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LETTER REGARDING MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
COMMENTS ON THE REDRAFT ORDER FOR DIOXIN CONTAMINATED SOILS AT SITE 8
NCBC GULFPORT MS
3/11/1997
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

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

NCBC Gulfport Administrative Record
Document Index Number

39501-SITE 8 INCINERATION
19.01.08.0026

TO: Jimmy Palmer

FROM: Jerry Banks

DATE: March 11, 1997

SUBJECT: Naval Construction Battalion Center
Gulfport, Mississippi

19.1.8.26

The staff continues to work with the Navy on the issues regarding the dioxin contaminated soils at the Naval Construction Battalion Center. Additionally, the Air Force has become more interested in the issues and has indicated that they intend to submit a redrafted Order for our review and consideration by March 28, 1997. The Navy submitted a redrafted Order at the meeting held at MDEQ on August 20, 1996, which the staff reviewed and submitted comments on October 16, 1996. The Navy has indicated verbally that they concur with the staff comments. We expect to amend the original Orders issued to both the Navy and the Air Force as soon as we receive and comment on the Air Force redrafted Order and conform them for consistency.

The Navy continues to work on the issues outlined in our original Order, and has stated that work began on March 10, 1997, on the On-Site and Off-Site Delineation Plans. These plans provide for sampling and analysis of soils, sediments, and water on and off the base to determine the concentration and extent of the dioxin contamination. Additionally, the Navy is completing an Exposure Assessment Report that looks at the frequency, duration, and magnitude of both direct and indirect routes of potential human exposure to the dioxin contamination. This report is expected to be completed around May 15, 1997. Once these plans and the report have been received, reviewed, and approved, data will be available to make an informed decision on a remediation plan for the dioxin contaminated soils on and off the base.

The staff has received all the information that it believes is necessary for a complete delisting petition for the incinerator ash. The incinerator ash is actually the residual soil that originally contained greater than one part per billion dioxin and was incinerated to remove the dioxin. It should be noted that the delisting petition only relates to the incinerator ash and does not relate to the majority of the dioxin contaminated soil on the base (specifically, Areas A, B, and C). The approval of a delisting petition will remove the need for obtaining a RCRA permit for management of the incinerator ash and will remove the need for a HSWA permit for managing the other dioxin contaminated soils on the base. The staff expects to complete the technical review of the delisting petition for the ash by April 1, 1997. We will then make a recommendation on whether or not to go forward to delist the ash. If the decision is made to go

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forward and delist the ash, then there will be a thirty day public notice to solicit public comment before the matter can be submitted to our Commission. If approval is granted, then the ash will no longer be a hazardous waste. The ash will then be managed as contaminated soil(ash) like the rest of the contaminated soils and sediments on and off the base.

The issue of whether or not EPA Headquarters will question a decision to delist the ash remains unknown. We have been trying for months, working with EPA Region IV, to get a definite answer from Washington, to no avail. EPA Region IV has stated that they have been unable to get a commitment from EPA Headquarters that they will not question or object to the ash delisting petition. EPA Region IV has stated that they will provide any technical assistance that we request and they will not question our decision on the delisting petition. Therefore, we are proceeding ahead with the delisting petition knowing that EPA Headquarters could object to any action that we take on the delisting petition.