



## FedFacs

an environmental bulletin for federal facilities

# EPA Settles First SDWA Penalty Case Against Redstone Arsenal

In the first Safe Drinking Water Act (SDWA) penalty case against a federal facility, EPA settled with the Army's Redstone Arsenal in Huntsville, Alabama for a cash penalty of \$80,000 and \$807,000 in supplemental environmental projects (SEPs). The settlement, reached on December 10, 1998, resolves an EPA Region 4 administrative penalty order against the U.S. Army Aviation and Missile Command, Redstone Arsenal, for improper management of a drinking water system that serves the 22,000 people at the facility.

This is the first time EPA has imposed a SDWA penalty against a federal agency since SDWA was amended in 1996 to give EPA authority to do so. The Redstone settlement is the largest drinking water penalty in Region 4's history.

The drinking water violations were uncovered during a 1997 multimedia

inspection at the arsenal. Redstone failed to properly operate and maintain its storage tanks and reservoirs, a water main flushing program, and maintain adequate disinfectant residual in the distribution system to meet EPA's maximum contaminant levels for total coliform. The SEP agreed to in the settlement will address improvements to Redstone's water system, including the installation of a chlorine monitoring system to enhance water quality by allowing the facility to measure chlorine residual on an ongoing basis. In addition, computer software for one of Redstone's water treatment plants will be upgraded and water stagnation problems in some of the supply lines will be addressed. These efforts will help ensure that the base's water supply is safe, while putting less water purification disinfectant into the environment.

For more information, contact Lisa Uhl, Region 4 Water Enforcement Branch, (404) 562-9789, or Adam Sowatzka, Region 4 Office of Regional Counsel, (404) 562-9545.

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## Director's Word: Craig Hooks

As the Director of EPA's Federal Facilities Enforcement Office I am constantly asking myself: where is EPA's federal facility compliance and enforcement program now, where is it going, and where do we want it to go? It's easy to say that each federal agency or department should go beyond compliance, leading the way for both the public and private sector to follow. But determining what strategy to employ to achieve that goal that requires looking at our past mistakes and successes, the present state of environmental conditions at federal facilities,

and solutions to future environmental problems.

My office is charged with ensuring that federal facilities take all necessary action to prevent, control, and abate environmental pollution. I realize that this is no small task. However, I do believe that we are producing the types of tools that other federal agencies and departments can use to improve their environmental decision-making and ultimately the environment in which we all live.

What tools are available to assist federal agencies in this admittedly difficult

field? First of all, each federal agency must understand its own environmental liabilities, be they large or small. To accomplish this, each agency should be conducting internal audits and environmental management reviews of its own programs and facilities. These should help the agency answer the question of "What have we done and how well are we doing?" By way of example, we have developed the Generic Protocol for Conducting Environmental Audits of Federal Facilities (EPA-300-B-96-012 A&B) which includes materials for conducting environmental audits that can be customized to fit each agency's requirements.

We have also issued brochures, poli-

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# Environmental Compliance: It's Good Policy and It's the Law

By Edward B. Cohen, Deputy Solicitor, Department of the Interior



**S**ecretary Bruce Babbitt has referred to the Department of the Interior as the Department of the Environment, not because he has

visions of subsuming the Environmental Protection Agency, but because the name reflects one of our principle obligations as stewards of roughly 500 million acres of public land. Congress has assigned the Interior Department a variety of mandates, from recreation to resource development to resource conservation. But no mandate is more important than compliance with the nation's environmental laws.

As both a federal resource manager and law enforcement agency, environmental compliance must be high on our own agenda. If it is not, we lack the moral authority and credibility to insist that users of public lands comply with our environmental requirements. Inherent in the concept of stewardship is doing no harm to the resources entrusted to our care.

No doubt, there are few in the Department of the Interior who would disagree with the notion that we, as a department, should comply with environmental laws. But real life is rarely that simple. In these days of burgeoning mandates, declining budgets, fewer staff, and complex procedural requirements, environmental compliance isn't always as achievable as we would like. Moreover, in a department such as Interior, compliance obligations are one of many responsibilities an employee or an office might have — and not necessarily the one that gets the promotion or the additional infusion of funds.

It is no insignificant challenge to develop programs, systems, and structures that result in full environmental compliance in a department as diverse as Interior. We have eight bureaus, each with a

different culture and different mandates, and more than 65,000 employees, working in 2,000 facilities. Most of the land we administer is widely accessible to the public for various uses, and we frequently inherit environmental messes made years before environmental statutes were even written. Mining wastes, unexploded ordnance, severe erosion from overgrazing, and municipal landfills on public lands — all have left a legacy of environmental degradation to which we must attend. Frequently, the perpetrator has long gone, leaving the taxpayer holding the bag.

