



FedFacs

an environmental bulletin for federal facilities

EPA ORDERS CEASE-FIRE ON CAPE COD BASE

EPA ordered a cease-fire, effective May 19, 1997, at one of the largest National Guard training areas in the Northeast in an effort to protect Cape Cod's drinking water from contamination. On April 10, 1997, EPA Region 1 ordered Army National Guard to suspend all training activities at Camp Edwards on the Massachusetts Military Reservation (MMR) that could release contaminants to the air, soil, and water on Upper Cape Cod. This is the first time that EPA has ever stopped military training to protect human health. EPA also ordered the National Guard to immediately begin cleanup of lead and unexploded ordnance from firing ranges and impact areas on base.

"This is a home run day for EPA, but more especially for the citizens of the Cape," said EPA Regional Administrator John DeVillars. "Their air will be cleaner, their drinking water more secure, and their health better protected as a result of this action." *Continued on page 10*



Contractors search for buried unexploded ordnance in the impact area at Camp Edwards on Cape Cod using a magnometer device.

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Director's Word

CRAIG HOOKS

The United States Government has embarked on a long and costly voyage in coming to grips with its own environmental legacy. The federal government represents the single largest environmental program in the world, with the largest set of problems and challenges in the western hemisphere.

For some time the federal government has claimed that it intends to be a leader in environmental protection. At the same time, the federal government historically has resisted attempts to hold itself

accountable to environmental laws to the same extent that municipalities, state governments, and the private sector are held accountable. These two messages are inconsistent. Until the federal government accepts voluntarily the concept of a "level playing field" for all environmental laws, it will only be a pretender to the leadership throne.

One step towards achieving this leadership and reestablishing faith in the government is to assure the public that the federal government is accountable to the citizens, states, and the Congress for its environmental record. In a previous column, I talked about trust and whether

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SHERRI W. GOODMAN

Deputy Under Secretary of Defense for Environmental Security



It has become increasingly clear to me that preserving our Nation's natural heritage requires a commitment, and teamwork. A commitment to conducting business in an environmentally sustainable manner, and teamwork to make that vision a reality.

To protect people and environment, and to promote economic development across the globe, all sectors of society must integrate environmental considerations into their activities. The Department of Defense (DOD) is making an extremely important contribution to what has become a global effort to balance environmental protection and development. This global effort, often framed in the context of "sustainable development" emphasizes managing growth, developing technologies to prevent pollution from the outset, protecting air and water quality, as well as historic sites and natural areas, and strengthening communities.

These same underpinnings form the basis for DOD's environmental program. The Office of Environmental Security is responsible for protecting and maintaining our access to land, sea and air so that we can sustain the military mission. This involves managing the natural and cultural resources under our stewardship, cleaning up sites that have been contaminated in the past, developing programs and technologies to prevent pollution from the outset, protecting the safety and health of our troops, and complying with the law.

DOD manages over 25 million acres, is subject to environmental laws and regulations, and invests nearly 2% of its budget in environmental security. Our 435 installations operate like small cities, facing many of the same challenges. Base commanders play a leadership role in their community, setting policy in every area, from infrastructure development and maintenance (roads, schools, hous-

ing, etc.), to waste management, environmental protection and community development.

Our environmental commitment was well expressed by the Secretary of Defense William Cohen who issued an Earth Day Proclamation which stated, "Environmental protection is our responsibility as good citizens, neighbors, and managers." He proclaimed that "...environmental protection is critical to the Defense Department mission and environmental considerations shall be integrated into all defense activities." That is an excellent summary of what we are trying to achieve with DoD's environmental program. Today, environmental factors are in the mainstream of DoD activities.

Environment, safety and health activities now enhance, rather than burden, productivity and competitiveness. Our strategy is to reduce operational costs, increase operational flexibility, and reduce liabilities. Efforts have focused on looking for ways to substitute existing materials or processes with environmentally sound alternatives, or to treat and dispose of contaminated emissions and effluents in a safe and environmentally sound manner. About 80% of the hazardous materials used by DOD is attributable to the acquisition process. So it's the acquisition process, from the research and development, to production, to actual operations and support, that can benefit the most from eliminating pollutants. It's a simple concept: pollution is waste, and waste is wasted money. Below is a snapshot of our progress to date:

(1) The number of enforcement actions are down 80% even though the number of inspections by regulators has remained the same. (2) This year DOD made substantial progress toward meeting its goal to reduce disposal of hazardous waste by 50% by 1999 from a 1992 baseline. DOD already reduced hazardous waste 50% between 1985 and 1992. (3) DOD com-

pleted its second Toxic Release Inventory public data report and toxic release reductions are down 30% in the first reporting year (1994/95). (4) Environmental considerations and costs have been integrated into the design of new weapons systems. For example, the Navy's New Attack Submarine is reducing its future hazardous waste generation 90% below levels currently generated by submarines. (5) DOD now purchases only recycled content copier paper as long as the cost is below that of virgin paper. DOD use of recycled paper will save 150,000 trees each year, and 60 million gallons of water—the amount one million Americans use in a day. (6) DOD has completed 62% of all biological inventories of plants and animals found on lands under DOD jurisdiction.

These successes are the result of systematic efforts to integrate environmental education and training at every level of the work force and throughout our military academic institutions, by establishing policy for aggressive self-assessment programs, and by creating incentives for environmental stewardship.

A common thread runs through our best programs. That common thread is partnership. We have strong programs to jointly develop constructive solutions to common challenges — both environmentally and economically. Meaningful communication and cooperation with Federal, State and local agencies, tribal nations and communities near our installations is key to ensuring that we are operating efficient installations, promoting effective military training and protecting the environment.

Achieving sustainability requires all individuals and organizations to adopt a new view toward the environment and the way we live and do business. We have found that making these changes is helping us to fulfill the military mission while improving the quality of life for our Service men and women.

