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NCBC GULFPORT  
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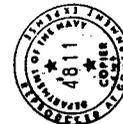
MEETING MINUTES REGARDING HERBICIDE ORANGE 6 MAY 1991 WITH TRANSMITTAL  
SITE 8 NCBC GULFPORT MS  
5/22/1991  
NCBC GULFPORT



**DEPARTMENT OF THE NAVY**

NAVAL CONSTRUCTION BATTALION CENTER

GULFPORT, MISSISSIPPI 39501-5000



IN REPLY REFER TO  
5090/5A  
Ser 470.2/2606  
22 May 1991

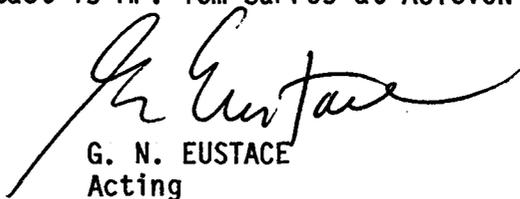
From: Commanding Officer, Naval Construction Battalion Center, Gulfport  
To: Commander, Naval Facilities Engineering Command (FAC 065)

Subj: HERBICIDE ORANGE MEETING OF 6 MAY 1991

Encl: (1) Minutes of Subject Meeting

1. Enclosure (1) is forwarded for your information. A meeting has been scheduled at Naval Construction Battalion Center (CBC), Gulfport, on 27 June 1991 at 1330 in the Building 1 Conference Room. The herbicide orange delisting petition will be discussed.

2. The CBC Gulfport point of contact is Mr. Tom Sarros at AUTOVON 868-2484 or commercial (601) 871-2484.

  
G. N. EUSTACE  
Acting

5090  
Ser 470.2/2607  
22 MAY 1991

From: Commanding Officer, Naval Construction Battalion Center, Gulfport  
To: Headquarters, U.S. Air Force/LEEVO, Building 516, Bolling Air  
Force Base, Washington, DC 20332-5000

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**G.N. EUSTACE**  
**Acting**

5090/5A 

HERBICIDE ORANGE MEETING OF 6 MAY 1991

The meeting was opened by Ted Zagnobelny (COMNAVFACENGCOM FAC 18). Mr. Zagnobelny stated the reason for the meeting was to determine if the delisting petition for the herbicide orange ash was a viable document and if it should be pursued further. A general discussion took place in which all of the issues of the closure of the herbicide orange site were discussed. Attachment (1) is a list of attendees of the meeting.

Attachment (2) is a point paper presented by SOUTHNAVFACENGCOM which outlines some of the difficulties of closing the ash site. There are three ways to close the site.

1. Leave the ash on site and take a pro-active approach to the delisting petition. If the delisting petition is approved, the site could be closed under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). If disapproved, the site and CBC Gulfport would fall under the Resource Conservation and Recovery Act (RCRA) and a Hazardous and Solid Waste Amendments (HSWA) permit would be required. The site would then become a long term hazardous waste storage site. The denial would be published in the Federal Register and CBC Gulfport could receive a notice of violation.

2. Withdraw the delisting petition and leave the ash on site. The site and the rest of CBC Gulfport would then fall under RCRA and a HSWA permit would be required. The site would become a long term hazardous waste storage site.

3. Remove the ash from the site to an approved landfill and withdraw the delisting petition. Currently, there are no landfills that would accept the ash. If a landfill could be found and the ash moved to it, the site would require risk based clean closure under RCRA. If certification of clean closure is attained, then an RCRA/HSWA permit would not be required. This option would be very expensive, costing approximately \$20,000,000 just to transport and dispose of the ash.

If the ash site becomes a long term hazardous waste storage site, additional site work would be required such as liners underneath the ash, stabilization of the ash, long term monitoring of the ground water, etc.

The Air Force representatives stated the delisting of the ash was no longer a priority item for them and there was no project manager currently assigned to this project at Air Force Headquarters. The Air Force also stated they were losing their expertise in this area as contractor personnel who had worked on the delisting petition had left to accept positions with other companies not under contract with the Air Force. They also stated the delisting petition was a viable document and requested the Navy become the lead agency in pursuing the petition.



At this point, Southern Division, Naval Facilities Engineering Command (SOUTHNAVFACENGCOM) representatives stated that this was an Air Force project and it was felt that they should be the lead organization when dealing with the delisting of the ash. SOUTHNAVFACENGCOM representatives stated that the Air Force had committed to cleaning the site, which included the delisting petition.

CDR Eustace felt the Commanding Officer, Naval Facilities Engineering Command, should contact the Commander of the Air Force Environmental Office to determine if a higher priority could be placed on the project. The Air Force representatives stated there was no need to get them involved in the process. The Air Force stated they would know by late June 1991 if the delisting petition was viable. Their contractor is currently reviewing the delisting petition to determine if it is technically adequate. The Air Force Legal Office is reviewing it to determine if all legal aspects of delisting have been achieved. Once this is complete, they could tell the Navy if the delisting petition is a viable document.

In order to get an unbiased opinion, SOUTHNAVFACENGCOM elected to task their CLEAN contractor to review the delisting petition and addendum concurrent with the Air Force review to determine the adequacy and completeness of these documents. SOUTHNAVFACENGCOM also agreed to review the CERCLA RI/FS workplan for the site to determine if any ground water monitoring being performed under that plan could satisfy ground water monitoring requirements required to support delisting petitions.