## A New Emphasis on Compliance

During Secretary Babbitt's tenure, there has been a new emphasis placed on meeting our environmental compliance obligations. Perhaps the most significant step we have taken was entering into a unique Compliance Assistance Initiative in partnership with EPA (see related story on page 3). For EPA's part, this was the first time it offered to provide compliance assistance across an entire civilian federal agency. For Interior, it was an opportunity to assess strengths and weaknesses in our programs, and to make changes where needed.

This partnership has produced facility level assistance, corrective action projects, and analyses of environmental management systems. One of the most significant efforts has been a joint and thorough review of the environmental management systems within the National Park Service, based on the Code of Environmental Management Principles (CEMP). Through this review, and by applying the CEMP principles, we have evaluated management commitment, compliance assurance, pollution prevention, enabling systems, performance, accountability, and measurement and improvement. We intend to undertake a similar review of

the management systems of several other Interior bureaus as well.

The partnership with EPA has produced other dividends. Improved contacts between Interior and EPA field personnel have led to better mutual understanding and appreciation of the obligations, resources, and challenges of each agency. As a result, both agencies are better able to handle compliance issues when they emerge.

One indicator of progress is the Department's compliance with EPA's requirements for underground storage tanks. On December 22, 1998, the deadline for phase one compliance, all bureaus of the Department were virtually in full compliance with the UST rules. For an agency that began with an inventory of 4,000 tanks, that was a significant achievement.

A second step the Department has taken to improve environmental compliance is the creation of a new branch of Federal Facilities Compliance within the Office of the Solicitor. The branch is responsible for providing compliance and enforcement support across the Department with respect to cleanup of hazardous substance releases. Not only will this branch enhance the Department's ability to comply with CERCLA cleanup requirements, it will accelerate the pace at which we identify parties responsible for contaminating Department lands and pursue these parties for financial and other assistance in cleanups.

The Department of the Interior and EPA should be and are environmental soulmates. We must build a culture of environmental compliance, which requires a sustained effort to assure management commitment, resources, training, and accountability at all levels of the agency. While it cannot happen overnight, our progress — with the assistance of EPA — has been impressive. And that effort will continue.

## Update on EPA-DOI Initiative:

# Review of Environmental Management Systems Conducted at National Park Service

**E**PA's first effort to provide compliance assistance across an entire federal agency has yielded useful progress after a year of implementation. In January 1998, EPA and the Department of the Interior (DOI) agreed to work jointly to enhance compliance assistance across DOI Bureaus and facilities with the overall goal of raising the level of regulatory awareness and compliance.

Perhaps the most innovative and far-reaching efforts that has resulted from the EPA/DOI compliance

initiative is the analysis of environmental management systems (EMS) within the National Park Service (NPS), including an analysis of support relationships between NPS field-level facilities and NPS and DOI headquarters environmental offices. This analysis was conducted using the Code of Environmental Management Principles (CEMP), a collection of five broad management principles and performance objectives that provide a basis for effective and responsible federal environmental management.

Formal and informal aspects of the National Park Service's EMS were reviewed at the field, regional and headquarters levels. The review also addressed portions of the parent DOI organization which directly influence NPS environmental management activities (DOI Office of Environmental Policy and Compliance and additional DOI-level units). The review covered July-December 1998, a period during which several changes to the NPS EMS were either underway or planned. The assessment team conducted



75 interviews, reviewed 85 EMS-related records, and made direct observations.

## Findings

A set of recommendations was developed for each of the five CEMP performance objectives as suggested areas for future improvement. The findings were designed to encourage further NPS review of the applicability of the CEMP in supporting the overall success of the NPS environmental management system. Principal findings include:

- **Management Commitment:** While environmental stewardship and sustainability are part of the fundamental culture at NPS, environmental compliance also needs to be an integral part of both. Funding and staffing for environmental requirements is somewhat fragmented and regulation-specific rather than multimedia (e.g., focused on hazmat/waste vs. all media). Service-wide funding and staffing decision-making processes should include

explicit recognition of environmental regulatory compliance requirements.

