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NCBC GULFPORT
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LETTER TRANSMITTING ADMINISTRATIVE ORDER NO. 3194 96 REGARDING
ENVIRONMENTAL ISSUES NCBC GULFPORT MS
2/14/1996
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY



STATE OF MISSISSIPPI
DEPARTMENT OF ENVIRONMENTAL QUALITY
JAMES L. PALMER, JR.
EXECUTIVE DIRECTOR

February 14, 1996

10.6.0.2

~~CERTIFIED MAIL/RETURN RECEIPT REQUESTED~~

Lieutenant Colonel Robert M. Walleit, Director
Headquarters USAP/CEV
1260 Air Force Pentagon
Washington, D.C. 20330-1260

Dear Colonel Walleit:

Enclosed is a copy of Administrative Order No. 3194 96, which has been issued by the Mississippi Department of Environmental Quality as a result of certain environmental issues regarding the U.S. Naval Construction Battalion Center located in Gulfport Mississippi. Your cooperation in carrying out the provisions of this order is encouraged.

If you have any questions in this matter, please contact Jerry Banks at telephone #601-961-5171.

Sincerely,

Charles N. Chisolm, Head
Office of Pollution Control

CHC:pl
Enclosure
cc: Mr. Jerry Banks, Chief
Hazardous Waste Division

Post-It [®] brand fax transmittal memo 7671		# of pages	16
To	ART CONRAD	From	GORDON CRAIG
Co.	CODE 1865	Co.	CBC Gulfport
Dept.		Phone	868-2485
Fax #	583-7465	Fax #	868-3117

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO.

3194

96

U.S. DEPARTMENT OF THE NAVY
NAVAL CONSTRUCTION BATTALION CENTER
AND
U.S. DEPARTMENT OF THE AIR FORCE

RESPONDENTS

ORDER

The above captioned cause came before the Executive Director of the Mississippi Department of Environmental Quality this day for ex parte consideration under the authority of Section 49-2-13 of the Mississippi Code Annotated (Supp. 1996), and the Executive Director, having heard and considered the evidence therein, and having determined that an Administrative Order should issue prefatory to any evidentiary hearing and without making any final adjudication of fact or law, finds as follows:

1.

The Respondents are subject to Section 49-17-1 et seq. and 17-17-1 et seq. of the Mississippi Code Annotated (Supp. 1995) and the rules and regulations of the Mississippi Commission on Environmental Quality (Commission).

2.

A. Herbicide Orange, a formulated mixture of the active ingredients 2,4-dichlorophenoxyacetic acid (2,4-D) and 2,4,5-trichlorophenoxyacetic acid (2,4,5-T), was stored by the United States Air Force at three storage areas, designated as Areas A, B, and C, at the Naval Construction Battalion Center (NCBC), Gulfport, Mississippi, until the use of Herbicide Orange was suspended by the Department of Defense in 1977.

B. Herbicide Orange contains trace amounts of the contaminant 2,3,7,8-tetrachlorodibenzo-p-dioxin (2,3,7,8-TCDD), a known carcinogen.

C. The Herbicide Orange stored on the Naval Construction Battalion Center leaked and spilled causing contamination of the three storage areas. An investigation of the storage areas confirmed the contamination of soils with dioxin.

D. Under Environmental Protection Agency Research Development and Demonstration Permit MSZ 170 022 526 issued in July, 1986, remediation of Areas A, B, and C, was undertaken with approximately 15,000 cubic yards of contaminated soils being excavated from the storage areas and incinerated based upon a cleanup criteria for dioxins of 1 part per billion (ppb). The resulting ash from the incineration was placed back upon approximately one-third of Area A.

E. In November, 1988, the United States Air Force submitted a Delisting Petition to the Environmental Protection Agency, Headquarters (EPA/HQ), Washington, D.C., for the delisting of the ash as a hazardous waste. In May, 1992, EPA/HQ completed its review and advised the United States Air Force that the delisting petition was incomplete. In September, 1992, it was determined that additional ash and groundwater sampling would be needed to support the ash delisting petition. In April, 1994, the additional ash and groundwater sampling plan was approved.

