

Minnesota Pollution Control Agency

Replied 14 May 96

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

March 28, 1996

Mr. David Cabiness, Code 1862
Commanding Officer
Southern Division
Naval Facilities Engineering Command
P.O. Box 190010
North Charleston, South Carolina 29419-9010

RE: Naval Industrial Reserve Ordnance Plant

Dear Mr. Cabiness:

Pursuant to our conversation of March 22, 1996, thank you very much for offering to reconsider the U.S. Navy's (Navy's) position on investigating for possible source areas under the United Defense LP (UDLP) portion of the main building at the Naval Industrial Reserve Ordnance Plant (NIROP) site. Up until this time, the Navy has refused to consider investigating under the UDLP portion of the main NIROP building as requested by the Minnesota Pollution Control Agency (MPCA) staff.

As we discussed, the ground water plume either originates (in whole or part) or passes under at least the western half of the UDLP portion of the main NIROP building. In other words, possible source areas under the UDLP portion of the main NIROP building could be contributing (in whole or part) to the ground water plume currently being remediated by the Navy.

If there are source areas under the UDLP portion of the main NIROP building contributing to the ground water plume, UDLP likely could be considered a responsible party under the Minnesota Environmental Response and Liability Act (MERLA). It is also possible that the Navy could be considered a responsible party under MERLA if ground water contamination under the UDLP portion of the main NIROP building originates under the portion of the main NIROP building owned by the Navy. If the latter is the case, then the UDLP portion of the main NIROP building could be included in the NIROP Site as defined in Section IV of the NIROP Federal Facilities Agreement.

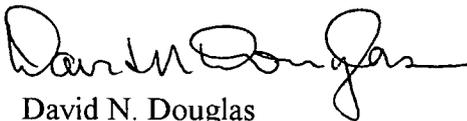
Mr. David Cabiness
Page 2
March 28, 1996

As we discussed, it is important to determine soon whether the Navy will or will not include the UDLP portion of the building in the Operable Unit 3 Remedial Investigation/Feasibility Study (OU3 RI/FS) because it is important to identify all source areas contributing to the ground water plume in a timely manner.

Please let me know by April 9, 1996, at our upcoming meeting whether or not the Navy will include the UDLP portion of the main NIROP building in the OU3 RI/FS.

If you have any questions regarding this letter, please contact me at (612) 296-7818.

Sincerely,



David N. Douglas
Project Manager
Response Unit I
Site Response Section
Ground Water and Solid Waste Division

DND:lk

cc: Scott Glass, Navy, Southern Division
Thomas Bloom, U.S. Environmental Protection Agency