- **Compliance Assurance and Pollution Prevention:** Compliance assurance tools, such as the audit protocol, are planned or being implemented. Procedures and follow-up should be provided to ensure that compliance standards in the tools are current and that audits include consideration of pollution prevention opportunities to achieve and maintain compliance. Information resulting from compliance assurance efforts is a valuable planning tool and should be recognized in budget planning, staffing, and programmatic decision-making.
- **Enabling Systems:** Training opportunities outside of NPS should be explored to benefit from broad regulatory compliance training. Environmental compliance tracking systems are being implemented. As tracking protocols are being developed, opportunities to track all relevant information sources should be explored, including dissemination and feedback on areas of concern.
- **Performance and Accountability:** Media-specific regional environmental coordinators are designated but have little direct authority for ensuring environmental compliance. NPS should consider a policy to emphasize management responsibility and staff authority and responsibility for environmental compliance at both facility and support office levels.
- **Measurement and Improvement:** Planned audit reviews should be tracked with root cause and corrective action response identified and shared across NPS. Tracking and response should be used in budgetary and resource planning.

For more information on the project, contact Will Garvey at (202) 564-2458.

## Partnerships for a Zero Waste Park

Aimee Vincent

**T**he Presidio of San Francisco is a unique national park. Covering almost 1,500 acres at the northern tip of San Francisco, the Presidio is an urban park with varied natural resources, breathtaking views, and over 500 historic structures. The Presidio Trust, a non-profit federal corporation, has the daunting task of maintaining and enhancing the natural and cultural resources that make the Presidio worthy of National Park status and able to become financially self sustaining by the year 2013.

As part of our goal to become a model of sustainable practices, we are searching for ways to do our business in the most environmentally sound way possible. A primary component of this process is reducing waste in all areas of operations. Diverting waste from the landfill is one way that we can strive toward sustainability. Requiring contractors and lessees to reduce waste is an important step. Our major waste reduction programs include park-wide recycling collection and education, visitor and special event recycling, building materials salvage, compost and tree debris recycling, and an environmental purchasing program.

All of our programs require help from local groups and other government agencies. Some of our partners in reducing waste include:

- A local non-profit recycler
- A local youth job-training organization
- The State of California Department of Conservation
- The San Francisco Solid Waste Management Program
- Local artists and craftspeople
- A non-profit environmental advocacy group
- Local volunteers.

By finding partners in this effort we strengthen our capabilities to get the job done. By working with us, organizations gain access to millions of visitors to spread a waste reduction message to. State and city agencies move closer to state-mandated waste diversion goals. Local businesses and artisans benefit by receiving materials to use as resources, which might otherwise have become waste. Working in the park can also provide a valuable training opportunity. Any way you look at it, the environment benefits from reduced waste, reduced pollution, and preservation of natural resources.

### Deconstructing Building 901

One pilot project conducted at the Presidio was the deconstruction of Building 901, a warehouse built by the U.S. Army in the 1940s. Completed in the spring of 1996, this was an early example of how hand deconstruction can be a better alternative than destructive demolition. The project involved the local waste reduction community in finding a solution for construction/demolition waste. Partners in the project included the National Park Service, The San Francisco Community Recyclers, Beyond Waste and the Wood Resources Efficiency Network.

In about six weeks, over 60,000 board feet of lumber were recovered in their structural form. Rather than being chipped for boiler fuel or ground for mulch (common practices in the demolition industry), this wood was reused in value-added projects. The unique qualities of this old growth wood made it especially valuable. Wood experts admired its close grain, straightness, and absence of flaws.

A large portion of the wood was purchased for use in building a custom “green” home in Marin County. The builders found the properties of the salvaged wood to be superior to that of most new framing wood bought new today. Other buyers of the wood were local arti-

sans making one-of-a-kind art pieces and crafts people who made the wood into high-quality furniture and flooring. After the success of the Presidio deconstruction project, many other parks and agencies conducted pilot projects and began deconstruction programs.

If you are considering building demolition, follow the following hierarchy:

- Adaptive reuse of buildings on-site
- Removal of buildings as whole units for reuse elsewhere
- Deconstruction of buildings and value added reuse of building components
- Demolition with source separation and a high level of reuse and recycling.

Some important lessons:

- Have a materials specialist examine the building and determine the potential value and salvageability of materials
- Reuse as much material as possible back on the site or elsewhere within your organization
- Plan for a project that will take more time than a destructive demolition
- Consider markets for materials before you begin the project
- Designate a secure space for materials to be safely and properly stored and prepared for marketing
- Consider alternative labor sources and the potential to offer skills training
- Track where the materials have gone and tell your story!

