

FFA NEGOTIATIONS
25-26 JULY 1989

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FEDERAL FACILITY AGREEMENT - CAMP LEJEUNE
25 JULY 1989, 0900, RALEIGH.

1. INTRODUCTIONS
2. REVIEW BY DON/MARINECORPS HIGHER HEADQUARTERS
3. REVIEW OF MINUTES FROM 26 APRIL & 25 MAY 89
PRE-NEGOTIATION MEETINGS.
4. MEETING "GROUND RULES" - SPOKESMAN FROM EACH
PARTY TO OPEN, WRAP-UP AND REQUEST
"TIME-OUT'S".
5. MINUTES FOR THIS MEETING
6. NEGOTIATION "GOALS" - 80% THIS SESSION -
20% WITHIN 30 DAYS
FINAL DOCUMENT READY FOR CHAIN OF COMMAND
REVIEW/APPROVAL/EXECUTION WITHIN 45 DAYS
7. OLD BUSINESS: FROM 25 MAY 89 MINUTES:
#3, #4, #6, #36, #42.
8. NEW BUSINESS.

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ERRATA : JULY 10, 1989 FEDERAL FACILITIES AGREEMENT.

1. EVERY PAGE: ADD "JULY 10, 1989" ABOVE SECTION AND PAGE HEADER TO SHOW EDITION.
2. SECTION III, PAGE 2; LINE 2: ADD "(1988)" AFTER "40 C.F.R. PART 264".
3. SECTION III, PAGE 5; 3RD LINE FROM BOTTOM: UNDELETE "OR CONSTITUENTS".
4. SECTION III, PAGE 6; LINE 12: UNDELETE "OR CONSTITUENTS".
5. SECTION IV, PAGE 1; LINES 6^{#19}: UNDELETE "OR CONSTITUENTS".
6. SECTION V, PAGE 2; LINES 17 & 22: UNDELETE "OR CONSTITUENTS".
7. SECTION V, PAGE 3; LINES 4-5: UNDELETE "OR CONSTITUENTS".
LINE 6: CAPITALIZE "STATE". (SAME ON LINES 9 AND 13).
8. SECTION VI, PAGE 2; LINE 8: CAPITALIZE "STATE".
9. SECTION VII, PAGE 2; LINE 3: CHANGE "SECTION XIII" TO "SECTION VIII".
10. SECTION VIII, PAGE 2; LINE 21: SEPARATE "ARE ISSUED" AT BEGINNING OF LINE.

(2)

ERRATA (CONT.)

11. SECTION IX, PAGE 7; LINES 4, 6 & 7: CAPITALIZE "PARTY".
12. SECTION X, PAGE 1; LINES 6 & 8: CAPITALIZE "STATE".
13. SECTION X, PAGE 2; LINE 12: MOVE "OFF-SITE" TO END OF SENTENCE.
14. SECTION XI, PAGE 2; LINE 9: ADD "DEPARTMENT OF NAVY" AFTER "AUTHORIZED".
15. SECTION XI, PAGE 2; LINE 16: ADD "OR CONSTITUENTS" AFTER "CONTAMINANTS".
16. SECTION XIV, PAGE 1; LINE 11: LINE THROUGH "[TERMS AND CONDITIONS]" TO SHOW DELETION.
17. SECTION XV, PAGE 2; LINE 3: THE WORD "NOTIFY" AT THE END OF THE LINE SHOULD BE KEPT IN ~~ENTIRE~~ WHOLE.
18. SECTION XIX, PAGE 1; LINE 8: ADD "OR CONSTITUENTS" AFTER "CONTAMINANTS".
19. SECTION XXII, PAGE 1; LINE 6: ADD "CONCERNING CORRECTIVE ACTION" AFTER "ADMINISTRATIVE ORDER" AND "THE TERMS OF" AFTER "OUTSIDE" - TO READ: "... ANY ADMINISTRATIVE ORDER CONCERNING CORRECTIVE ACTION OUTSIDE THE TERMS OF THIS AGREEMENT ...".