FEDERAL FACILITIES REPORT SIGNIFICANT DROP IN TRI RELEASES

Federal facilities reported to EPA's Toxics Release Inventory (TRI) for the second time in 1995, and the data show nearly a 25% decline in total amounts of toxic chemicals released in 1995, and nearly a 35% decline in transfers, compared to 1994. However, the source of the decreases is not yet clear. It may be due to the adoption of pollution prevention measures or to the fact that fewer facilities reported in 1995 (144 rather than 193).

The most recent TRI data for federal agencies are summarized in the accompanying table. Half of the 2-million-pound reduction in releases is due to the Air Force's efforts, while nearly 80% of the 3.4-million-pound reduction in transfers comes from the Army. Note that the percentage changes between 1994 and 1995 shown in the table relate only to chemicals reported in both those years, not to the actual 1995 release and transfer numbers.

Information on obtaining TRI data is available from EPA's EPCRA hotline at 1-800-535-0202 (703-412-9810 in the Washington, D.C. area) or online from the TRI home page at <http://www.epa.gov/opptintr/tri>. TRI data can also be accessed through the Right-to-Know Computer Network (<http://www.rtk.net>).

1995 TRI DATA FOR FEDERAL FACILITIES

Federal Agency	1995 Releases	1994-1995 Change (%)	1995 Transfers	1994-1995 Change (%)
Agriculture	474.9	-	0	-
Defense	5,615.3	-26.7	5,694.1	-38.9
Air Force	3,651.8	-25.5	1,065.0	-23.3
Army	917.6	-29.1	3,672.7	-42.3
Army Corps of Engineers	22.4	0.2	0.3	-
Defense Logistics Agency	5.3	-83.1	2.8	-82.3
Marines	375.0	-26.5	560.6	-28.4
Navy	643.1	-28.9	392.7	-48.1
Energy	581.9	-7.7	103.1	22.8
Health & Human Services	0	-100.0	55.1	-60.6
Interior	4.8	316.5	25.8	-100.0
Justice	32.5	-64.8	0	-
Transportation	16.5	-30.7	6.3	0.0
Treasury	37.6	493.3	441.7	119.4
Veterans Affairs	0	—	91.0	-
EPA	0	-45.0	0	-
NASA	474.0	-13.7	78.1	-25.2
Tennessee Valley Authority	13.6	-100.0	0	-100.0
U.S. Enrichment Corp.	675.7	-11.7	0	-
Total	7,927.0	-23.6	6,495.3	-34.7

Releases and transfers reported in millions of pounds.

Source: EPA, 1995 Toxics Release Inventory: Public Data Release (EPA 745-R-97-005, April 1997).

ENVIRONMENTAL JUSTICE AT FEDERAL FACILITIES: A NEW INITIATIVE

Over the past few years, FFEEO has been attempting to integrate considerations of environmental justice into policies and guidance governing federal facilities, in particular linking voluntary pollution prevention activities with environmental justice. "Environmental justice" is a response to the disproportionate environmental impacts faced by many communities made up predominantly of people of color and/or low income. A new report discusses the preliminary results of FFEEO's Federal Facilities Environmental Justice Enforcement Initiative which is aimed at identifying federal

facilities that may pose environmental justice concerns and emphasizing enforcement efforts at such facilities.

The initiative highlighted 44 facilities as potential environmental justice sites. The majority of them are located in Regions 4, 6, and 9. Of the 44 sites, 77% belong to DOD, 18% to DOE, and 5% to civilian federal agencies. Twelve of the sites have recent violations, 13 are in significant noncompliance, and 17 are listed on the National Priorities List (Superfund). FFEEO used four criteria for targeting sites: relative health risks posed by the facility to populations in the immedi-

ate vicinity (using the TRI Indicator Model); compliance history; community and other reports of EJ concerns; and geographic distribution. To determine whether the 44 facilities listed in the report are in fact EJ sites, further investigation is needed. FFEEO is encouraging each EPA Region to include at least one targeted facility in its annual multimedia inspections and to engage regional EJ coordinators and federal facility coordinators in joint targeting efforts.

For more information or a copy of the report, contact Darlene Boerlage, FFEEO, 202-564-2593.

THE WASHINGTON NAVY YARD: EPA'S MULTI-MEDIA ENFORCEMENT IN THE DISTRICT OF COLUMBIA

by Darlene Boerlage

The Washington Navy Yard, a 66-acre facility in Southeast Washington on the banks of the Anacostia River, has been working with EPA for the expedient cleanup and return to compliance of the facility. Due to its 150 years of naval industrial activities the Navy Yard is on track to be listed on the Superfund National Priorities List within the next several years.

EPA Region 3 issued four significant enforcement actions on September 30, 1996, two at the Washington Navy Yard and two at the Anacostia Naval Station. Multi-media inspections had previously been conducted at the facilities as part of the Region's Anacostia River Initiative. Two of the complaints were the first ever issued under the Underground Storage Tank program (RCRA Section 9006) against a federal agency for violations of federal underground storage tank regulations. The Navy answered the complaints and requested a hearing on Janu-

ary 7, 1997. Negotiations are ongoing to resolve these complaints. The other two actions were for violations of RCRA Subtitle C (hazardous waste) involving sites that were contaminated, which assessed penalties in the amount of \$302,000 for the Washington Navy Yard and \$310,000 at the Anacostia Naval Station. The Region and the Navy are working together as a team to resolve these counts.

On March 6, 1997, EPA Region 3 and the Department of Navy signed a RCRA 7003 cleanup order. This order requires comprehensive hazardous and solid waste cleanup at the installation. As part of a team effort, EPA Region 3 has assigned both a Superfund and RCRA (hazardous waste) project manager to the facility to fully integrate the cleanup of the site once it becomes final on the National Priorities List. Meanwhile, the Navy has been conducting cleanup activities at the installation.