For more information about deconstruction, see the following Web sites: <http://www.ciwmb.ca.gov/ConDemo/case studies/Presidio Trust> and <http://www.nahbr.org/publist/huddocs.htm>.

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## Region 7's New Office Building Greening the Heartland

In June 1999, EPA plans to formally open its new Region 7 office building in downtown Kansas City, Kansas. With its wide range of environmental features — from energy efficient windows and lighting to an advanced water management system — the approximately 217,500 square foot facility moves closer to building “green.” Built at a projected construction cost of \$32 million, the 5-story facility is designed to house roughly 900 EPA regional employees, with 750 scheduled to move in initially.

“Given the regulatory requirements and the availability of green products at the time the Solicitation for Offers was published, our design team and Koll Development did an outstanding job in design and construction of the facility,” said Marc Matthews of EPA’s Region 7. “With the widespread availability of recycled-content and other environmental building products today, we hope other facilities can go even further and build upon our success.”

EPA regional staff worked with the developer to create an environmentally sustainable design. Together they established several overarching goals:

- To create a soft visual impact.
- To reduce disturbance to site conditions and surroundings.
- To accommodate natural light.
- To emphasize EPA’s overall mission of environmental enhancement and sustainability.

The resulting building offers a range of environmental features in the areas of energy efficiency, recycling, landscaping, and water conservation and erosion control.

- **Energy Efficiency:** In an effort to reduce energy consumption, the build-



ing was designed to qualify for an EPA Energy Star building rating. The building uses indirect lighting as the primary source of light in the open office areas in the building. Throughout the building, low emittance (low-e) windows are recessed two feet to increase the shading coefficient; T-8 fluorescent bulbs with electronic ballasts provide energy-saving benefits. All public occupied spaces use motion sensors to detect occupants for general lighting, while compact fluorescent task lighting is used for individual cubicles to avoid wasteful overhead lighting grids.

- **Recycling:** Many of the interior furnishings contain recycled-content including the carpeting, ceiling tiles, ceramic floors, and paint. The auger piles, footings, and foundations were constructed with concrete containing 1,000 tons of coal fly ash, complying with EPA’s Comprehensive Procurement Guidelines requirements. Recyclables are stored and consolidated on each floor in rooms next to the freight elevators, allowing for a quick and smooth delivery to the loading dock. These rooms also provide storage space for reusable office equipment and materials.

- **Landscaping:** Both inside and out, the building’s landscaping is truly “green.” The outside vegetation, including 30-40 honey locust trees, primarily consists of native plants, which require less water than imported plants. These plants also require little maintenance, reducing use and exposure to harmful pesticides. Shrub beds located throughout the site add visual appeal while aiding in erosion control. Indoors, ficus trees help

remove indoor air pollutants.

- **Water Conservation and Erosion Control:** The building offers water conservation and erosion control opportunities as well. Plumbing fixtures in the building will include Mister Miser Urinals, Flushometer toilet adapters, and low-flow shower heads in the fitness center which provide water conservation opportunities. An advanced water management controller operates the building’s irrigation system valves. This allows for a wide variety of water saving measures, such as water budgeting and programmable rain delay. Probes measure the moisture content of the soil outside the building to ensure that vegetation is only watered when necessary. In order to improve the quality of water runoff, the designers installed sand oil interceptors in the parking lot drains to screen out water contaminants.
- **Air Quality:** Associated with this project, the City of Kansas City is constructing a half-mile bike path adjacent to the new Region 7 office building. This path, along with the installation of bike racks and showers at the facility, will give employees an alternative means of transportation to

*Continued on page 6*

### Multimedia Audits of BIA Agencies Begin with Cherokee, NC

**C**herokee Bureau of Indian Affairs (BIA) Agency, located in Cherokee, North Carolina, will be the first of many BIA facilities to be audited under the national multimedia auditing program created under a Memorandum of Understanding (dated August 12, 1998) between the EPA and BIA. Cherokee was chosen because of its wide range of activities.

The Compliance Assistance Project (CAP) to be undertaken will identify compliance problems at BIA facilities through a series of multimedia audits that will be carried out at 4-6 representative facilities. BIA will use the information gained to improve BIA facilities' overall environ-

mental planning and performance, and particularly as they relate to Indian trust resources and BIA facilities on Indian lands. CAPs can help to ensure that BIA and Indian trust resources and personnel are protected from potentially adverse conditions by identifying compliance issues, providing means to address them, and recommending procedures that can be used at other facilities.