F. Both the results of this base-wide groundwater, surface water, soil, and sediment sampling conducted in December, 1994, and results from the sampling and investigation of Installation Restoration Program (IRP) sites indicate the presence of dioxin compounds and other contaminants at levels of concern in groundwater, surface water, soil, and sediments.

3.

Premises considered, the Executive Director finds that the respondents must develop, submit, and upon approval by the Mississippi Office of Pollution Control, carry out the work outlined below to determine both the nature and extent of contamination in soils, sediments, surface water, and groundwater in the areas covered by this Order and to determine appropriate corrective action/remediation on and surrounding the base, all as provided hereinafter.

IT IS, THEREFORE, ORDERED as follows:

A. OFF-SITE DELINEATION

1. On or before May 1, 1996, submit to the Office of Pollution Control (OPC) a work plan and schedule that delineates the vertical and horizontal extent of dioxin and other contaminants off-site in sediment, soil, surface water and groundwater [OFF-SITE DELINEATION PLAN]. The Off-Site Delineation Plan shall cover the area including, but not limited to, Canal #1, Turkey Creek, Bernard Bayou, and off-base ditches and drainage ways.
2. Within thirty (30) days of receipt of written approval of the OPC, commence execution of the approved OFF-SITE DELINEATION PLAN according to the approved schedule.
3. Complete the activities as approved in the OFF-SITE DELINEATION PLAN and schedule ordered in paragraph 3.A.1.
4. Within thirty (30) days of completion of the OFF-SITE DELINEATION PLAN activities, submit to OPC a final report of the investigation findings.

B. OFF-SITE REMEDIATION PLAN

1. Within ninety (90) days of completion of the OFF-SITE DELINEATION PLAN activities, submit to OPC a remediation plan and schedule [OFF-SITE REMEDIATION PLAN] for the off-site contaminated soil, sediment, groundwater, and surface water identified in the report ordered in paragraph 3.A.4.
2. Within forty-five (45) days of receipt of approval by the OPC, commence execution of the approved OFF-SITE REMEDIATION PLAN according to the approved schedule.
3. Within sixty (60) days of completion of the OFF-SITE REMEDIATION PLAN activities, submit to OPC a final report documenting the remediation of the contaminated soil, sediment, groundwater, and surface water.

C. INTERIM CORRECTIVE MEASURES

1. On or before May 1, 1996, submit to OPC a work plan and schedule for interim corrective action measures [INTERIM CORRECTIVE MEASURES PLAN] to be taken on-site to reduce contaminated sediment, soil, groundwater, and surface water transport off-site. The work plan shall include a definitive description of all on-site interim measures that have already been instituted to reduce contaminated sediment, soil, groundwater, and surface water transport off-site.
2. Within thirty (30) days of receipt of written approval by the OPC, commence execution of the approved INTERIM MEASURES PLAN according to the approved schedule.
3. Complete the activities as approved in the INTERIM MEASURES PLAN ordered in paragraph 3.C.1.
4. Within thirty (30) days of completion of the INTERIM MEASURES PLAN activities, submit to OPC a final report of the interim corrective action measures completed.

D. BIOLOGICAL MONITORING

1. On or before August 1, 1996, submit to OPC a work plan and schedule for conducting long term biological monitoring (BIOLOGICAL MONITORING PLAN) in all surface aquatic environments potentially affected by dioxin and other contaminants in soil, sediment, surface water, and groundwater discharged from the base. The Biological Monitoring Plan shall cover the area including, but not limited to, Canal #1, Turkey Creek, Bernard Bayou, and on-base and off-base ditches and drainage ways.
2. Within thirty (30) days of receipt of written approval by the OPC, commence execution of the approved BIOLOGICAL MONITORING PLAN according to the approved schedule.
3. Within forty-five (45) days of completion of each biological monitoring period designated in the BIOLOGICAL MONITORING PLAN, submit to OPC a report of the findings.