After further discussion, it was agreed that all parties would meet at CBC Gulfport to determine the proper alternative to pursue in order to obtain beneficial use of the site in lieu of the information provided by the Navy and Air Force contractors on the validity of the petition. At this meeting the Air Force will advise the Navy if the delisting petition is viable. The meeting will be held at 1330, 27 June 1991, at CBC Gulfport. The Commanding Officer and Executive Officer of CBC Gulfport will attend this meeting.

5090/5A

Gulfport Mtg

5-6-91

Jim REED  
 Tom SARROS  
 WILLIAM LINTNER  
 JEFF SHORT  
 Karl KUEELING  
 Mike Donnelly Col  
 George Eustace, CDR  
 Dan Owens  
 Ted Zaglobelny  
 Elaine Morrison

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 NEBC (A0868) 601-871-2484  
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 AF/JACE 202 767-4823  
 XO/CBC GPT (601)-871-2885  
 S. Div (803) 743-0331  
 NAVFAC 181 (703) 325-8176  
 SouthNAVFAC 1812 (803) 743-0605

REPRODUCED AT GOVERNMENT EXPENSE

ATT (1)

DISCUSSION OF CERCLA VS. RCRA

CERCLA- addresses spills and past releases of hazardous constituents, initiated IR program, allows use of risk assessment factor in determination of remedial alternative.

RCRA- requires permitting of operational units which treat, store, or dispose of hazardous waste, also addresses cleanup of past release sites (Solid Waste Management Units) on facilities which possess a RCRA permit. Remediation requirements are expected to be more stringent than under CERCLA.

	<u>CERCLA</u>	<u>RCRA</u>	<u>RCRA CLOSURE</u>
Procedures	PA/SI RI/FS RD/RA	RFA RFI CA	Closure plan
Schedules	For NPL Stautory, Otherwise Negotiable	Permit Condition	Permit Condition
Cleanup Standards	ARARs and Risk based	MCLs or Background	

### **THREE SCENARIOS FOR REGAINING BENEFICIAL USE OF DIOXIN SITE A**

Under the first two scenarios, it is assumed that sites B and C will be characterized and remediated under the CERCLA program. Under the third scenario, sites B and C will be declared SWMUs and be investigated under RCRA.

#### **FIRST SCENARIO- DELISTING PETITION**

- A delisting petition for the ash pile on site A has been submitted to the EPA
- If delisting petition was successful, ash would be declared non-hazardous and use of property would be allowed pending CERCLA groundwater investigation for other hazardous constituents
- Draft comments on the delisting petition have been received
  - Can the comments be effectively responded to in view of technical considerations and the informal promise to deny the delisting petition?
  - If all comments can be responded to, are there any other inadequacies that must be addressed such as groundwater monitoring?
- Estimated costs and manpower requirements of delisting petition
  - Administrative costs and manpower associated with pursuing the delisting petition compared to the other two scenarios are minimal. The Air Force has provided the bulk of the work in preparing the petition and if accepted will require no further action other than groundwater investigations
  - Groundwater investigation could exceed \$200,000 No additional manpower should be required by the activity
- Estimated timeframe
  - The timeframe to regain usefulness of Site A under this scenario will depend on the responsiveness of the EPA to the delisting petition and the groundwater investigation

-Groundwater investigations are currently scheduled and budgeted for fourth quarter of FY-91

#### **SECOND SCENARIO- RCRA RISK BASED CLEAN CLOSURE**

- If the delisting petition is denied or withdrawn, RCRA risk based clean closure is an alternate scenario
- RCRA risk based clean closure would not require a RCRA closure permit. It would, however, require that the ash be removed from the site and disposed of as a hazardous waste.
- If attainable, clean closure would avoid RCRA Part B/HSWA permitting requirements
- Based on current agreements with the EPA, RCRA groundwater investigations are acceptable for CERCLA
- Clean closure would require groundwater and soil testing to prove that there is no risk to human health or the environment
- Estimated costs and manpower requirements for RCRA risk based clean closure
  - Costs for transporting and disposing of the ash could exceed \$20 million, but would not require any additional manpower at the activity level
  - Costs for conducting groundwater testing could exceed \$500,000, but would not require any additional manpower at the activity level
- Estimated timeframe for RCRA risk based clean closure
  - Site could be returned to use in two to three years dependent upon the receptiveness of EPA/MSDEQ in reviewing submittals

#### **THIRD SCENARIO- RCRA PART B POST-CLOSURE/HSWA PERMIT**

- If delisting is denied or withdrawn and clean closure is unattainable, Post-Closure/HSWA Permit is the final scenario
- Would require the preparation of a Part B permit application

- Would require that a RCRA Facility Assessment (RFA) be conducted by the EPA which could identify hundreds of Solid Waste Management Units (SWMUs). Characterization and remediation of these SWMUs could require several years of studies under both RCRA and CERCLA
- Would require construction of a RCRA landfill on-site to store the ash forever, but this would limit potential use of the site. Site use would have to be negotiated with MSDEQ
- Estimated costs and manpower requirements for RCRA Part B Post-Closure/HSWA Permit
  - Costs of constructing a RCRA landfill and storing the ash on-site could exceed \$5 million
  - Costs for conducting studies on SWMU's after EPA conducts the RFA could exceed \$2 million, and could require additional station manpower and/or funds for monitoring and permit submittals.
  - Costs for long term monitoring could exceed \$15 million
- Estimated timeframe
  - Under the Post-Closure/HSWA Permit scenario the site has the potential to never be returned to beneficial use