Under the Clean Water Act, the Navy has applied for a National Pollution Discharge Elimination System (NPDES) permit for management of its stormwater and discharges into the Anacostia River. At last check, the District of Columbia has not concurred on the NPDES permit.

Under requirements of the National Environmental Policy Act, the Navy held a public meeting on January 23, 1997, to discuss the draft Environmental Impact Statement for the relocation activities proposed at the facility. The Washington Navy Yard will be receiving approximately 4,100 new personnel transferring from a location in Arlington, Virginia. Reportedly, community members and the Sierra Club Legal Defense Fund focused on the ongoing cleanup at the Navy Yard as well as the need for more accessible infor-

mation from the Navy on the progress of cleanup. The Navy has responded to the community by forming a Restoration Advisory Board comprised of community members and other stakeholders to advise the Navy on the cleanup process. The Navy Yard remediation is part of a broader community-based approach by EPA Region 3 and the Navy to conduct cleanup under the Anacostia River Initiative.

Darlene Boerlage can be reached at 202-564-2593.

EPA REGION 2 REVIEW OF DOE BROOKHAVEN NATIONAL LABORATORY

EPA Region 2 conducted a major multi-media inspection of DOE's Brookhaven National Laboratory (BNL) in Upton, NY. The inspection took place May 5-14, 1997, with assistance from EPA's National Enforcement Investigation Center. Twenty-five inspectors representing eleven programs participated in the inspection.

BNL was identified as an inspection candidate because of its size and complex and variable operations. Of particular interest to EPA was the controversy surrounding the waste management practices at the site, and the fact that numerous violations had been found during EPA's earlier multi-media inspection of BNL in 1991.

To complement the multi-media inspection, Region 2 will be conducting two additional reviews of the facility. First, an evaluation of BNL's major processes (both operational and research) will be conducted to provide EPA and BNL with a comprehensive understanding of all waste generation at the facility. And second, an Environmental Management Review (EMR) will be conducted to determine whether the facility's management system is adequately designed to sustain a viable environmental compliance program. Both reviews will begin this summer with NEIC assistance.



Washington Navy Yard

GROUNDWATER SAMPLING UNDERWAY IN NEBRASKA AND KANSAS

EPA Region 7, the Kansas Department of Health and Environment, and Nebraska Health and Human Services have begun testing private wells and groundwater near USDA-operated grain storage sites to identify possible carbon tetrachloride (CCl₄) contamination. A history of finding CCl₄-contaminated groundwater near former grain storage facilities in Nebraska and Kansas has compelled EPA to push for testing of approximately 400 still untested sites in these two states. EPA has committed over half a million dollars to support sampling at these sites in order to ensure that private well users nearby are not using contaminated water. The money is being contributed by the Federal Facilities Enforcement Office, Region 7's Superfund Program, the Office of Water, and the Office of Emergency and Remedial Response.

Sampling will take place over a period of approximately 15 months, with the states conducting much of the work. EPA estimates that this effort will address the approximately 400 sites that currently need to be sampled in Kansas and Nebraska, with about \$200,000 needed to complete sampling in these states. Grain bin sites in Iowa, which appear to have a significantly lower detection rate, may be addressed in future sampling projects. No sites have been sampled in Missouri.

The Commodity Credit Corporation, an agency of USDA, operated approximately 4,500 grain storage sites nationally from the 1940s until 1970. Of these, about 1,800 known sites are located in Region 7 (Nebraska, Kansas, Missouri and Iowa). USDA fumigated stored grain at these sites with CCl₄, a probable human carcinogen. For some time, EPA has sought to have USDA perform widespread sampling in order to identify potential users of CCl₄-contaminated groundwater. Recently, USDA has expressed interest in sampling activities and a willingness to contribute \$110,000 of its FY97 funds toward a sampling

ON THE INTERNET: ENVIRO\$ENSE AND BEYOND...

A wide variety of information on federal facilities is available through EPA sites on the Internet:

- ▶ To reach Enviro\$ense, EPA's environmental electronic information system:
 - Through EPA's server, go to <http://www.epa.gov/envirosense> (No dollar signs!!)
 - Through the INEL server, go to <http://es.inel.gov>
- ▶ To go directly to Federal Facilities Information on Enviro\$ense, go to http://es.inel.gov/oeca/fedfac/fedfac_info.html
- ▶ To reach FFEO's home page (also the Federal Facilities Environmental Leadership Exchange home page), go to <http://es.inel.gov/oeca/fedfac/fflex.html>
- ▶ To reach EPA's home page, go to <http://www.epa.gov>
- ▶ To read this or past issues of FedFacs on the Internet, go to <http://es.inel.gov/oeca/fedfac/ann/index.html>

For information on FFLEX/Enviro\$ense, contact Isabelle Lacayo, FFEO, 202-564-2578.

See you on the Internet!

effort of its own. Also, in 1997, USDA completed a survey of its field offices in Kansas and Nebraska and located 75 sites not previously identified.

For additional information contact Lance Elson at 202-564-2577.

REGION 6 REPORTS FIRST TRANSFER OF BASE CLOSURE TO CIVILIAN USE

On May 23, 1997, EPA Region 6 approved final transfer of NAS Chase Field to the Beeville/Bee County Redevelopment Authority. This is the first base closure in Region 6 that has been completely converted to civilian use.

NAS Chase Field was placed on the Base Closure list in 1991 (BRAC II). To speed the economic recovery of communities impacted by the closing of the base, an innovative partnership was created among EPA, the State of Texas, and Navy environmental personnel. A goal-oriented process was established to fast-track environmental cleanup and to ensure that cleanup of old hazardous waste sites at the base does not interfere with redevelopment of this property. Significant amount of solid waste management units were identified and investigated at the base. Major sites investigated and remediated include landfills, firefighting train-

ing areas, waste oil tanks, solvent tanks, waste storage areas, and oil-water separators.

