

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

OCT 28 1998

Reply To
Attn Of: OEC-157

Bob Cipra, Code 106.3
Puget Sound Naval Shipyard
1400 Farragut Ave.
Bremerton, WA 98314

Re: EPA Recommendation Regarding Puget Sound Naval Shipyard ENVEST Proposal

Dear Mr. Cipra: 303

Congratulations and thank you for developing an insightful ENVEST proposal to design and evaluate a research model for managing pollutant discharges into Sinclair Inlet. The purpose of this letter is to formally accept PSNS's proposal as a potential ENVEST pilot and to invite you to submit a draft Final Project Agreement (FPA) for EPA's review. While EPA has not formally approved PSNS's project at this stage, agency staff both at headquarters and here in the region believe the proposal has significant merit and deserves to be further developed in the form of an FPA.

Among the many potential benefits of your project are its ability to:

- facilitate a transition from existing regulatory controls to a system of more effective and integrated compliance, with documentable results,
- facilitate the development and testing of a hydrological model, which could help identify pollution prevention strategies for waste streams having the highest adverse affect on the Sinclair Inlet,
- facilitate the development of guidelines that could provide the Agency and the regulated community with useful data on the use of ecological risk assessments, and
- allow access to better, more detailed information about the character of Sinclair Inlet for stakeholders and nearby communities.

In order to satisfy the general goals of the ENVEST program, PSNS is asked to address in more detail the following key elements of the ENVEST program in the development of a draft FPA. The Washington Department of Ecology has also requested to be part of the FPA negotiations process, and to be a signatory to the FPA.

1. Clarification of Model Development and Evaluation: PSNS must flesh out the details of its study design and provide some indications as to how the sampling plan will be developed and outlining how stakeholder input will shape that plan. The stakeholder plan should be revised accordingly.

2. Regulatory Flexibility: In addition to potential changes in permit monitoring requirements, the draft FPA should more specifically identify the range of the long-term regulatory alternatives envisioned, as well as any areas where PSNS seeks only clarification of existing regulations. This description needs to address the relationship of the Superfund and NEPA activities at the shipyard to the long-term regulatory alternatives.

3. Stakeholder Involvement: The draft FPA should explain PSNS's specific plans for stakeholder involvement at both the local and state levels. Stakeholder involvement during the FPA development phase should clearly show that PSNS coordinated its efforts with the local community; other regulated facilities; state and local environmental interest groups; and state and local governments.

4. Future TMDL/Permit Decision making: We recognize that the current FPA will focus on the development of a research model and sampling plan for Sinclair Inlet. In the FPA negotiations, PSNS, EPA and Ecology will need to agree on the key decisions that must be made, by whom and based on what information, as part of the process for going from study results to the development of any alternative regulatory mechanisms.

Again, I thank you for your participation in EPA's ENVEST program and I look forward to receiving your draft Final Project Agreement and working together with PSNS in developing the FPA. I know from speaking with my staff on our regional team, (David Tetta, Kristine Koch, Nancy Harncey, and John Armstrong) that the PSNS ENVEST team is made up of individuals who are highly committed to the type of bold and responsible experimentation that will make our environmental protection system better for all. Please send my personal regards to each of your staff members working on this project.

Upon signing of the FPA, PSNS's project will become an official ENVEST Pilot. To that end, if we can be of any assistance in expediting the development and review of your Final Project Agreement, please do not hesitate to call David Tetta at (206) 553-1327.

Sincerely,



Chuck Clarke
Regional Administrator

cc: Tom Fitzsimmons, Director
Washington Department of Ecology

bcc: J. Charles Fox, Assistant Administrator, Office of Water
Jay Benferardo, Deputy Assistant Administrator, Office of Reinvention
James Nelson, Associate General Counsel, Office of General Counsel
Sylvia Lowrance, Deputy Assistant Administrator, Office of Enforcement and
Compliance Assurance