

U.S. ENVIRONMENTAL PROTECTION AGENCY

REGION IV

U.S. Marine Corps  
Camp Lejeune, North Carolina  
and

Federal Facility  
Compliance  
Agreement

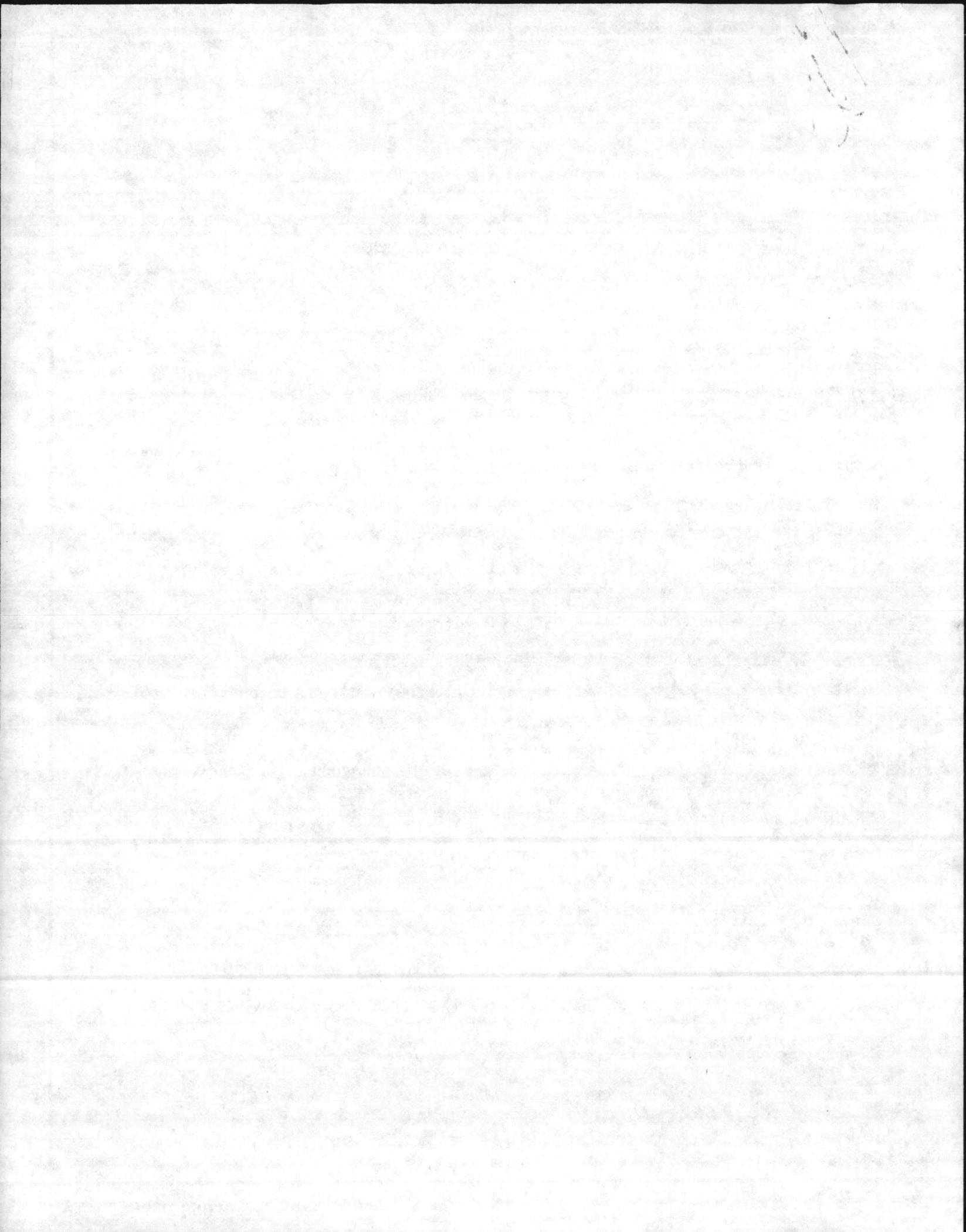
U.S. Environmental  
Protection Agency,  
Region IV

The Environmental Protection Agency, Region IV, and the Marine Corps, Camp Lejeune, North Carolina, are the parties to this agreement which is entered into pursuant to Executive Order 12088, October 13, 1978 (43 FR 47707). The Office of Management and Budget and the Department of Justice will take cognizance of this agreement pursuant to their respective duties to assure compliance with the environmental laws under Executive Order 12088 and the particular statutes herein addressed.