The success of environmental cleanup and reuse at NAS Chase Field is attributed to team work among staff from EPA, the Texas Natural Resource Conservation Commission, and the Navy, as well as the direct involvement of the Base Commander in promoting reuse of the facility and a close working relationship with the local Redevelopment Authority.

For further information, contact Mr. Sing Chia, EPA Region 6, 214-665-8301.

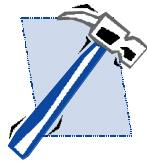


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REGION 1:

Actions Against Veterans Affairs Facility. On March 31, 1997, Region I reached a settlement with the Department of Veterans Affairs (VA) Medical Center in Westhaven, CT on a complaint and compliance order under RCRA Section 3008(a). The penalty assessed in the complaint was \$82,375 with a settlement penalty of \$61,550. The VA will pay \$15,388 (25%) in cash and will perform SEPs costing some \$48,000. The VA will install and operate, as part of the x-ray film processing operations, a closed-loop silver recovery system and automatic batch system for four x-ray developer units. In addition, the VA will purchase necessary computer hardware and hazardous materials software to be used by the VA Safety Office personnel for hazardous materials and waste management information.

The VA also will hire a consultant to conduct an environmental compliance audit at the facility. The audit will identify opportunities to maintain compliance with RCRA regulations, ways in which the RCRA program at the VA can be improved, efficient ways to manage hazardous waste generated at the VA, and opportunities to reduce the use, production, and generation of hazardous materials and waste. The audit will require a detailed inspection of all chemical use areas, satellite accumulation areas, and the hazardous waste accumulation shed. Finally, the VA will provide eight-hour RCRA hazardous waste management training to all members of the Fire & Safety Office, appropriate members of the Facilities Management Service, and research laboratory principle investigators.

Among the violations outlined in the complaint was the failure to make hazardous waste determinations. EPA inspectors found that the facility had sent hazardous wastes off-site designated as nonhazardous wastes. The facility also failed to operate so as to minimize the possibility of a fire, explosion, or any

unplanned release of hazardous waste constituents. EPA inspectors found containers holding acids and caustics that could result in heat generation and violent reaction if mixed together or thrown out in a trash barrel. A similar action was settled earlier in the year against VA medical facilities in Boston, MA.

In September 1996 the Veterans Administration agreed to spend \$16,800 to design and implement an environmental training program for all nine VA medical facilities throughout New England. The training included instruction on management of hazardous waste and recognizing opportunities for pollution prevention. The VA also agreed to pay a cash penalty of \$47,725 to settle an EPA complaint regarding violations of federal and state hazardous waste management laws at the VA's medical center on South Huntington Ave. in Boston, MA.

REGION 4:

Agreement with DOE on Paducah Plant. Region 4 reached agreement with DOE to clean up the NPL-listed Paducah Gaseous Diffusion Plant. The interagency agreement (IAG) reflects an expectation that the groundwater at the site will be cleaned up by 2010. The IAG was issued for public comment in Spring 1997 and is expected to be finalized in the fall. Final agreement on a major modification to the IAG covering cleanup at the DOE's Oak Ridge Reservation NPL site was also reached. The modification provides for milestones which are more enforceable than those of the original agreement.

RCRA Cases. Region 4 continues to work toward resolution of administrative complaints issued late in 1996 against the Army's Fort Campbell in Kentucky, where a \$48,700 penalty was proposed, and the Defense Logistics Agency's (DLA) Memphis Depot, which was assessed a \$20,000 penalty.

The Fort Campbell violations included: failure to make hazardous waste determinations, failure to correctly label

containers, failure to remove hazardous waste from satellite accumulation areas in a timely manner, and failure to maintain emergency equipment.

The DLA Memphis, Tennessee facility violated the conditions of its permit by improperly storing incompatible wastes, creating potentially dangerous conditions.

Region 4 also took a RCRA enforcement action against Lockheed Martin Energy Systems in late 1996, for failure to adequately inspect hazardous waste tank systems at DOE's Oak Ridge, Tennessee facility. The RCRA Consent Agreement and Consent Order imposed a \$22,500.00 penalty for improper inspection procedures. The tank inspections are now being properly performed.

REGION 9:

Air Force Agreement to Pay Stipulated Penalty at McClellan Air Force Base in California. On April 25, 1997, the Air Force agreed to pay a \$15,000 fine and accepted full responsibility for exceeding effluent limitations for its groundwater treatment system for a three-day period, and discharging groundwater contaminated with TCE, 1,1-dichloroethane, 1,1-dichloroethylene in greater concentrations than allowed in the interim record of decision. In addition, the Air Force failed to sample the effluent on a weekly basis (which would have indicated that the carbon filters needed replacing).

REGION 10:

RCRA Consent Agreement and Consent Order Signed for Fort Richardson and Fort Wainwright. On April 29, 1994, EPA issued two complaints and compliance orders under RCRA Section 3008(a) to the Army for hazardous waste violations at Fort Richardson and Fort Wainwright in Alaska assessing \$1.34 million and \$650,000, respectively. On November 21, 1996, a consent agreement and consent order

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CONGRATULATIONS!!

AWARD WINNERS MEET THE CHALLENGE OF POLLUTION PREVENTION



On May 5, 1997, the second annual Closing the Circle award ceremony was held, honoring super environmental achievers in the federal government. This year's award ceremony included the Environmental Pollution

Prevention Challenge Awards which were presented to individuals in federal agencies for outstanding achievements in implementing the provisions of the 1993 Executive Order 12856 on Federal Compliance with Right-to-Know Laws and Pollution Prevention. The winners of these awards were:

Cathy Andrews, Department of the Navy, Naval Surface Warfare Center, Crane, IN, for effective outreach to facility stakeholders and team-building efforts, including a pollution prevention "stand down" where over 3,000 Navy employees learned about the environmental benefits of pollution prevention.

