



OFFICE OF ENVIRONMENTAL PROGRAMS
DEPARTMENT OF HEALTH AND MENTAL HYGIENE

201 WEST PRESTON STREET • BALTIMORE, MARYLAND 21201 • AREA CODE 301 • 383.3123

TTY FOR DEAF: Balto. Area 383-7555
D.C. Metro 565-0451

Adele Wilzack, R.N., M.S., Secretary

William M. Eichbaum, Assistant Secretary

November 27, 1984

CERTIFIED MAIL

Commanding Officer
Naval Ordnance Station
Indian Head, Maryland 20648

Dear Sir:

On September 13, 1984 representatives of the Waste Management Administration conducted inspections of your facility in Indian Head, Maryland. Based on these inspections, it was determined that this facility is in violation of Health-Environmental Article Section §9-301 through 9-302 and COMAR 10.50.01.05.

Accordingly, the Waste Management Administration has issued the enclosed Complaint and Order. If you should have any questions regarding this matter, please contact Mr. Harold Dye, Inspector, Hazardous Waste Inspection Team, Waste Management Administration at (301) 383-6650 in Baltimore.

Sincerely yours,


Ronald Nelson, Director
Waste Management Administration

RN:dl

Enclosure

cc: See Attached Page

Page Two

cc: Diane Matuszak, M.D., MPH
William Clark, Esquire
Richard Hall, Esquire
Mr. William Chicca
Mr. John Koontz
Mr. Arthur Caple
Mr. Lou Martino
Mr. Harold Dye

IN THE MATTER OF:
NAVAL ORDNANCE STATION

SERVE ON:
Commanding Officer
Naval Ordnance Station
Indian Head, Maryland 20640

* DEPARTMENT OF HEALTH AND
MENTAL HYGIENE
*
*
* Waste Management Administration
* 201 West Preston Street
* Baltimore, Maryland 21201

C-O-85-165

COMPLAINT AND ORDER

Whereas, the State of Maryland, Department of Health and Mental Hygiene, Office of Environmental Programs, pursuant to the powers, duties and responsibilities vested in the Secretary of Health and Mental Hygiene by Health-Environmental Article, Sections 1-301 and 9-301 through 9-344 inclusive, Annotated Code of Maryland, and delegated to the Director, Waste Management Administration, has reasonable grounds to believe that Naval Ordnance Station has violated Maryland law regarding Water Pollution.

Whereas, the Naval Ordnance Station has notified the Waste Management Administration via Western Union Mailgram, dated September 4, 1984, that on August 3, 1984, a release of liquid mercury metal occurred into the soil ten yards east northeast of Building 766, which is the process control laboratory responsible for performing chemical tests for the Biazzi Nitration Plant off of Caffee Road on the Naval Ordnance Station, caused by the rupture of a sewer line from the laboratory in Building 766 by contractor personnel during the digging of a new centralized sewer system.

Whereas, the estimate amount of release was one-half pint of liquid mercury or seven (7) pounds of mercury.

Whereas, in-house personnel were reported to have removed approximately 25 cubic feet of mercury contaminated soil and packed this removed soil in 55-gallon drums which will be shipped to an approved disposal facility.

Whereas, it has been reported that the physical appearance of adjacent soils show speckles of residual mercury.

Whereas, the release scene location has been previously described in "Initial Assessment Study of Naval Ordnance Station Indian Head, Maryland, May 1983, NEESA, 13-021, Naval Energy and ~~Environmental Support Activity, Port Hueneme, California,~~ 93043," identifying the site as being contaminated with mercury.

Whereas, an inspection was conducted of the site by Waste Management Administration personnel on September 13, 1984 and a subsequent inspection report advised that cleanup of the release of mercury from the sewer line must proceed until soil samples show no contamination of mercury or show background level concentrations of mercury.

Whereas, the discharge of any pollutant in toxic amounts, including substances which accumulate to toxic amounts during the expected life of organisms in receiving waters, or which produce deleterious behavioral effects on organisms is specifically prohibited by Health-Environmental Article § 9-301 through 9-302 and COMAR 10.50.01.05.

THEREFORE, it is ORDERED by the Director of the Waste Management Administration that Naval Ordnance Station shall:

1. Immediately, cease and desist all discharges of mercury ~~into the environment.~~
2. Determine the level of mercury contamination remaining in the soil caused by this specific release and by past disposal practices.
3. Initiate further removal of mercury contaminated soil until the naturally occurring background concentration levels have been reached or there are no detectable levels of mercury contamination in the soil.
4. Provide the Waste Management Administration with result of analyses of samples taken from the adjacent natural drainage way and connecting tidal wetlands as part of the ongoing confirmation study of the "Initial Assessment Study of Naval Ordnance Station, Indian Head, Maryland."
5. Conduct studies on receiving water bottom sediment to determine if any mercury contamination is present (with EPA approved methods).

This Order may be appealed in accordance with the Administrative Procedures Act, Article 41, Section 244, et. seq., and in accordance with Health-Environmental Article, Section 7-261, and Section 9-337, Annotated Code of Maryland, by filing a request for a hearing within 10 days after receipt of this Order. Such a request should be made in writing and sent to Mr. William F. Clark, Chief Hearing Officer, Office of Hearings and Regulations, Room 104, 300 West Preston Street, Baltimore, Maryland 21201. If a hearing is requested, you will be notified in writing by the Hearing Officer as to the time and place of the hearing. Any such hearing will be held in the manner provided in the Administrative Procedure Act for hearings in contested cases.

November 26, 1984

DATED



Ronald Nelson, Director
Waste Management Administration

Approved to as form and legal
sufficiency this 10th day of
October, 1984



Richard M. Hall, Esquire
Assistant Attorney General