SCOPE

1. This agreement is entered into by the parties to assure compliance by the Marine Corps, Camp Lejeune with the Clean Water Act (CWA) (33 USC 1251 et seq.), and implementing regulations.

ENCLOSURE I



2. This agreement is not and shall not be construed as a permit under the CWA nor shall it relieve the Marine Corps of any legal obligations under the CWA which are in addition to or different from matters covered in this agreement. This agreement in no way affects requirements for each facility to apply to Region IV for applicable wastewater discharge permits (NPDES).

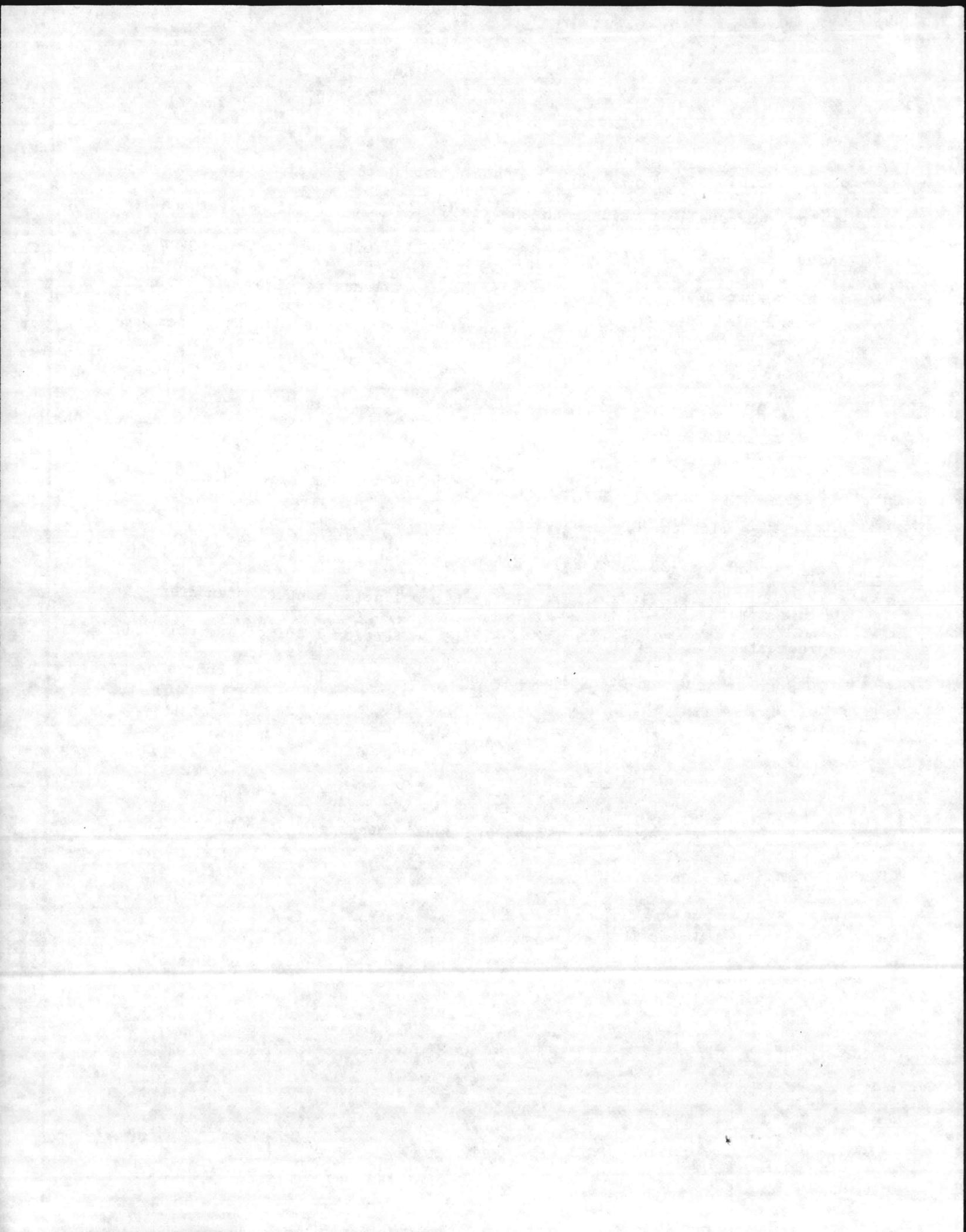
Authorities

3. The duties of the Marine Corps to operate its facilities in compliance with the Clean Water Act are prescribed in Section 313 of the Clean Water Act (33 USC 1323). Executive Order 12088 was promulgated to ensure Federal