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NCBC GULFPORT
5090.3a

LETTER REGARDING U S NAVY REQUEST FOR ASSISTANCE IN RESOLVING
REMEDIAION ISSUE AT THE HERBICIDE ORANGE SITE WITH ATTACHMENTS NCBC
GULFPORT MS
12/30/1992
NAVFAC SOUTHERN DIVISION



DEPARTMENT OF THE NAVY

NAVAL FACILITIES ENGINEERING COMMAND

200 STOVALL STREET
ALEXANDRIA, VA 22332-2300

NCBC Gulfport Administrative Record
Document Index Number

39501-SITE 8 INCINERATION

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DEC 30 1992

FIRST ENDORSEMENT on CBC Gulfport ltr 5090/5/0032T Ser 470.2/2225
of 10 Dec 92

From: Commander, Naval Facilities Engineering Command
To: Chief of Naval Operations (N45)

Subj: HERBICIDE ORANGE SITES AT CBC GULFPORT, MS

Encl: (1) CBC Gulfport ltr 5090/5/0032T Ser 470.2/2225 10 Dec 92
(2) Draft ltr to Secretary Air Force

1. Enclosure (1) is forwarded with our complete endorsement. We have had difficulty obtaining Air Force action to resolve the remediation of the three Herbicide Orange (HO) Sites at the Naval Construction Battalion Center, Gulfport, MS (CBC Gulfport). As enclosure (1) requests, please assist us in persuading the Air Force to take an active role at the HO Sites.

2. CBC Gulfport most recently was cited by the Navy Inspector General in the unresolved issue of the Herbicide Orange Sites. Since the Federal Facility Compliance Act has passed and there isn't a negotiated agreement with the Environmental Protection Agency dealing with the ash at Site A, CBC Gulfport faces the very real possibility of costly fines and penalties. Potential liability lies with the Navy as landowner and with the Air Force as the hazardous waste generator.

3. An additional problem faced deals with military construction projects designed to support transferred mission from CBC Davisville. The primary siting of these projects is the same as HO Sites B and C. Until resolution can be made on these sites, the support projects are being held in abeyance.

4. We concur with CBC Gulfport that the Department of the Air Force must remain an active partner in resolving these issues. We would additionally like the Air Force to maintain a leadership role at the HO Sites. A proposed letter to solicit the continued Agent Orange project leadership, active participation, and support of the Air Force is provided as enclosure (2). We request you seek the forwarding of enclosure (2) by Assistant Secretary of the Navy, Installations and Environment (ASN(I&E)) as quickly as possible to provide the earliest practicable relief to CBC Gulfport.

19.2.8.05



DEPARTMENT OF THE NAVY

NAVAL CONSTRUCTION BATTALION CENTER

GULFPORT, MISSISSIPPI 39501-5000

IN REPLY REFER TO

5090/5/0032T
Ser 470.2/2225

1 0 DEC 1992

From: Commanding Officer, Naval Construction Battalion Center, Gulfport
To: Chief of Naval Operations (Code N-45)
Via: Commander, Naval Facilities Engineering Command (FAC 18)

Subj: HERBICIDE ORANGE SITE, AREA A, AT CBC GULFPORT

Ref: (a) SOUTHNAVFACENCOM Charleston SC 301300Z Jan 92

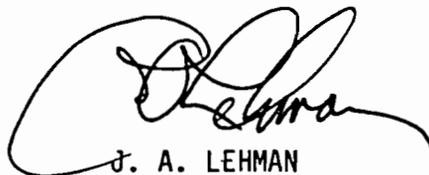
Encl: (1) HO Site, CBC Gulfport

1. The Herbicide Orange (HO) site at this command is currently out of compliance with the requirements of the initial permit for treatment and places us at risk for both civil and criminal penalties. We request your assistance towards earliest resolution of this matter.

2. The ash, which is F028 listed hazardous waste until and unless delisted, is piled on area A in waste piles that do not meet all of the requirements mandated in 40 CFR 264. Dioxin contaminated soils on sites A, B and C have not been remediated to the satisfaction of the U.S. Environmental Protection Agency (USEPA) Region IV and Mississippi Department of Environmental Quality (MSDEQ). The latter expressed serious concern with the lack of progress on sampling and monitoring the ash and groundwater on the sites during a meeting at CBC Gulfport on 10 September 1992. Enclosure (1) provides a brief history of the site along with possible options.

