



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY - REGION

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MAR 21 1996

Mr. James L. Colter
Remedial Project Manager
Department of the Navy
10 Industrial Highway
Mail Stop, #82
Lester, PA 19113-2090

Dear Mr. Colter,

The U.S. Environmental Protection Agency (EPA) has completed the review of the Navy's proposal for processing the investigative derived wastes (IDW), which are currently being stored at the Naval Weapons Industrial Reserve plant at Calverton, New York. The February 6, 1996 proposal letter addresses the need to spread or dispose of IDW such as plastic tanks, empty 55-gallon drums, drummed soil cuttings, drummed trash, and drummed oil residues.

Disposal of Empty Tanks and Containers

The Navy proposes to cut two empty plastic tanks into smaller pieces and dispose of them as non-hazardous. These tanks were utilized to store drilling fluids, decontamination waters and pump-test waters. Furthermore, the Navy proposes to remove drill cuttings from 50 55-gallon steel drums, crush the drums, and dispose of them as non-hazardous waste.

Although the letter states that the majority of the drill cuttings are not considered hazardous, it is recommended to follow the empty container definition found in 40 CFR 261.7 for containers that held hazardous waste.

According to this definition, a container is considered empty if:

- * all wastes have been removed using the practices commonly employed to remove materials from that type of container, and
- * no more than 2.5 centimeters (one inch) of residue remain on the bottom of the container or inner liner, or
- * no more than 3 percent by weight of the total capacity of the container remains in the container (if it is less than or equal to 110 gallons), or

- * no more than 0.3 percent by weight of the total capacity of the container remains in the container (if it is greater than 110 gallons).

If any of the containers held an acute hazardous waste listed in 40 CFR 261.31, 261.32, or 261.33(e) the container has to be "triple rinsed" using a volume of diluent at least equal to ten percent of the container's capacity.

Drummed Soils

The Navy proposes to spread approximately 10 cubic yards of drill cuttings over a 20 feet by 20 feet area identified as being contaminated and is not an active surface runoff drainage path. The Navy asserts that with the exception of samples collected at Site 1 - Northeast Pond Disposal Area, none of the soils would be classifiable as hazardous.

Under EPA regulations, soil and groundwater may be considered contaminated environmental media. If they contain listed hazardous waste, they must be managed as Resource Conservation and Recovery Act (RCRA) hazardous wastes as long as they "contain" the listed waste. The New York State Department of Environmental Conservation (DEC), issued a Technical Administrative Guidance Memorandum (TAGM) - Number 3028, on the subject of "contained-in" criteria for environmental media. If IDW exhibit RCRA characteristics, they also have to be managed as RCRA hazardous wastes.

EPA guidance on Management of Investigation-Derived Wastes During Site Inspections (EPA/540/G-91/009), dated May 1991, allows the movement of IDW that are RCRA hazardous waste within the same area of contamination (AOC). However, if the hazardous wastes are removed from the AOC (for storage) and returned to the same AOC, or are consolidated into an AOC, the Land Disposal Restrictions under 40 CFR 268 could become applicable to the specific contaminant constituents. Even if the IDW do not contain RCRA hazardous waste, it should be determined whether they contain other hazardous substances such as Polychlorinated Biphenyl (PCB). Based on the data presented with your letter, we were not able to determine if the subject IDW can be classified non-hazardous. The Navy should provide more specific data, showing that the drill cuttings in question are not classifiable as hazardous waste based on available information and analysis results.

Drummed Trash

The Navy proposes that drummed trash at the site consisting of personal protection equipment, tyveks, and miscellaneous debris, be disposed of in Northrop-Grumman Co. trash receptacles.

Contaminated personal protection equipment (PPE), disposable sampling equipment (DE), and miscellaneous debris should be decontaminated using cleaning solutions typically used for equipment decontamination in the field. Once the waste is rendered nonhazardous (using best professional judgment), it should be double-bagged and deposited either in an industrial dumpster or in a municipal landfill (RCRA Subtitle D facility).

Please note that materials removed from the surfaces of equipment and cleaning solutions and/or wash water used during decontamination require containment and proper disposal.

If you have any further questions on this matter, please contact Carol Stein, of my staff, at (212) 637-1111.

Sincerely yours,



Andrew Bellina, P.E.
Chief, Hazardous Waste Facilities Branch

cc: Jeffrey McCullough, NYSDEC