compliance with applicable pollution control standards. This agreement contains a "plan" as described in Section 1-601 of Executive Order 12088 to achieve and maintain compliance with water pollution control standards.

Statement of Facts

4. The following facilities are owned, operated, or under the control of the Marine Corps.

- a. Water Treatment Plants
- b. Miscellaneous source wastewater treatment and/or control



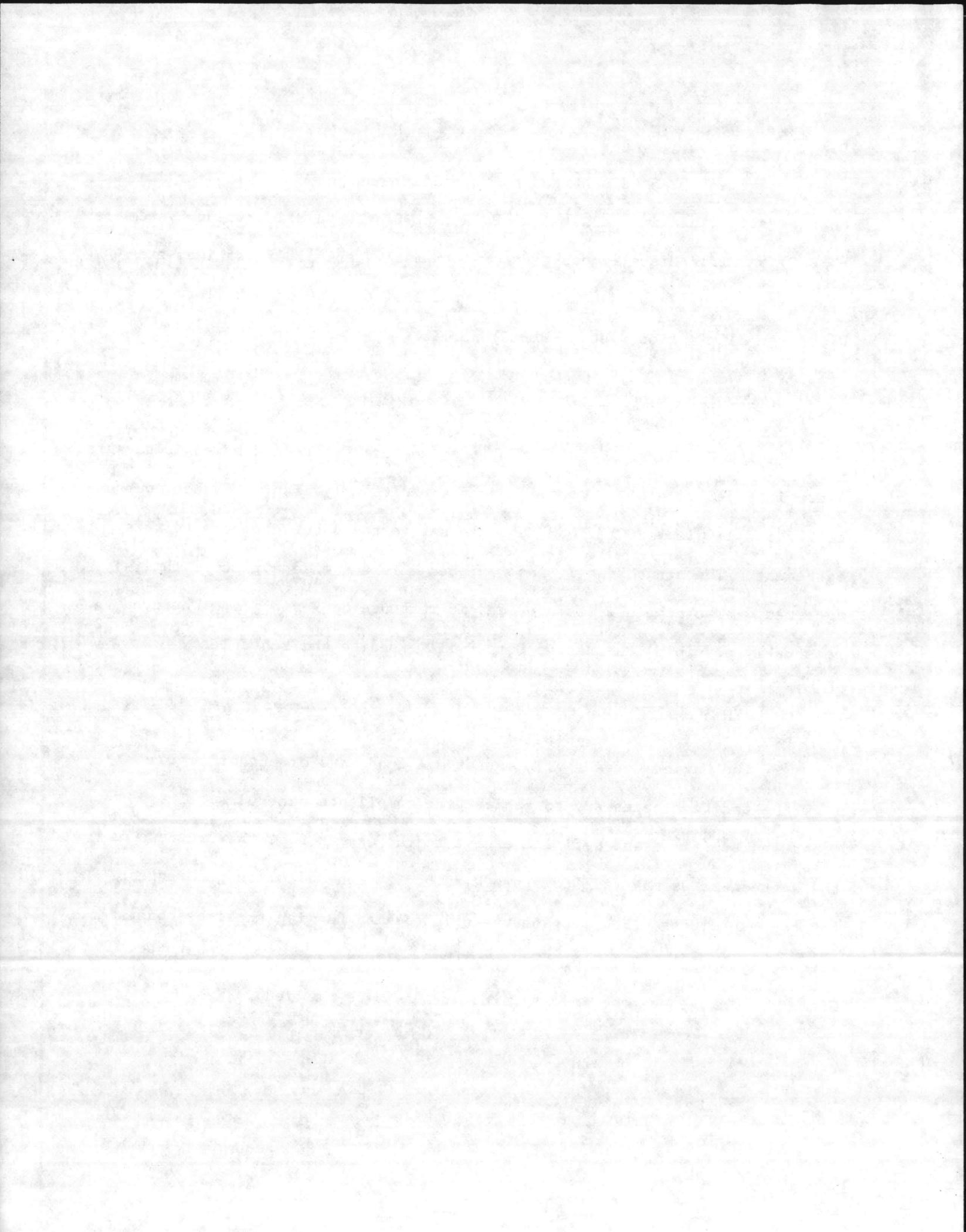
5. The facility has failed to provide treatment and/or control of water treatment plant discharges and miscellaneous source wastewater discharges stipulated in the National Pollutant Discharge Elimination System (NPDES) permit. Miscellaneous sources of wastewater and limitations are designated by class of discharge in Part III of the National Pollutant Discharge Elimination System (NPDES) permit.