3. Since the current situation resulted from Air Force storage of HO at the site during the 1960s and 70s, we consider it imperative that they retain an active interest in its resolution. Towards that end, we request your assistance in pursuing one of two options. Option one is to request that the Air Force take a more active role in pursuing the delisting petition and site closure. The alternative, option two, is to reach agreement with the Air Force to allow the Navy to pursue the delisting efforts utilizing Air Force provided funds.

4. Our goal is to resolve this matter at the earliest practicable date so that the site can be returned to beneficial use. We request your support towards persuading the Air Force to assist us in actively pursuing delisting and remediation through one of the above arrangements. For questions or clarification, contact CDR Bill Dos Santos at DSN 868-2241 or commercial (601) 871-2241.



J. A. LEHMAN

Copy to:
COMNAVFACENCOM (FAC 065, FAC 18E1)
SOUTHNAVFACENCOM (Code 18210)



"Home of the Atlantic Fleet Seabees"

ENCLOSURE(1)

HERBICIDE ORANGE (HO) SITE, CBC GULFPORT

1. Site A was used for long-term storage of HO between 1970 and 1977. In addition, areas B and C were used for short-term storage of HO during the 1960s. The stored drums leaked and contaminated soil in all three areas. The contaminated soil from the three areas was excavated and thermally treated by the Air Force using a mobile incinerator. The treated soil (ash), F028, was placed in approximately 200 piles in area A.
2. A petition to delist the waste was prepared by the Air Force's contractor based on analyses of the ash exiting the incinerator. The petition was presented to USEPA headquarters by the Air Force in 1988 with an addendum presented in 1989. In 1989, USEPA headquarters prepared a draft denial letter to the Air Force in response to the delisting petition based on disputes of the analysis of several ash samples.
3. Per a USEPA request, the Air Force prepared a work plan to perform additional random ash sampling and groundwater sampling to provide support for the delisting effort. The USEPA responded with comments on the work plan. As a result of these comments and the lack of action by the Air Force, SOUTHNAVFACENCOM prepared reference (a) requesting a time frame for revising the work plan for resubmittal to the USEPA. The Air Force did not respond to reference (a).
4. SOUTHNAVFACENCOM then arranged a meeting with the Air Force and CBC Gulfport on 7 April 1992 to discuss the status of the work plans. During this meeting, the Air Force indicated that due to staffing and contractual limitations they were not able to continue supporting the effort to delist the ash at CBC Gulfport.
5. Attachment (1) shows the current waste management situation at the subject site. The current situation is that the ash, a listed hazardous waste, is stored in waste piles in area A that do not meet all of the requirements for permitted waste piles specified in 40 CFR 264. This improper management of the waste could result in enforcement action by MSDEQ or USEPA Region IV. The potential fines for the improper management of this waste are in excess of \$50 million and the site would still require RCRA closure. RCRA closure could be obtained through either Clean Closure or a RCRA Part B Post-Closure Permit. Clean Closure would require the ash, and potentially the contaminated soil on areas A, B and C, be transported to a permitted disposal facility. The groundwater would also have to be tested to prove it is not contaminated as a result of the operation of the unit. It is estimated that Clean Closure could cost in excess of \$20 million. If Clean Closure is not obtainable, then the only remaining option is a RCRA Part B Post-Closure/HSWA Permit. This option will require that a landfill be constructed on-site to contain the waste, a groundwater monitoring system be installed and monitored for thirty years and that all solid waste management units throughout the base be identified and remediated, as necessary. This option could cost in excess of \$10 million and the site may never be returned to beneficial use.

DRAFT

From: Assistant Secretary of the Navy
To: Secretary of the Air Force

Subj: HERBICIDE ORANGE SITES AT NAVAL CONSTRUCTION BATTALION
CENTER (NCBC) GULFPORT, MS

Encl: (1) NCBC Gulfport ltr 5090/5/0032T Ser 470.2 of 10 Dec 92

1. We request your active participation, support, and leadership in remediating the three Herbicide Orange sites at NCBC Gulfport. A synopsis is provided as enclosure (1).