Mary Jo Bieberich, Department of the Navy, Carderock Naval Surface

Warfare Center, Carderock, MD, for leadership in the Navy's Pollution Prevention Afloat Program which integrates pollution prevention activities into shipboard activities at sea. Her "at sea" opportunity assessments identified over 40 pollution prevention opportunities while ships were deployed.

Edward Cooper, Department of the Army, Corpus Christi Army Depot, Corpus Christi, TX, for designing a broad range of process changes and modifications, some of which include design criteria requiring virtually zero pollution from various chemical processes.

Ronald Barnett, Department of the Army, United States Field Artillery Center and Fort Sill, Fort Sill, OK. As Director of Environmental Quality for Fort Sill, Mr. Barnett provided unique pollution prevention outreach and training materials to facility personnel, the Fort Sill community, and the public at large.

Ronald Robbins, U.S. Postal Service Northeast Area Office, Windsor, CT. As Chair of the U.S. Postal Service Pollution Preven-

tion Task Force, Mr. Robbins guided the development of pollution prevention programs affecting the Postal Service nationwide; at postal facilities in the Northeast, his efforts resulted in a reduction of hazardous waste by over 90 percent.

Russell P. Schaefer, U.S. Postal Service, Portland, ME, for establishing effective pollution prevention programs at District of Maine facilities and for implementation of a highly effective hazardous waste amnesty plan.

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Sherri Goodman, Cathy Andrews, R. Adm. Totusher (DOD), Fran McPoland (Federal Environmental Executive), Mike Stahl (EPA)

THE HAMMER

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was signed to settle the two complaints. The settlement calls for the Army to pay a penalty of \$200,000 and to perform two supplemental environmental projects worth over \$1.0 million. Under the SEPs, the Army will obtain hazardous waste storage lockers for use at US Army installations in Alaska and establish a Joint Regional Environmental Training Center making environmental training available to federal and state agencies in Alaska.

RCRA Consent Agreement and Consent Order Signed for Coast Guard's Kodiak Facility. A Consent

Agreement and Consent Order was signed by the Region 10 Administrator on January 23, 1997, for this Alaska facility, settling a complaint and compliance order issued on July 12, 1994. The complaint sought over \$1 million in penalties for violations of RCRA, including the failure to monitor groundwater and illegally burning waste piles of debris. A penalty of \$602,260 has been agreed to for the specific violations alleged in the complaint.

INEEL Settlement for CERCLA Agreement Violations. On March 18, 1997, a settlement was signed for violations of the CERCLA 120 Federal Facility Agreement/Consent Order for DOE's Idaho National Engineering & Environ-

mental Laboratory. The violations involve the cleanup of Pit 9 and groundwater in the Test Area North of INEEL. Both sites had remediation activities that DOE had privatized, and significant delays in remediation occurred because of management and other difficulties associated with the contracting mechanisms and cleanup. EPA and Idaho have worked with DOE and the contractors to get the projects in question back on track and to minimize further delays. EPA and the state have assessed DOE a total of \$970,000 in penalties of which \$100,000 will be monetary and the remainder will be a SEP involving the conservation of environmentally sensitive land.

Reports and Regulations

EXECUTIVE ORDER 12856 ANNUAL REPORT SUMMARY

FFEO is currently preparing the first report on federal agency performance under Executive Order 12856, "Federal Compliance with Right-To-Know Laws and Pollution Prevention Requirements." The report will cover the efforts of 13 agencies on community right-to-know and pollution prevention activities.

Executive Order 12856 affirmed and strengthened the federal government's obligation as a responsible neighbor in communities where federal facilities are located by requiring federal agencies and facilities to comply with chemical reporting and emergency planning provisions of the Emergency Planning and Community Right-To-Know Act of 1986 (EPCRA) and the Pollution Prevention Act of 1990. The Order set a new standard for federal environmental excellence by extending this compliance requirement to many activities not currently monitored in private industry.

Executive Order 12856 also established the Administration's vision for federal government leadership in pollution prevention. The order directed that federal agencies and facilities take steps to embrace pollution prevention as a government-wide ethic in the day-to-day management of federal facilities. In particular, E.O. 12856 set ambitious goals for reducing or eliminating the release of toxic and hazardous pollutants from federal facilities into the environment. Federal agencies were required to modify their acquisition and procurement practices and adopt pollution prevention as standard practice for government purchase of goods and services. Finally, E.O. 12856 supported the continuing federal commitment to work with the private sector in the development, testing, and implementation of innovative pollution prevention technologies.

Section 402 of Executive Order 12856 directs federal agencies to report annually to EPA on the progress made in fulfilling each of the provisions of the order. In 1995, EPA published *Meeting the Challenge: A Summary of Federal Agency Pollution Prevention Strategies*, which documented the first 18 months of activity by federal agencies and facilities under the executive order. EPA is now preparing a second document which will summarize progress reports provided by 13 federal agencies. The document will be available in late summer.

For more information, contact Will Garvey, 202-564-2458.

HAZARDOUS WASTE COMPLIANCE DOCKET UPDATED WITH SECTION 3016 INVENTORY

The Federal Agency Hazardous Waste Compliance Docket has been recently updated. Update 10, published on June 27, 1997, added 102 federal facilities, bringing the total number of facilities on the docket to 2,104. Four of the new additions to the docket are facilities that have reported to the National Response Center the release of a reportable quantity of a hazardous substance. Since the docket's inception in 1988, the number of federal facilities listed has increased by nearly 80 percent, from 1,094 to 2,104.

