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NSY PORTSMOUTH
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LETTER REGARDING CONSENSUS STATEMENT FOR OPERABLE UNIT 3 (OU 3)
REMEDIAL ACTION ACTIVITIES NSY PORTSMOUTH ME
1/9/2004
NAVFAC NORTHEAST



DEPARTMENT OF THE NAVY

ENGINEERING FIELD ACTIVITY, NORTHEAST
NAVAL FACILITIES ENGINEERING COMMAND
10 INDUSTRIAL HIGHWAY
MAIL STOP, #82
LESTER, PA 19113-2090

IN REPLY REFER TO

5090
Code EV23/FE
January 9, 2004

Mr. Matthew Audet
U.S. Environmental Protection Agency, Region I
1 Congress Street
Suite 1100
Mail Code HBT
Boston, MA 02114-2023

Mr. Iver McLeod
Maine Department of Environmental Protection
State House Station 17
Augusta, ME 04333-0017

Dear Mr. Audet/Mr. McLeod:

SUBJECT: CONSENSUS STATEMENT FOR OPERABLE UNIT 3 REMEDIAL
CONSTRUCTION FOR THE INSTALLATION RESTORATION PROGRAM
FOR PORTSMOUTH NAVAL SHIPYARD, KITTERY, ME

Enclosed is a copy of the signed consensus statement between
USEPA, MEDEP, and the Navy for the Operable Unit 3 Remedial
Construction for your information.

If additional information is required please contact Mr.
Fred Evans at (610) 595-0567 x159.

Sincerely,


Frederick J. Evans
Remedial Project Manager
By Direction of the
Commanding Officer

5090
Code EV23/FE
January 9, 2004

Copy to:
ROICC Portsmouth (G.Wallace) w/Encl
PNS (Code 106.3R) w/encl
PNS (Code 913JH) w/encl
TtNUS (D. Cohen) w/encl
Ms. Carolyn Lepage w/encl
Mr. Jeff Clifford
Mr. Jack McKenna
NOAA (K. Finkelstein)
USFWS (K. Munney)
Mr. Onil Roy
Dr. Roger Wells
PNS Code 100PAO
COMSUBGRU TWO (A. Stackpole)
MEDMR (D. Card) (via email)
NHFG (Dr. C. McBane) (via email)
Mr. Doug Bogen(via email)
Mr. Peter Britz(via email)
Mr. Alan Davis(via email)
Ms. Michele Dionne(via email)
Mr. James Horrigan(via email)
Ms. Mary Marshall(via email)
Ms. Diana McNabb(via email)

Consensus Statement
Installation Restoration Program
for
Portsmouth Naval Shipyard
Kittery, ME

The purpose of this Consensus Statement is to document an agreement by the U.S. Environmental Protection Agency, the Maine Department of Environmental Protection, and the U.S. Department of Navy on how to work effectively to resolve potential issues on the Remedial Action at Operable Unit 3 (OU3). This language supplements but does not replace the consultation requirements as provided in the Federal Facility Agreement (FFA):

In order to work effectively, the parties agree to the following:

1. Information related to the construction at OU3 has been and will remain available to USEPA and MEDEP for review at TtFW's field trailer at Portsmouth NSY upon request.
2. USEPA and MEDEP have been and will continue to be invited to participate in the Jamaica Island Landfill Bi-Weekly Progress/QC Meetings.
3. Jamaica Island Landfill Bi-Weekly Progress/QC Meeting Minutes and Jamaica Island Landfill Bi-Weekly Progress Updates
 - a. The following information has been provided in the Bi-Weekly Progress/QC Meetings
 - i. Work accomplished during the previous two weeks;
 - ii. Worked planned during the next two weeks;
 - iii. Schedule review
 - iv. Submittals
 - v. Quality issues
 - vi. Cost status
 - vii. Special interest items
 - viii. Health and safety
 - ix. Outstanding Requests for Information (RFIs)/Change Request Forms (CRFs)
 - x. Open Forum Items
 - b. The Navy has agreed to provide brief discussion in Biweekly Progress/Quality Control meetings on what field moisture and density test results were performed in the previous 2 weeks and what actions were taken for any failing tests.
 - c. The Navy has agreed to provide brief discussion in Biweekly Progress/Quality Control meetings on unusual or unforeseen

events which have occurred, and any actions taken as a result of those events.

4. In order to keep the USEPA and MEDEP better informed about submittals on the OU3 remedial construction, the USEPA, MEDEP, and Navy have agreed to following:

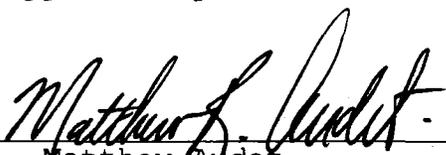
i. Provide the field moisture and density test results via email on a weekly basis. There will be a one week lag in providing field test results via email (i.e. field tests performed the week ending Friday, October 17, 2003 will be provided by on or before Monday, October 27, 2003).

ii. The Navy has provided a copy of all contractor submittals, change requests, and requests for information received on or before October 8, 2003 to USEPA and MEDEP on CD-ROM as requested by MEDEP. The Navy will notify USEPA and MEDEP of any new submittals, Change Request Forms, Requests for Information, and/or Design Changes received for OU3 on a weekly basis. Starting Monday, December 1, 2003, the Navy will also include the Section numbers for the submittal.

iii. USEPA and MEDEP will notify the Navy if they wish to receive copies of any of the submittals in a timely manner.

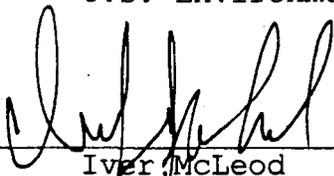
iv. The Navy will work with EPA and MEDEP to determine a schedule for comments, responses, conference calls, and/or technical meetings to facilitate resolution of unresolved issues in a timely manner.

5. The USEPA, MEDEP, and Navy agree to communicate verbally to identify and resolve potential issues at the earliest opportunity.



Matthew Audet
U.S. Environmental Protection Agency

12/22/03
Date



Iver McLeod
Maine Department of Environmental Protection

12/17/03
Date



Frederick J. Evans
U.S. Department of Navy

12/10/03
Date