2. With the passage of the Federal Facility Compliance Act, both our organizations are potentially liable unless a remediation agreement for Site A is promptly negotiated with the Environmental Protection Agency. Also, NCBC Gulfport's mission and accompanying military construction projects have been realigned due to base closure actions, and are directly impacted by environmental restoration (or the lack thereof) at Sites A, B and C.

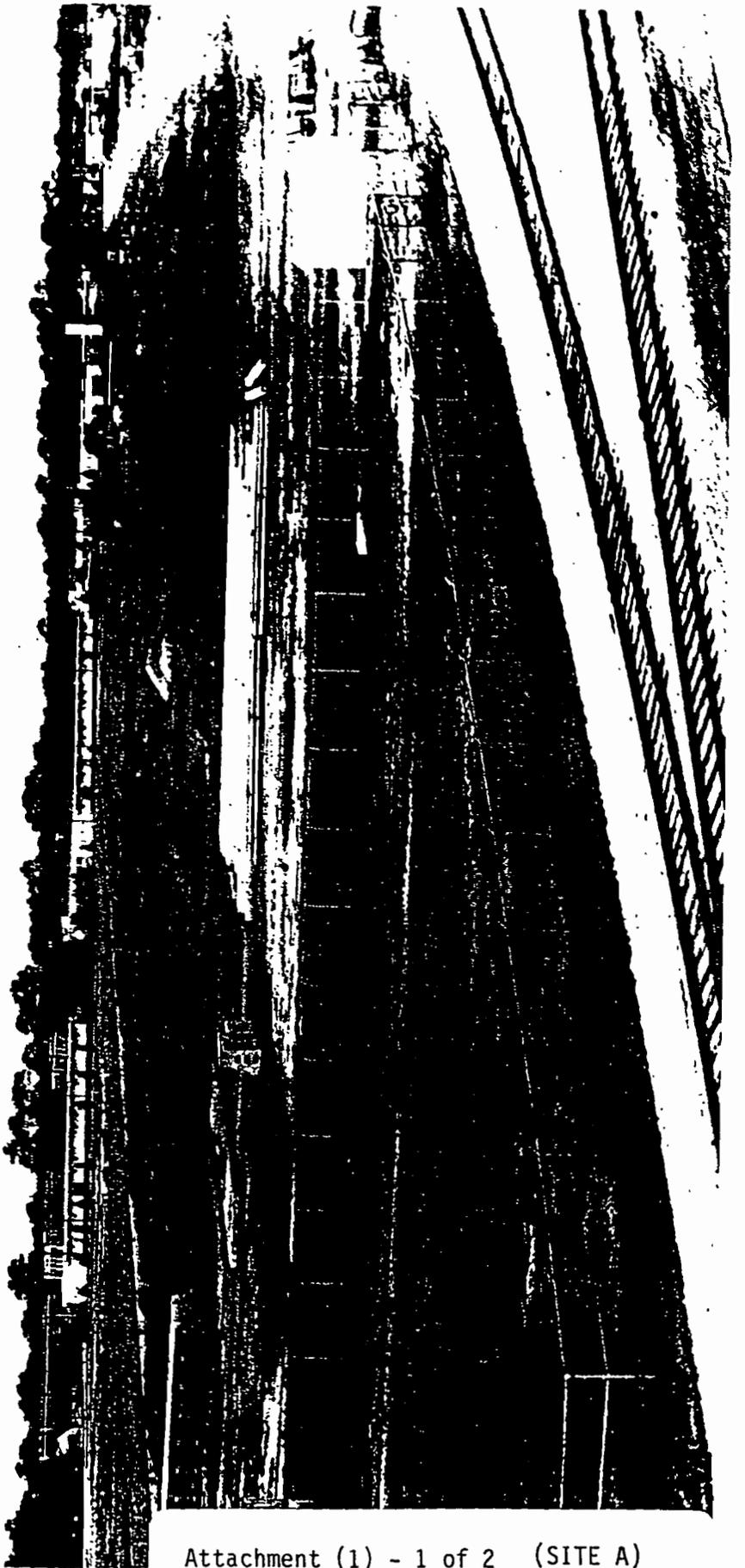
3. I would appreciate your prompt attention to this matter. Please contact me at your earliest convenience with your proposed resolution.

DRAFT

ENCLOSURE(2)

Attachment (1) - 2 of 2 (SITE A)





Attachment (1) - 1 of 2 (SITE A)