In order to implement the agreement, Craig Hooks, Director of EPA's FFEO, requested that each EPA region with BIA facilities nominate candidate facilities for a national multimedia auditing program. The selection of Cherokee BIA Agency was made after consulting with regional and BIA representatives, and affected tribes.

FFEO is currently determining the scope of the audit and identifying procedural requirements for the audit with BIA Head-

quarters and the Cherokee Agency. FFEO will use its findings and recommendations as a guide to identify other BIA facilities for the national multimedia auditing program. For more information, contact Anthony Shelton at (404) 562-9636.

### EPA Declares Ft. Meade's Tipton Airfield Free of Hazardous Waste

**I**n a cooperative effort with the Army, the Maryland Department of Environment, and the State of Maryland, EPA completed all hazardous waste cleanup work at the Tipton Army Airfield property at Fort George G. Meade, and issued a "Record of Decision" saying no further action is necessary.

During the cleanup, drums of hazardous waste were removed and an acid pit was cleaned out. In addition, over 2,000 ordnance items were recovered and disposed of. (Ordnance items are military weapons, including artillery and heavy guns.) Further work remains to be done on an inactive landfill at the site, situated on property east of the Little Patuxent River.

Fort Meade was placed on EPA's Superfund National Priorities List of the most hazardous sites in the nation last July. Sites placed on the list are eligible for long-term financial, technical, and personnel support from EPA to clean up the site. The Tipton Airfield portion of the site is in the process of being deleted from the list.

Currently, Anne Arundel County has leased three buildings and a portion of the Tipton Airfield property to use as an airport. The Tipton Airfield property will be transferred to Anne Arundel County by the fall. Ft. George G. Meade has been a U.S. Army installation since 1917. It is located in northwestern Anne Arundel County, Maryland, along the Little Patuxent and Patuxent rivers, midway between Baltimore and Washington, D.C.

### GREENING THE HEARTLAND

*Continued from page 5*

driving. Parking spaces will be reserved for employees who carpool, and Region 7 will continue to offer a transit subsidy program to compensate employees for using public transportation.

With the building almost complete, regional staff are turning their attention towards a new environmental laboratory. "We are partnering with the General Services Administration, lab personnel, and others to ensure that the new lab is as green as possible," added Matthews. "We'll be able to take what we've learned from the office building and go one step further." Once completed, the lab will be located across the street and within walking distance from the new office building.

For more information on the innovative new office building or laboratory, contact Marc Matthews at (913) 551-7517.

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## Final EMR Policy and Guidance Issued

The two-and-a-half year EMR pilot program is over and the final “Environmental Management Review Policy and Guidance for Federal Facilities” is available on EPA’s Web site at <http://www.epa.gov/oeca/fedfac/fflex.html>.

The final EMR policy and guidance incorporates lessons learned from 25 pilot

**We hope that the new guidance will encourage some of your facilities to request an EPA-conducted EMR.**

EMRs conducted by EPA regional staff at facilities belonging to the Federal Aviation Administration, Coast Guard, National Park Service, EPA, Postal Service, and the Army Corps of Engineers. These facilities report improved partnerships with EPA, building a better foundation for an environmental management program, and identification of opportunities for improvement.

The final policy modifies the Incidental Violations Response Policy to be consistent with EPA’s Audit Policy, and adds a provision that EPA generally will not conduct inspections at a facility receiving an EMR for six months afterwards.

A National Report on the EMR Pilot Program will be posted on the Web site in May 1999.

Given the success of the pilot program, EMRs are slated to be an integral part of EPA’s compliance and technical assistance toolbox for years to come. We hope that the new guidance will encourage some of your facilities to request an EPA-conducted EMR. Remember: EMRs are a voluntary, collaborative, inexpensive means by which a facility can determine the health of its environmental management system.

## Guidance Coming on RCRA 6002 Inspections

FEO is preparing guidance on conducting federal facility inspections for compliance with section 6002 of RCRA, as mandated under a recent Executive Order (see box). The final guidance document will be available on the EnviroSense Web site in May 1999 ([www.epa.gov/envirosense](http://www.epa.gov/envirosense)).

For the first year of implementation, EPA inspections related to this section will emphasize awareness and compliance assistance, focusing on federal facility responsibilities under RCRA 6002. Thus, for example, inspections might include distribution of a questionnaire to the facility and a brief inspection of a facility’s motor vehicle maintenance shop to determine if the facility is using and purchasing vehicular products designated

under the EPA buy-recycled program. The inspections would determine whether the facility is currently using items such as re-refined lubricants, retread tires, and engine coolant.