4. Complete the activities as approved in the BIOLOGICAL MONITORING PLAN and schedule ordered in paragraph 3.D.1.

E. ON-SITE DELINEATION

1. On or before May 1, 1996, submit to OPC a plan and schedule that delineates the vertical and horizontal extent of the dioxin and other contaminants in soil, sediment, groundwater, and surface water on-site (ON-SITE DELINEATION PLAN).
2. Within thirty (30) days of receipt of approval by the OPC of the ON-SITE DELINEATION PLAN, commence execution of the approved work plan according to the approved schedule.
3. Complete the activities as approved in the ON-SITE DELINEATION PLAN and schedule as ordered in paragraph 3.E.1.
4. Within thirty (30) days of completion of the ON-SITE DELINEATION PLAN activities, submit to OPC a final report of the investigation findings.

F. ON-SITE REMEDIATION PLAN

1. Within ninety (90) days of completion of the ON-SITE DELINEATION PLAN activities, submit to OPC a remediation plan and schedule (ON-SITE REMEDIATION PLAN) for the on-site contaminated soil, sediment, groundwater, and surface water identified in the report ordered in paragraph 3.E.4.
2. Within forty-five (45) days of receipt of approval by the OPC, commence execution of the approved ON-SITE REMEDIATION PLAN according to the approved schedule.
3. Complete the activities as approved in the ON-SITE REMEDIATION PLAN and schedule as ordered in paragraph 3.F.1.
4. Within sixty (60) days of completion of the ON-SITE REMEDIATION PLAN activities, submit to OPC a final report documenting the remediation of the contaminated soil, sediment, groundwater and surface water.

G. GROUNDWATER MONITORING

1. On or before August 1, 1996, submit to OPC a plan and schedule for investigating and delineating the extent of contamination of the groundwater (GROUNDWATER MONITORING PLAN) from the dioxin and other contaminants on the base. The plan shall include a definitive determination of groundwater flow for the entire base.
2. Within thirty (30) days of receipt of written approval by the OPC, commence execution of the approved GROUNDWATER MONITORING PLAN according to the approved schedule.
3. Complete the activities as approved in the GROUNDWATER MONITORING PLAN and schedule ordered in paragraph 3.C.1.
4. Within ninety (90) days of completion of the GROUNDWATER MONITORING PLAN activities, submit to OPC a Final report of the investigation findings.

5. Within ninety (90) days of submittal of the final report required in paragraph 3.G.4, submit to OPC a plan for continued long term groundwater monitoring.

6. Within one hundred eighty (180) days of submittal of the final report required in paragraph 3.G.4, submit to OPC a plan for the remediation of contaminated groundwater.

*GW Invest
7/27/96*

H. REMEDIAL INVESTIGATION/ FEASIBILITY STUDY

1. On or before August 1, 1996, submit to OPC a schedule for implementation and completion of the approved REMEDIAL INVESTIGATION/ FEASIBILITY STUDY for the NCBC.

*existing
w/ P
doc date*

2. Respondent shall implement the approved REMEDIAL INVESTIGATION/FEASIBILITY STUDY based on the schedule approved by the OPC in paragraphs 3.H.1.

3. Within one hundred twenty (120) days of completion of the REMEDIAL INVESTIGATION/FEASIBILITY STUDY activities, submit to OPC a report of the findings to include recommendations for further actions and a

schedule for such actions needed to completely
remediate the NCBC.

§.

1. The Respondents shall submit reports to the OPC on a quarterly basis (January 1, April 1, July 1, and October 1) that summarize the status of all ongoing activities required by this Order.

If aggrieved by this Order, Respondents may request a hearing before the Commission by filing a sworn petition with the Commission within thirty (30) days after the date of this Order in the manner set forth in Section 49-17-41 of the Mississippi Code Annotated (Supp. 1995).

ORDERED, this the 13th day of February, 1996.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY:


G. I. PALMER, JR.
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY