DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND, MID-ATLANTIC
9324 VIRGINIA AVENUE NORFOLK, VA 23511-3095

5090
OPTE3/18
17 DEC 2014

Robert W. Schick, P.E.
Director, Division of Environmental Remediation
New York State Department of Environmental Conservation
Division of Environmental Remediation
Remedial Bureau A, 12th Floor
625 Broadway
Albany, NY 12233-7015

Subj: NAVAL WEAPONS INDUSTRIAL RESERVE PLANT (NWIRP) BETHPAGE (130003B), Operable Unit 2 (OU-2) REMEDY

Dear Mr. Schick:

The Navy writes to respond briefly to the letter of Northrop Grumman (NG) to the New York State Department of Environmental Conservation (NYSDEC), dated December 5, 2014.

As NYSDEC stated in its 2001 Operable Unit 2 (OU-2) Record of Decision (ROD) and reiterated in its November 21, 2014 letter to NG, NG is an identified responsible party for the implementation of NYSDEC's OU-2 ROD. As such, the DON agrees with the position that NYSDEC took in its November 21st letter to NG that NG should enter into an Order on Consent for the implementation of NYSDEC's OU-2 ROD. Such a consent order should not be limited to the response to the recent "hot spot" concerns.

Further, the DON does not agree with the statement in NG's December 5th letter that there is an ongoing informal agreement between NG and the DON wherein each party agreed to undertake certain remedial measures. The DON issued its 2003 OU-2 CERCLA ROD and entered into the 2005 Federal Facility Site Remediation Agreement with NYSDEC in order to delineate the DON's OU-2 response action commitments at NWIRP-Bethpage. In no way were these commitments intended to preclude or relieve NG from implementing the NYSDEC OU-2 ROD. As such, contrary to the statement in NG's December 5th letter, the DON expects participation by NG in implementation of all of the OU-2 remedial activities, including the response to the recently-identified "hot spot." Therefore, the DON does not object to the issuance of an enforceable document that requires NG to implement NYSDEC's OU-2 ROD.

If you have any questions, please contact the DON's remedial project manager, Lora Fly, at (757) 341-2012.

Sincerely,

Nina M. Johnson

NINA M. JOHNSON
Northeast IPT
Environmental Business Line
Team Leader
By direction of the
Commanding Officer

Copy to:
NAVAIR, William Cords
NYSDEC, Steven Scharf/Henry Wilkie
USEPA Region II, Carol Stein
Northrop Grumman, Ed Hannon
Public Repository