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MEETING MINUTES REGARDING HERBICIDE ORANGE ASH STORAGE 16 AUGUST 1993  
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MINUTES  
HERBICIDE ORANGE ASH STORAGE MEETING  
Naval Construction Battalion Center, Gulfport  
16 August 1993

Attendees:

Captain J. A. Lehman, USN	Commanding Officer, CBC Gpt
Commander G. N. Eustace, USN	Executive Officer, CBC Gpt
Lieutenant D. R. Daniels, USNR	Staff Judge Advocate, CBC Gpt
Lieutenant D. L. Putzier, USN	P-Staff Judge Advocate, CBC Gpt
Lieutenant J. L. Davis, USN	Public Works Officer, CBC Gpt
Capt D. Stewart, USAF	Deputy Regional Environ Counsel, AFLSA/JACE-ER
Mr. Mike Green	Hazardous Waste Program Mngr, NAVFAC
Mr. Steve Beverly	Environmental Counsel, SOUTHDIV
Mr. J. M. Gordon	AFCEE/CCR-A, Remedial Program Manager
Mr. K. G. Barnes	Environmental Engineer, SOUTHDIV
Mr. D. Owens	Environmental Engineer, SOUTHDIV
Mr. Gordon Crane	Environmental Program Spec, CBC Gpt
Ms. Nancy Brooks	Public Affairs Officer, CBC Gpt
Mr. Don Albright	Safety Officer, CBC Gpt

BACKGROUND: Mr. Beverly explained that, because of the uncertain level of dioxin in the burned soil (ash) stored aboard CBC Gulfport, the State of Mississippi could issue a Consent Order to CBC Gulfport. The permit which allowed storage of this ash expired in 1989. The Consent Order is a violation notice which eliminates appeal rights and could include penalties (fines). SOUTHDIV would like to initiate a partnership between CBC Gpt, the State of Mississippi, the Air Force, and the Environmental Protection Agency concerning disposal/treatment of the Herbicide Orange ash. If the State signs the agreement, it could remove the possibility of civil liability and the Air Force could receive the funding to accomplish whatever process is needed to delist the ash. The ash is the only thing that would be delisted, not the soil or ground water. If the State disagrees, then we could be issued a Consent Order; but, by offering a partnership, the Navy is taking a proactive initiative to indicate willingness to comply.

Question: Is the ash pile a hazardous waste?

Answer: The Navy plans to run tests to determine if the ash pile and the area where it is stored are hazardous. When the Herbicide Orange site was incinerated, the acceptable level of dioxin was one part per billion. It is now 30 parts per trillion. Even if the ash were shipped elsewhere, the area under the ash would have to be tested. After four years of sitting in the open, rain has leached through and potentially contaminated the ground and ground water. A contact for sampling the ash and testing ground water is being written by SOUTHDIV.

Question: If by definition the ash is a hazardous waste, why don't we prove it otherwise?

Answer: The ground water test could prove it is not hazardous.

Question: If proven to be a hazardous waste, how do we get rid of it?

Answer: It could be used as land fill on site (this would need to be accepted by the State); it could be shipped to an approved site in Colorado; or it could be mixed with concrete.

Question: When will the test be awarded and how long for the results?

Answer: Award contract in September 93; contractor will arrive within the following month; and testing for one year with data furnished in early FY95.

Question: Is there anything we can do in the meantime to protect CBC Gpt?.

Answer: The contract to sample the ground water proves our intent to rectify the situation, with the goal of having the ash delisted by EPA Headquarters.

Commander Eustace questioned the amount of time (4 years) involved in getting the site delisted. He suggested a Plan of Action and Milestones to set goals and track progress on the ground water testing. Mr. Crane will furnish Commander Eustace with a schedule for cleanup, testing and follow up.

ACTION: It was agreed that SOUTHDIV will draft a one-page letter to the State of Mississippi (DEQ) introducing the concept of a partnership/memo of agreement.

The draft will be completed the week of 23 August 93 and will be coordinated with NAVFAC and CBC Gulfport lawyers, with a copy to the Air Force. The finalized letter will be signed by Captain Lehman. If the State agrees to the partnership, SOUTHDIV will draft the Memo of Agreement, again with NAVFAC, CBC Gpt and the Air Force's review.