The docket includes the 1996 inventory of hazardous waste facilities mandated by Section 3016 of RCRA. Section 3016 requires all federal agencies to compile, publish, and submit to EPA an inventory of all facilities they currently own or operate, or have previously owned or operated, at which hazardous waste is stored, treated, or disposed of, or was disposed of at any time. The inventory must be submitted every two years. EPA's Office of Solid Waste conducted an initial inventory in 1986, and subsequently in 1988, 1990, 1992, and 1994. In 1996, responsi-

bility for conducting the inventory was transferred to FFEO. FFEO requested inventory submissions from federal agencies in April 1997, and held a half-day interagency training to help federal agencies respond to the request.

For more information, contact Augusta Wills, FFEO, 202-564-2468.

EPA/DOE COLLABORATIVE DECISION-MAKING GUIDANCE FINALIZED

EPA's Office of Enforcement and Compliance Assurance, Office of Solid Waste and Emergency Response, and DOE's Environmental Management Office recently issued the final joint *Guidance on Improving Communication to Achieve Collaborative Decision-Making* at DOE cleanup sites. The guidance places a great deal of emphasis on greater use of interagency project teams to improve and expedite cleanup and regulator involvement in annual budget development.

The DOE/EPA communications guidance was approved as Interim Final by Steve Herman, Elliott Laws, and Al Alm at a joint signing ceremony in November, 1996, and finalized in June, 1997. The four-page document focuses on improving communication to: (1) further the EPA and state regulator role in establishing project priorities at DOE sites; (2) encourage greater use of collaborative decision-making to improve and expedite cleanup and compliance at DOE facilities; and (3) improve the informal dispute/ issue resolution process to facilitate cleanup and compliance.

A variety of factors led to the development of this guidance. First, independent observers highlighted the need for improved communications both within, and between, EPA and DOE. Second, increasing fiscal constraints make it important to have greater regulator involvement in DOE budget planning. Lastly, EPA and DOE saw the need to jointly identify the steps to be taken to

achieve the most suitable remedies. This will save money, focus effort on appropriate actions, and accelerate cleanup.

The guidance describes a communication framework that should improve compliance, accelerate environmental work, and increase efficiencies. Improving communications is critical to achieving DOE's goal of completing cleanup at most sites with a decade. Several Regions have successfully participated on interagency teams and documented success in using collaborative decision-making approaches to reduce costs at federal cleanup sites. The concepts outlined in the guidance can strengthen EPA and state positions in establishing priorities at DOE sites while assisting DOE in accomplishing its expedited cleanup goals contained in DOE's site-specific Ten Year Plans.

A copy of the Guidance may be downloaded from FFEO's Web site at <http://es.inel/oea/fedfac/policy/policy.html>. For more information, contact David Levenstein at 202-564-2591.

REIMBURSABLE INSPECTIONS

Section 104 of the Federal Facilities Compliance Act (FFCA) requires EPA Regions and delegated states be reimbursed for the costs of conducting certain annual RCRA inspections at federal transfer, storage, and disposal (TSD) facilities. Since 1994 EPA has had interagency agreements (IAGs) in place with DOD and DOE (and more recently with NASA in 1996) to enable reimbursement for the cost for these inspections.

FY97 agreements for DOE and NASA are approved and in place. The DOD services are reviewing their FY97 packages and it is expected that with some language changes, the agreements will be

signed and processed through the Headquarters grants office by the end of July. DOD services have agreed that the IAGs will be effective for a five-year period

INDEPENDENT OBSERVERS HIGHLIGHTED THE NEED FOR IMPROVED COMMUNICATIONS BOTH WITHIN, AND BETWEEN, EPA AND DOE

(FY97-FY02) instead of one to two years to help speed up the IAG process. This will avoid using resources at the end of a fiscal year to recharge appropriate accounts for eligible RCRA inspections costs. Having the accounts available at the beginning of a fiscal year will allow the Regions to charge eligible RCRA inspection costs to the

applicable accounts as costs are incurred during a fiscal year.

FFEO is responsible for coordination of reimbursement to both EPA Regions and the individual states for RCRA TSD inspections required by the FFCA. EPA has completed a management review study of the first three years of program implementation.

For a copy of this study or for more information, contact Susan Weiner, FFEO, 202-564-2471.

IMPLEMENTATION GUIDANCE AVAILABLE FOR CEMP

EPA recently published an Implementation Guide for the Code of Environmental Management Principles (CEMP) for Federal Agencies. The guide presents specific actions that agencies can take in implementing CEMP, and encourages agencies to consider other steps or to adopt an environmental management system (EMS) standard (such as ISO 14000) as the vehicle for implementing CEMP. The guide also includes a "Self-Assessment Matrix" that describes the stages an organization may go through in implementing CEMP.

EPA's CEMP, published on October 16, 1996 (61 FR 54062), is a collection of five broad principles and performance objectives that can assist agencies in developing the necessary management infrastructure to support a proactive, flexible, cost-effective, and integrated environmental performance. Sixteen federal agencies have endorsed CEMP and are at various stages in implementing it at the facility level.

For more information, contact Andrew Cherry, FFEO, at 202-564-5011. For copies of the guide, fax a request to Priscilla Harrington, FFEO, 202-501-0069, or download a copy from the EnviroSenSe Web site at <http://es.inel.gov/oea/cemp/cemptoc.html>.

REPORT ISSUED ON RCRA ADMINISTRATIVE ORDERS

A report analyzing RCRA administrative orders issued at federal facilities between 1992 and 1995 is available from EPA. The report analyzes data obtained from EPA Regions and their counterpart offices at the state level. Among the findings:

- Federal orders took longer to settle than orders issued by states. The average settlement time was 369 days for federal orders and 196 days for state orders. The average proposed federal penalty was \$321,921, while the average proposed state penalty was \$54,664.
- Of the 701 violations cited in 105 administrative orders, 135 related to storage and accumulation issues, another 133 represented general operations and maintenance failures, 87 were labeling deficiencies, 68 were safety violations, and 58 were deficiencies in records submissions.