#### Compliance Schedules

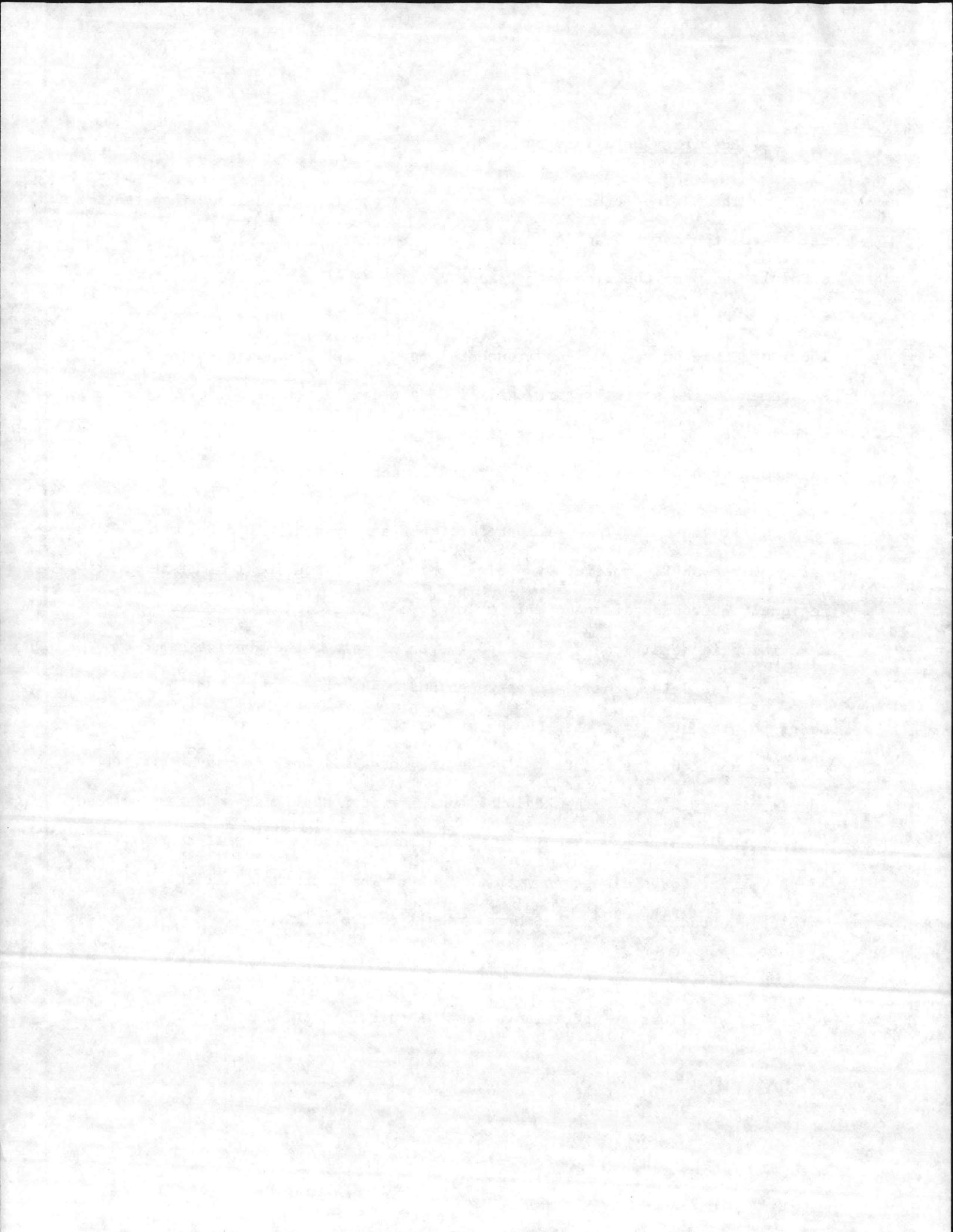
6. The Compliance Schedule for the (number) facilities named in paragraph 4 are intended to achieve compliance as expeditiously as practicable, pursuant to Section 1-601 of E.O. 12088, and are set forth as Attachment a to this agreement. The attachment is incorporated into and made a part of this agreement. The schedule was provided in response to Region IV. Wherever reasonably possible, the Marine Corps will expedite the schedules.

