

(804) 445-1814

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16 AUG 1991

From: Commander, Atlantic Division, Naval Facilities
Engineering Command
To: Commander, Naval Facilities Engineering Command
(Attn: Mr. Bill Judkins)
Subj: DEFENSE AND STATE MEMORANDUM OF AGREEMENT/COOPERATIVE
AGREEMENT APPLICATION SUBMITTED BY THE STATE OF NORTH
CAROLINA
Ref: (a) COMNAVFACENCOM ltr ser 181A/0039 of 6 Aug 91

1. In response to reference (a), the following comments are provided:

a. In the DSMOA, Section I, "REIMBURSEMENT OF STATE COSTS" Subpart A. paragraph 2., it is stated that "Unless a site-specific agreement provides otherwise, this Agreement is the mechanism for payment of the costs incurred by the State...." The MCB Camp Lejeune Federal Facilities Agreement (FFA) Section XXXVI, "RECOVERY OF USEPA AND STATE EXPENSES," is such a site-specific agreement. It appears there is a discrepancy between the two documents. Since the State of North Carolina signed the DSMOA subsequent to the FFA, it appears the State intends for the DSMOA to be the controlling document; the Navy prefers the procedures as defined in the DSMOA also. We recommend this discrepancy be resolved, possibly by an ammendment to the FFA.

b. In the Cooperative Agreement under "EXPENSE SUMMARY," the following two comments apply:

This summary reflects one manyear (environmental engineer) per year. MCB Camp Lejeune is the only installation listed on the DSMOA. LANTNAVFACENCOM cannot justify one full manyear per year of an environmental engineer's time to support the MCB Camp Lejeune Installation Restoration Program (IRP). We can support up to a maximum of one-third manyear per year for State oversight of the MCB Camp Lejeune IRP. If the DSMOA were to add MCAS Cherry Point to the list of installations covered by the agreement, we could justify up to a maximum of one-half of a manyear per year of an environmental engineer's time to account for both MCB Camp Lejeune and MCAS Cherry Point. (Note that the estimated total cleanup cost at MCAS Cherry Point is \$32,000,000 with an estimated end date of 2006.)

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The items included in the "EXPENSE SUMMARY" should be recalculated accordingly to account for less than one manyear per year (environmental engineer). For example, the amount of \$4,500 for equipment expenses (computer for engineer) is considered excessive considering one-third or one-half of a manyear of an engineer's time.

c. The following editorial changes are recommended to make the Cooperative Agreement consistent with the MCB Camp Lejeune Site Management Plan (July 1991):

In the first paragraph under the section titled "REMEDIAL WORK SCHEDULE," change the expected date of receipt of reports from "July 1991" to "August 1991."

The first paragraph which reads "Develop Work Plans, . . . at Sites 6, 48, 69" under the section titled "PROJECTED FY91 REMEDIAL ACTIONS" should be placed under the section titled "PROJECTED FY92 REMEDIAL ACTIONS".

Paragraph 2 under the section titled "PROJECTED FY92 REMEDIAL ACTIONS" should read: "1) Develop Work Plan, Health and Safety Plan, and Sampling/Analysis Plan for RI/FS at Sites 9, 21, 22, 24; 2) Develop RI/FS and PRAP for Interim Action at Operable Unit 1 (Shallow Aquifer at Hadnot Point)."

2. A policy letter outlining the procedures to be followed by LANTNAVFACENCOM and the Activity in reviewing State invoices and/or quarterly progress reports is recommended. By clarifying the responsibilities of each party and the procedures for reviewing State submittals, we will be better able to support this process. We request NAVFAC issue such a policy letter.

3. A copy of this letter was forwarded via facsimile on 15 August 1991 to Mr. Bill Judkins in order to meet the date for submittal of comments.

4. Our point of contact concerning MCB Camp Lejeune is Ms. Laurie A. Boucher, P.E., (804) 445-1814. Our point of contact concerning MCAS Cherry Point is Mr. Jim Steinberg at (804) 445-8855.

P. A. RAKOWSKI, P.E.
By direction

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Copy to:

MCB Camp Lejeune (AC/S, Environmental Management)
MCAS Cherry Point
COMNAVFACENGCOM (Code 09CB3)

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