



**DEPARTMENT OF THE NAVY**

OFFICE OF THE GENERAL COUNSEL  
COUNSEL FOR THE  
ATLANTIC DIVISION  
NAVAL FACILITIES ENGINEERING COMMAND  
1510 GILBERT ST  
NORFOLK, VIRGINIA 23511-2699

28 SEPT 00

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Major Thomas A. Townsend (USMC Ret.)  
[REDACTED]

Dear Major Townsend,

I am writing in response to your letter of 8 August 2000 to Ms. Landman. Although you do not specifically request information, you do indicate a desire to better your understanding of the purpose and content of the Administrative Record File (ARF).

One of your concerns regarded a need for clarification regarding where the MCB Camp Lejeune Administrative Record is housed and why it is not included with other EPA Region IV NPL Site Summaries on the Region IV web page. Specific questions regarding what is or is not included an EPA web site should be directed to EPA. However, your question is probably best answered by providing you with an understanding of the "lead agency" concept. As the designated lead agency for the CERCLA program at Camp Lejeune, the Atlantic Division, Naval Facilities Engineering Command is responsible for managing the cleanup program (with regulatory oversight) and for the creation and maintenance of the Administrative Record File (ARF). This differs from private Superfund sites where EPA is the lead agency. Additional explanation of the lead agency status is provided in Attachment (1).

The permanent paper copy of the MCB Camp Lejeune Administrative Record File (ARF) is housed at LANTDIV in Norfolk, VA. As you know, the electronic copy of the ARF is available on the internet at the Camp Lejeune Installation Restoration Program web site at the following address: <http://www.bakerenv.com/camplejeune>. An information repository is also maintained at the Onslow County Public Library. Previously, this repository was maintained at the library in paper format as a complete copy of the ARF. Recently, the ability of the library to store the large volume of documents in the ARF was exceeded, so LANTDIV provided the library with a computer to be used for public access to the electronic version and removed the paper documents.

CLW

000003427

In your letter, you also express some questions about the content of the ARF. Because you close your letter with a reference that you will direct your questions to Mr. Neal Paul about the web-based ARF, I will assume that your concerns are primarily with the content of the electronic version. The web-based ARF provides significant advantages over the paper system, including unlimited public access via the internet, computerized search features, and the capability to load new documents immediately instead of having to travel to the information repository to file and manage volumes of paper copies. With over 2500 documents in the ARF, the initial cataloging, indexing and scanning of documents was a major undertaking. In the process of converting the record from paper to the electronic format, a few documents were found to have been cataloged in the index but were physically missing from the paper record. We are in the process of attempting to locate these documents and will add them as soon as possible. Please be assured that a careful quality control check of the content of electronic ARF was performed to ensure that the electronic ARF is identical to the paper version.

Regarding difficulties that you report having experienced in performing searches and manipulating the web-based ARF search tool, please be aware that we have only recently completed the conversion of the ARF to the electronic format. The online search tool provides a much more comprehensive way to look for documents than previously available. Previously, the ARF was strictly a paper-based system following EPA guidance that catalogued all documents into roughly twelve general categories and made no provisions for subject, title or keyword searches. We consider the current tool a working draft version and plan to incorporate improvements as time and funding are available in the future.

Regarding your general concern that the ARF appears to you to have only transmittal/cover letters and not enclosures, I offer the following thoughts for your consideration:

(a) The intent of the Administrative Record is to document all activities leading to a decision or action at a site. As such, this generally includes all final reports on investigations and clean-actions, as well as communications with regulators (such as EPA and the State of NC), and other outside agencies and individuals (such as ATSDR and private citizens like yourself). Draft reports, field notes, general guidance documents and working-level communications are not included unless they are determined to be essential to the decision-making process (e.g. a draft document may be placed in the ARF is a final version was never produced)

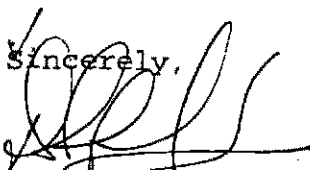
CLW

0000003428

(b) Transmittal memos and cover letters are included in the ARF to document specific dates and identify recipients upon delivery of reports (drafts and final versions). The reports themselves are generally included in the ARF as a separate entry. Smaller attachments are generally included in the ARF in the same entry with the cover letter itself. If LANTDIV was not provided with a copy of an essential attachment or enclosure to a document, an attempt is made to obtain a copy for inclusion in the ARF. Unfortunately, not all attempts are successful. In addition, it is important to note that not all attachments are identified as essential to the decision-making process.

(c) When Camp Lejeune was listed on the NPL in 1989, the ARF was generated from historic files. While every attempt was made to include all essential documents, not all documents that later could have been deemed essential may have been located or included. In addition, maintenance of a cumbersome paper file through the years increased the chances for inadvertent omissions. Extensive archival searches conducted in recent years have turned up numerous older documents which have been inserted into the ARF as appropriate. Since the ARF is a living file, we continue to insert new documents as they are generated as well as newly discovered older documents that may have been previously overlooked or mis-filed. We appreciate your interest in the Administrative Record and welcome your comments and suggestions as well as your identification of potentially missing or overlooked documents.

Sincerely,

  
David Shepherd  
Assistant Counsel

Copy to:  
Activity Administrative Record File

Bcc:  
EV23 (KAS)  
Mr. Neal Paul (EMD, MCB Camp Lejeune)  
CAPT J. Jungreis (EACO, MCB Camp Lejeune)  
Ms. Kelly Dryer (HQMC)  
Ms. Katherine H. Landman, P.E (MIDLANT)

CLW

000003429

Excerpt from: Navy/Marine Corps Installation Restoration Manual, 2000 Update, August 2000, Chapter I, Section I, available online at the NFESC web site  
[http://erb.nfesc.navy.mil/erb\\_a/restoration/IRManual/Chapter1/IRManual\\_Sec1.htm](http://erb.nfesc.navy.mil/erb_a/restoration/IRManual/Chapter1/IRManual_Sec1.htm)

#### **1.1.5 Lead Agency Authority**

CERCLA authorizes the President to act, in a manner consistent with the National Contingency Plan (NCP), whenever any hazardous substance is released or there is a substantial threat of such a release into the environment. The President, by Executive Order 12580, delegated most of his CERCLA authority to the U.S. EPA, however, in the case of releases and threatened releases on or from DoD properties, the President delegated his authority to DoD. Accordingly, DoD, not the U.S. EPA, has lead agency authority to respond at DoD installations. DoD has re-delegated its lead agency authority to the individual Departments. Within the DON, NAVFACENGCOM has been delegated program responsibility to plan and implement response actions at all Navy and Marine Corps installations.

**CLW**

**0000003430**