous surface and subsurface soils. Post excavation analyses were performed until the clean up goals were met.
4. The excavated area was then backfilled with clean fill and vegetated.

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5. The reasonably anticipated land use for the property is industrial.

The selected remedy for the Site includes the following major components, as specified in the ROD:

1. Deed restrictions prohibiting residential use of the Area A parcel.
2. Deed restrictions which provide that any plans for excavation within Area A must be approved by the Navy and/or EPA.
3. Periodic monitoring to identify whether deed restrictions are being adhered to as required.
4. Periodic stream monitoring and sampling and analysis to evaluate the level of surface water and sediment contaminants and potential adverse stream effects.
5. Enforcement of deed restrictions based on periodic monitoring.

The Department hereby concurs with the remedy selected for the Warminster Naval Air Development Center NPL Site OU 9 for the following reasons and with the following conditions:

Pennsylvania's Land Recycling and Environmental Remediation Standards Act, Act 2 of 1995, 35 P.S. §§ 6026.101 - 6029.909 ("Act 2"), Pennsylvania's Solid Waste Management Act, Act 97 of 1980, as amended, 35 P.S. §§ 6018.101 et seq. ("Act 97"), and the regulations adopted pursuant to these statutes are ARARs for this response. Implementation of any component or components of this response will not necessarily result in protection from liability pursuant to Act 2, for any party.

This concurrence with the selected remedial actions is not intended to provide any assurance pursuant to CERCLA Section 104(c)(3), 42 U.S.C. Section 9604(c)(3).

The Department reserves its rights and responsibilities to take independent enforcement actions pursuant to state and federal law.

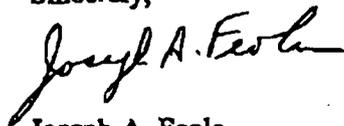
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This letter documents the Department's concurrence with the remedy selected by the Navy in the ROD for OU 9 for the Warminster Naval Air Development Center NPL Site. If you have any questions regarding this matter, please feel free to contact me at the above telephone number.

Sincerely,



Joseph A. Feola
Regional Director
Southeast Regional Office

cc: Mr. Fidler
Mr. Beitler
Mr. Danyliw
Mr. Ojewiler
Mr. Hartzell
Mr. Sheehan
Ms. Tremont
Ms. Flipse
Re 30 (SMC00)179-2