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ERRATA (CONT.)

20. SECTION XXV, PAGE 1; LINES 6, 9, 12 + 14: CHANGE "SECTION(S) 6959" TO "SECTION(S) 9659".
21. SECTION XXV, PAGE 2; LINES 2, 4, 10 + 13: CHANGE "SECTION(S) 6959" TO "SECTION(S) 9659".
22. SECTION XXV, PAGE 3; LINE 1: ADD "(DOD)" AFTER "DEPARTMENT OF DEFENSE".
23. SECTION XXV, PAGE 3; LINE 3: CHANGE "ET SEQ." TO "ET. SEQ.".
24. SECTION XXVII, PAGE 2; LINES 17-19: CHANGE "PROPOSE DEADLINES" TO "PROPOSE A DEADLINE" AND "COMPLETION OF THE" TO "COMPLETION OF EACH" AND "WORK PLAN" TO "WORK PLAN(S)".
25. SECTION XXVII, PAGE 2; LINE 21: CHANGE "PARAGRAPH C" TO "PARAGRAPHS B ^{AND} C".
26. SECTION XXVII, PAGE 3; LINE 10: DELETE "THE" AT BEGINNING OF LINE.
27. SECTION XXIX, PAGE 2; LINE 16: ADD "OR NOT" FOLLOWING "WHETHER".

et seq

Page #s @ Bottom.

human health, welfare and the environment.

State agrees w/ EPA.

? Releases from UST's.

(IX)

VI.

ONE: AR for Site

7/26

Victor: additional facts.

Add'l work/Mod - p.16. - delete
EPA want Scope of work, part p.16.

W/ links

State: draft def of "corrective action."

"Scope" - UST involvement:

Citations. =

25 July 89:

EPA: Operable Unit - Removals / Remedial Actions

Minutes: EPA - ORC Changes.

90-days = May Meeting. —

St: Minutes inaccurate

MC: Put in writing.

Title: NPL Listing (30-60 days)

Section 1, Pg 3 - NRC Code.

III, 1 - State law.

" - A. Appendix A. Not binding or enforceable

III, 2 - G -

* Add: EPA's enclosure 2 to 14 July — as appendix. D.

? Operable Unit Definition -

Jade Butler - PM for State.

RFA Report - Victor / Mickey leave draft until Permit

- as amended to CRP criteria

7/26

Quint @ XXXII

Mtg. Atlanta - EPA's Office

Victor. Poc.

Wed. Sept. 6 - Thurs. Sept. 7. @ following week

- Peardtree Center -

Submittals:

State.
Com Action Def.
Cites.
Scope

EPA
Scope

ISM =

LawDir
Wed. Aug 23.

1. Correct our changes
2. Open issues.

CERCLA/RCRA INTERAGENCY AGREEMENT

MEETING BETWEEN

CMC-LFL, LANTDIV, AND MCB

25 APRIL 1989

PRIORITY ISSUES FOR DISCUSSION

1. TEAM NEGOTIATION TECHNIQUE
Team Composition
Presentation
2. LINES OF COMMUNICATION
3. DRAFTING/REVIEWING COUNTER-PROPOSALS
4. INTERNAL SCHEDULES/TIMING OF REVIEWS
5. REVISED IAG SCHEDULE
6. IN-HOUSE ISSUES
Role of TRC
Timing of Funding
Practicality of Milestones for Deliverables
Definitions Used in IAG

OBJECTIVE

DEVELOP AGENDA FOR EPA/NC MEETING

1

25 APRIL 1989.

TEAM FRASERS/

TRANSCRIPT - P 39/40. POLICY TIMEFRAMES/ACTIONS.

POINTS TO MAKE:

WHO SIGNS / WHERE.

FFA VS. IAGC. (SELF EXECUTING CROD)

Lt Col BOSTON - FROBINS. FFA.