To order copies of the report, contact Kelly Conrad, 202-564-2459.

REGION 4 FEDERAL FACILITY CONFERENCE

Some 225 people attended the 11th Annual Environmental Conference sponsored by EPA Region 4 (Environmental Accountability Division, Federal Facilities) with the Department of Defense (Joint Interservice Regional Support Group) and several civilian federal agencies, held on May 11-14, 1997. The theme was "Progress Through Partnering." Keynote speakers were John Hankinson (Regional Administrator for EPA Region 4), Phyllis Harris (EPA Regional Counsel), Curtis Bowling (Deputy to the Assistant Deputy Under Secretary of Defense, Environmental Quality), Denzel Fisher (Assistant to the Deputy Assistant Secretary of the Army, Environment Safety &

Occupational Health) and Elsie Munsell (Deputy Assistant Secretary of the Navy, Environment & Safety).

Topics covered included state presentations and workshops, EPA/DOD Partnering, North Carolina/DOD Partnering, Project XL & ELP, Risk Management, Safe Drinking Water Act, Underground Tanks & Underground Injection Control, Munitions Rule, Range Rule, ISO 14000, and the Coastal America Partnership Program.

For more information, contact David Holroyd, EPA Region 4, 404-562-9625. Information will be posted on the EPA Region 4 EAD/AMB home page.

CEASE-FIRE ON CAPE COD *Continued from page 1*

The National Guard asked EPA Headquarters to overturn DeVillars' original cease-fire order on April 10, warning that it could "jeopardize the readiness of National Guard units on the East Coast and the lives of our soldiers on the battlefield." Late on May 16, however, EPA Deputy Administrator Fred Hansen rejected the appeal, calling the firing ranges "an imminent and substantial endangerment." He said that only troops that needed to be ready for deployment to Bosnia or other hot spots should be exempted from the cease-fire.

The Cape Cod aquifer is the sole drinking water source for approximately 200,000 permanent and 520,000 seasonal residents of Cape Cod. The MMR training range and impact area is directly above the most productive groundwater recharge area of the aquifer, the Sagamore Lens. Groundwater flows radially in all directions from the training range and impact area. Four towns look to this region in the northern part of MMR to find new water supplies to replace those already lost to groundwater pollution and to fill the gap between supply and demand (estimated at 11 million gallons per day by 2020).

The Superfund cleanup at MMR has identified plumes that have polluted roughly 66 billion gallons of water — an amount that could supply the drinking water needs of all Cape Cod residents for 7.5 years. It is estimated that each day another 6-8 million gallons of groundwater are contaminated because of rapid movement of plumes through subsurface soils. The unusually high cancer rate in Upper Cape communities surrounding MMR — 24% higher than the statewide average — has heightened the public's concern about MMR. However, because the impact area and training range are active range and training sites, study and remediation of these areas were not required under the Superfund federal facilities agreement.

On Feb. 27, 1997, EPA Region 1 issued an Administrative Order pursuant to the

ATTENTION FEDERAL FACILITIES:

EMR PILOTS AVAILABLE

Environmental Management Reviews (EMRs) are evaluations of an individual facility's program and management systems to determine the extent to which a facility has programs and plans in place that can ensure compliance and progress toward environmental excellence. As described in the last issue of Fed-Facs, EMRs are not inspections, audits, or pollution prevention opportunity assessments. Instead, they offer federal facilities an understanding of the underlying causes of current or potential compliance problems and develop suggestions for correcting them. EPA is offering to conduct EMRs at federal facilities as part of a pilot program. For information on EMRs or to sign up for one, contact your EPA Regional Federal Facility Coordinator:

Region 1, Anne H. Fenn, 617-565-3927

Region 2, Jeanette Dadusc, 212-637-3492

Region 3, Eric D. Ashton, 215-566-2713

Region 4, David F. Holroyd, 404-562-9625

Region 5, Lee J. Regner, 312-353-6478

Region 6, Joyce F. Stubblefield, 214-665-6430

Region 7, Jamie Bernard-Drakey, 913-551-7400

Region 8, Dianne Thiel, 303-312-6389 or Connally Mears, 303-312-6217

Region 9, Sara Segal, 415-744-1569

Region 10, David Tetta, 206-553-1327

emergency powers authority of Section 1431 of the Safe Drinking Water Act, requiring the National Guard to (1) undertake a comprehensive study of groundwater related to the training range and impact area; (2) provide information to EPA about possible contamination in the impact area; (3) develop a proposal for pollution control measures; and (4) coordinate with a community-based oversight group.

National Guard officials in February

agreed to suspend the use of live ammunition until completion of a groundwater study, expected to take 1-2 years. However, EPA, the communities, and elected officials remained concerned about potential impacts to the aquifer from activities which the National Guard proposed to continue, given the widespread groundwater contamination already emanating from MMR. No study provided to EPA evaluated possible migration of contaminants to groundwater from soil contami-

nation associated with the use of propellants and "pyrotechnics" such as smoke grenades. EPA called for a broader cease-fire on April 10, including live ammunition, but also the chemical propellants used to fire dummy artillery and mortar shells as well as pyrotechnics. EPA said that high levels of toxins in these devices also had been found in base soil.

For more information, contact Bill Frank, FFEO, 202-564-2584.

DIRECTOR'S WORD

Continued from page 1

the federal government had earned the public's trust. The public needs to know that it will be protected through vigorous, forceful enforcement by EPA and the states for violations of environmental laws and situations that put public health and our natural resources at risk. This type of accountability is the only way for the federal government to gain the credibility it needs to effectively manage its environmental programs.