#### Funding

7. The Marine Corps shall request all funds and/or authorizations from the Congress necessary to achieve the compliance schedules. These schedules are fixed and definite except to the extent that the Congress of the United States may fail to approve authorization and/or budget requests for these projects. Steps to be taken in seeking funding shall be consistent with Sections 1-4 and 1-5 of Executive Order 12088 as implemented by the Office of Management and Budget Circular A-106 (as amended).







shall submit a status report to Region IV and the local or State or regional environmental agency detailing the progress made during that quarter. These reports shall be submitted quarterly until compliance has been achieved.

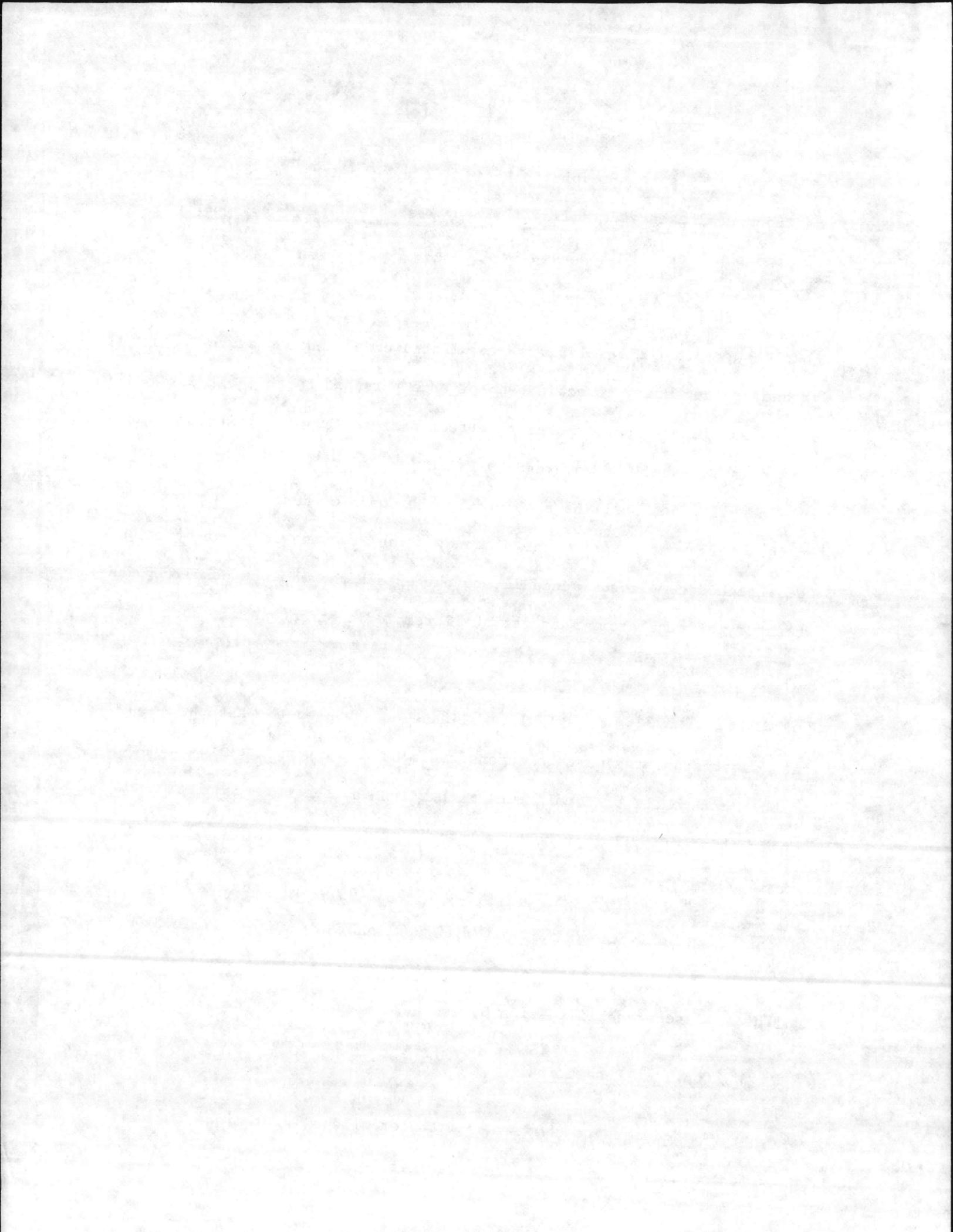
9. In the event that there is an amendment of the CWA, or in the event that changes to the regulations promulgated under those statutes change the technology necessary to achieve compliance pursuant to this agreement, the schedules will be renegotiated to effect changed law or regulations. Such renegotiation shall be governed by Executive Order 12088. Any disagreements in renegotiations shall be resolved by the Conflict Resolution provisions of this agreement. During the pendency of any request for renegotiation, the attached compliance schedule, to the extent they do not conflict with statutory or regulatory changes, shall remain in effect unless specifically waived by Region IV.