TEAM:

CUES: TECH. / LEGAL / PAO / ENV.

LAND DIV: TECH. / LEGAL

2. LINES OF COMMUNICATION:

DESIGNATION OF PMS: OFFICIAL - NAVY - MARINE CORPS. (TECH): S. ASHTON.

BELOW THAT: CUES: DEPUTY PM ON-SCENE: BOB.

REVIEWS REQUIRED BY WHOM - DIST. OF OPINIONS.

PERIODIC STATUS OF IR PROGRAM. FFA:

* CIVIL MCGUIRE: LAND ACQ. (3 WKS) MILESTONES VS ACTIONS COMP.

TWO WEEKS. ↑ MSG. FORMAT.

FFA: FROBINS: BOURGATE REVIEW.

LAND DIV: FRASERS

SITE: FFA SIGNS FOR ALL ASU. (1#L)

WHO SIGNS FOR ROD? CG. MCB

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25-30 RCRA SITES IN ADDITION TO 22 IR SITES.
 ↳ ID'd IN RFA

? WHAT IS "THEIR" FEELING OF THE LEVEL OF INVOLVEMENT OF RCRA.

SEND OUT COUNTER-PROPOSALS IN GROUPS. (ie 5 CLAUSES @ A TIME) INTERNAL ONLY - MCB + CMC + NAVFAC
 ↳ TO TAKE TO CNO.

MARK SECTIONS "RESOLVED"/"UNRESOLVED"

SCHEDULE: NEGOTIATION: 90 DAYS.
 COUNTERPROPOSAL TO EPA: 80 WORKING DAYS.

NEW PROCESS TO MCB / MACHINE CORPS / NAVY
 NEED TIME TO REVIEW (MARCH 17; EPA FFA; FORBANS...)
 NEW CLAUSES IN FFA OR THOSE THAT ARE OMITTED FROM MODEL

INTERNAL: MATRIX SYSTEM. — TRACKING SYSTEM.
 FINAL LAWDIV/MCB MTG: TWO WKS PRIOR TO COUNTER TO EPA

6. IN HOUSE ISSUES:

ROLE OF TRC:

TIMING OF FUNDING: OPM FOR RA'S TO ACTIVITY.

MILESTONES: WHAT'S DO-ABLE. — TIMEFRAMES — esp. THOSE ITEMS (ie FOCUSED FS) THAT HAVE BEEN ADDED BY EPA.

DEFINITIONS: ACCELERATED RA'S ; NPL IS NON-NPL ;
 DELEGATE UNITS

EPA MTR

INTROS:

Sue Jamin to take notes.
key points + points of agreement.
+ Prospective Roles.
to Sue when need to get down.

HAZDOU LIST:
SPECIFIC: CMC
NAVFAC
CUST
LANTDIV

FIRST OF ITS KIND FOR THE MARINE CORPS.
(CMC - 8 PROSPECTS)

* POINT OF CONTACT: ADDRESSES. PM - EPA STATE
ALL COLLECT. REG. MAIL RETURN RECEIPT REQUESTED.

TIME SCHEDULE: NEW DATES & PEARSONS SETTING
90 / 80'S 25 JULY / 11 JULY (LAST WK JUNE IN-HOUSE)

DESC OF ITEMS REQUESTED: SITE DESC. + FINDINGS OF FACT; IAG Priority Survey

DESC OF SITE:

ONE FFA FOR ALL INCL. NEW RIVER.

LEVEL OF INVOLVEMENT ON RCRA SITES (PURE RCRA)

1. SCOPE OF AGREEMENT.

DEFINITIONS THAT NEED CLARIFICATION PRIOR TO REVIEW OF THEIR FFA:

AUTHORITY FOR DEVIATIONS FROM MODEL CLAUSES.
IF WE DO ↑ MUST HAVE HIGHER HQ REVIEW.