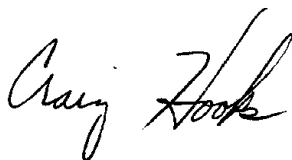
EPA has strengthened the principle that one federal agency can fine or penalize another agency. On numerous occasions EPA has had to defend EPA's taking penalty actions against other federal agencies. Some view that as merely robbing Peter to pay Paul. Or, isn't a penalty action irrelevant since the federal government is not motivated by profits? This debate should be over, though, because the facts are straightforward and unassailable — penalties deter non-compliance. They create a powerful incentive for agencies to comply — the incentive of not getting caught and not being exposed to the public and to one's superiors as a violator. Congress charged EPA with providing that incentive and we have demonstrated our intention to do so and to continue doing so in the future.

The 1992 Federal Facility Compliance Act (FFCA) clearly established our RCRA order authority against federal facilities and placed it on a par with EPA's authority against private companies and individuals. In enacting FFCA, Congress sought to ensure that the incentives to comply brought about by strong enforce-

ment and penalties would apply equally to federal facilities and those in the private sector. This level playing field is necessary to restore the faith of the American people that the protection of human health and the environment on federal facilities is a priority. The message is clear. Environmental enforcement is a necessary incentive to ensure compliance and must be applied with equal force to the federal government.

The trend toward equality among all members of the regulated community is growing. Congress amended the Safe Drinking Water Act (SDWA) this fall and, similar to FFCA, clarified EPA's and the states' enforcement authorities under SDWA against other agencies of the federal government. As a result of these amendments, there can be no doubt that federal agencies are liable for penalties just like private parties. In addition, although the Clean Water Act did not pass recently, there was bipartisan support for placing the federal government on a level playing field with the private sector with regard to enforcement actions and penalties.

Enforcement actions and penalties are a deterrent to noncompliance. Citizens expect EPA to act as an "honest broker" within the federal government—an agency that will oversee other agencies' environmental compliance and take enforcement when necessary. EPA will continue to serve as such a broker.



Director, FFEO

CLOSING THE CIRCLE AWARDS

Continued from page 7

Richard Peri, Department of Transportation, Aeronautical Engineering Division at U.S. Coast Guard Headquarters, Washington, D.C., for integrating pollution prevention goals throughout the Coast Guard aeronautical community through such efforts as developing a pollution prevention chapter for the Aeronautical Engineering Maintenance Manual and establishing aircraft maintenance working groups.

Jane Powers, Department of Energy, Office of Environmental Policy and Assistance, Washington, DC, for her efforts to include DOE in EPA's 33/50 toxics reduction program and to develop clear and concise pollution prevention guidance, training courses and workshops for DOE facility personnel.

Arthur Benson, U.S. Department of Agriculture, Beltsville Agricultural Research Center, Beltsville, MD, for establishing ten pollution prevention goals to ensure that the Research Center meets and exceeds the pollution prevention goals of Executive Order 12856.

Congratulations to all who contributed their talents and energies towards demonstrating federal leadership in preventing pollution!

Note: The Closing the Circle Award nomination form for this coming year will include nominations for the individual Pollution Prevention Environmental Challenge Award.

CALENDAR

SEPT. 3-4, 1997

REGIONAL FEDERAL FACILITIES/ MULTI-MEDIA POLLUTION PREVENTION CONFERENCE

Dallas, TX

Free conference for environmental managers at federal facilities. Contact: Joyce Stubblefield, 214-665-6430

SEPT. 15 - 18, 1997

POLLUTION PREVENTION FAIR

Aberdeen PG, MD

Contact: American Defense Preparedness Association, tel: 703-522-1820, fax: 703-522-1855.

SEPT. 23 - 25, 1997

7TH SOUTHERN STATES ANNUAL ENVIRONMENTAL CONFERENCE AND EXHIBITION: A CONFERENCE ON HOW-TO'S

Biloxi, MS

Sponsored by Mississippi Dept. of Environmental Quality; MISSTAP; DOD Joint Interservice Regional Support Group South 2 Area; Tennessee Valley Authority; USAE Waterways Experiment Station; U.S. EPA 4 and 6. Contact: <http://www.de.msstate.edu/misstap/index2.html>.

FIRST "AMERICA RECYCLES DAY"

NOVEMBER 15, 1997

The first "America Recycles Day" — based on the highly successful "Texas Recycles Day" held in recent years — is being organized by a group of private and public organizations and government representatives. The goal of "America Recycles Day" is to ask the American public to continue recycling and to purchase recycled and recycled content products. A federal steering committee will support "America Recycles Day" activities at government facilities. For more information, contact George Mohr at 410-965-4387.

NOV. 18-20, 1997

THE NATIONAL MARKETPLACE FOR THE ENVIRONMENT

Washington, DC

Conference and trade show devoted to the marketing of environmental products, programs, and services to federal, state, and local governments. Contact: 800-334-3976.

DEC. 3-5, 1997

3RD ANNUAL SERDP SYMPOSIUM

Washington, D.C.

Technical sessions and information on FY99 solicitation process and funding opportunities, for Strategic Environmental Research and Development Program. Contact: SERDP Support Office, 703-736-4548.

LIST OF ACRONYMS

CERCLA	Comprehensive Emergency Response, Compensation, and Liability Act
DOD	Department of Defense
DOE	Department of Energy
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-To-Know Act of 1986
FFCA	Federal Facilities Compliance Act
FFEO	Federal Facilities Enforcement Office (EPA)
NASA	National Aeronautics and Space Administration
NPL	National Priorities List
RCRA	Resource Conservation and Recovery Act
SDWA	Safe Drinking Water Act
SEP	Supplemental Environmental Project
TRI	Toxics Release Inventory
USDA	U.S. Department of Agriculture



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