10. On the date for final compliance as shown on the attachment, compliance with water standards must be demonstrable by testing and positive reporting of the achievement of compliance, rather than by the mere completion of construction of pollution abatement facilities.

Upon the Marine Corps' demonstration of compliance, there will be a continuing obligation to comply with applicable discharge limitations under the CWA. These limitations are embodied in each facility's National Pollutant Discharge Elimination System permit under the CWA.

#### Conflict Resolution

11. Anticipated noncompliance with, or alleged violations of, this agreement shall be brought to the attention of the Administrator of the



U.S. Environmental Protection Agency, Washington, D.C., for resolution by EPA and Marine Corps. If necessary, the Director, Office of Management and Budget shall be notified pursuant to Sections 1-602 and 1-603 of Executive Order 12088. The Director, Office of Management and Budget shall consider such steps as are necessary to resolve any conflicts and remedy the violations.

Sanctions

12. In the event of violations of water standards or the terms of this agreement by the Marine Corps sanctions under the authority of Section 1-604 of Executive Order 12088, as well as enforcement procedures established by the Clean Water Act are available as enforcement mechanisms in addition to the conflict resolution procedures cited in paragraph 11.

13. Provided that the Compliance Schedule, as attached, is met, this agreement is considered to be in lieu of any other EPA or Federal enforcement action with regard to the facilities named in paragraph 4, for the pollution indicated in paragraph 5. This agreement in no way modified Section 504 of the CWA.

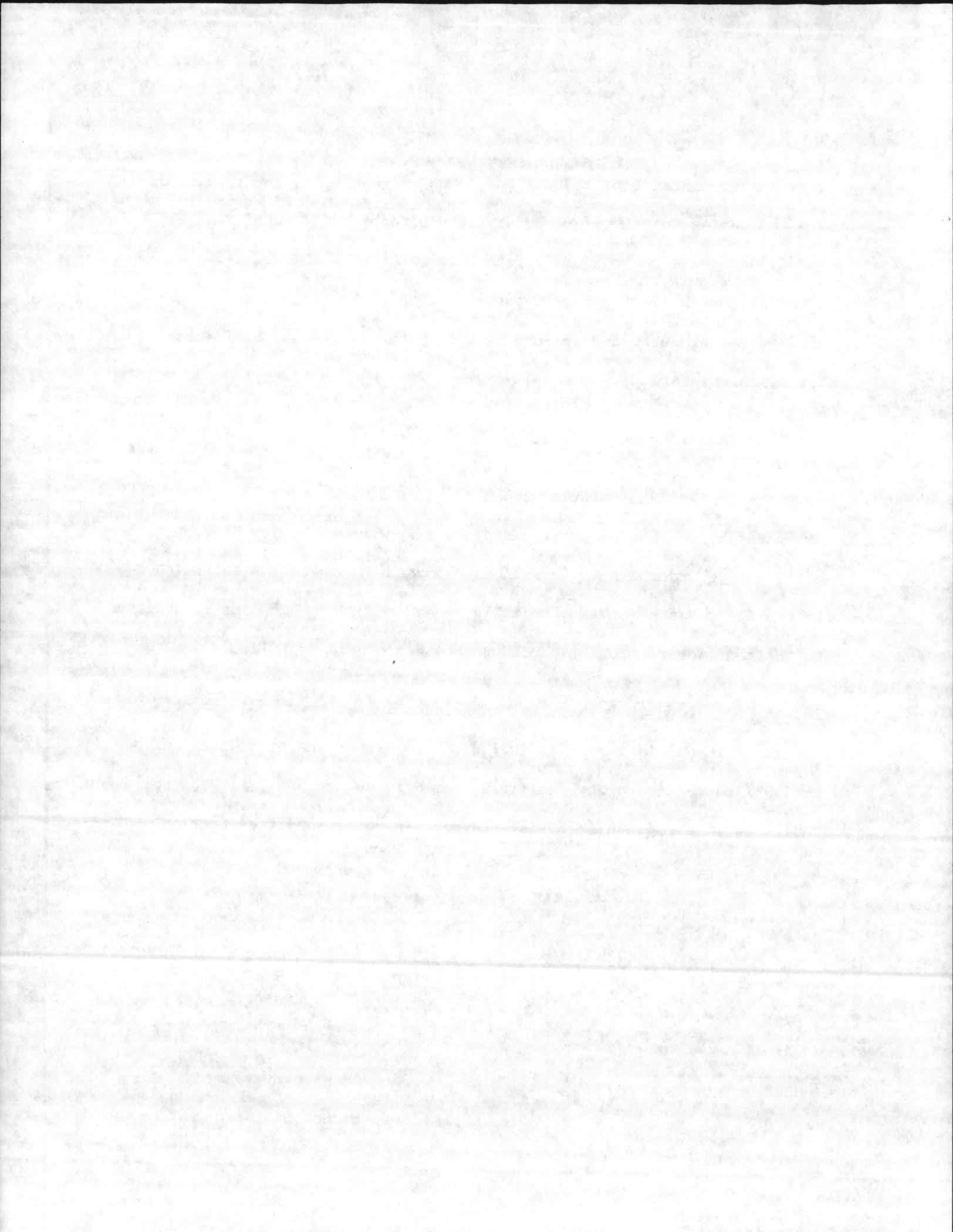
\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Signed: T. R. BAISLEY

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Marine Corps Representative  
Lt Colonel USMC  
Base Maintenance Officer

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Sanford W. Harvey, Jr.  
Director  
Enforcement Division



Facility

Marine Corps Base, Camp Lejeune, North Carolina

Project Description

This project provides for the design and construction of wastewater treatment facilities that will assure compliance with effluent limitations stipulated in Part I, page 9 (Discharge Serial Nos. 008, 009, 010, 011, 012, 013, 014 and 015) and in Part III of the National Pollutant Discharge Elimination System (NPDES) permit.

Compliance Schedule

Completion of preliminary plans	Completed
Completion of final plans	1 April 1980
Commence construction	1 July 1980
Completion of construction	30 June 1982
Operational level attained	1 July 1982

Progress Reports

Director, Enforcement Division  
Environmental Protection Agency  
Region IV  
345 Courtland Street  
Atlanta, Georgia 30308

Director, Division of Environmental Management  
North Carolina Department of Natural Resources  
and Community Development  
P. O. Box 27687  
Raleigh, North Carolina 27611