In future years, based on information learned from inspections conducted over the next year, EPA will review its response to non-compliance with section 6002 to ensure federal facility compliance. EPA has determined that violations of RCRA section 6002 by federal agencies do not give rise to administrative penalty actions or orders under RCRA’s enforcement authorities. This conclusion does not, however, limit EPA’s authority to issue a notice of violation (NOV) for violations of RCRA section 6002 or enter into compliance agreements at federal facilities that are discovered through the inspections mandated by Executive Order 13101. It also appears that citizens may take action pursuant to RCRA section 7002, the citizen suit provision.

## BUY-RECYCLED EXECUTIVE ORDER ISSUED

On September 14, 1998, President Clinton signed Executive Order 13101: “Greening the Government Through Waste Prevention, Recycling and Federal Acquisition.” Section 403 of the Order directed EPA to develop guidance for inspections of federal facilities for compliance with the buy-recycled program established under RCRA section 6002. The guidance is to be used by EPA in conducting RCRA inspections or multi-media regulatory compliance inspections where RCRA compliance is a component of the inspection.

Recognizing that recycling works best if there are markets for the materials collected, Congress directed the federal government to employ its purchasing power to help create and sustain those markets by buying products manufactured with the collected materials. Section 6002 of RCRA establishes a federal buy-recycled program and requires EPA to: (1) designate items that are or can be made with recovered materials and (2) prepare guidelines to assist procuring agencies in complying with affirmative procurement requirements. Once EPA has designated items, any agency using federal monies to procure those items must purchase items composed of the highest percentage of recovered materials practicable.

To date, the EPA Comprehensive Procurement Guidelines (CPG) program has designated 36 products in 8 product categories. An additional 19 products will be formally listed in June 1999. EPA research indicates that the designated items are of high quality, are widely available, and cost-competitive with products made from virgin materials.

Additional information on the CPG designated items and content recommendations can be found on the World Wide Web at <http://www.epa.gov/cpg/products.htm>.



## The Hammer

### Region 3

**Walter Reed Medical Center, DC:** In separate violations, EPA has cited the U.S. Army for alleged violations of (1) federal underground storage tank (UST) regulations at the Army's Walter Reed Medical Center in Washington D.C. and the Center's Forest Glen Annex in Silver Spring, Maryland, (2) RCRA regulations concerning hazardous waste storage at Walter Reed Medical Center in Washington, DC. "Leaking underground tanks are a major source of soil and groundwater contamination. We have to enforce compliance with UST regulations now, or face costly cleanups later," said EPA Regional Administrator W. Michael McCabe.

EPA is seeking a total penalty of \$94,101 for UST violations involving five diesel fuel tanks at Walter Reed's main hospital facility in D.C., and four diesel fuel tanks at the Forest Glen Annex. These tanks range in capacity from 2,000 to 10,000 gallons. District of Columbia regulations require UST owners to permanently close or remove their tanks within 12 months after the tanks are taken out of service. EPA alleges that the five USTs at Walter Reed were last used around December 1993 but were removed between August 1995 and January 1997. At the Forest Glen Annex, the Army allegedly failed to use corrosion-protected steel piping in one 2,000 gallon tank and to comply with proper leak detection procedures in two 10,000 gallon tanks.

EPA's September 30 complaint proposes a \$201,600 penalty for RCRA violations at Walter Reed, although none of the violations poses a health risk to the patients or employees at the medical center. Joint inspections by EPA and District officials in 1996 and 1998 found that hazardous waste containers were improperly labeled and sealed, and the facility did not have a permit to store hazardous waste. The hazardous wastes included mercury, chloroform, acetonitrile, trichloroacetic acid, phenol, methanol, xylene, acetone, ethyl acetate, and photo fix-

er waste. EPA has ordered the Army to immediately cease storing hazardous waste at Walter Reed except in conformance with requirements. The Army may request a hearing to contest the violations and EPA's proposed penalties.

### Region 4

**101st Airborne Division (Air Assault) and Fort Campbell, KY/TN:** EPA Region 4 issued a RCRA complaint and compliance order to the Army and the Defense Logistics Agency in September 1999. The RCRA order is for violations of the following areas: (1) OB/OD unit interim status, (2) failure to have personnel training, (3) security, (4) inspection, (5) permit. Most of the violations are the result of improper management of the OB/OD unit, including the burning and/or detonation of D003 hazardous waste in excess of the permit limit. The proposed penalty is \$540,470. The RCRA order included a notice of opportunity for a hearing and an invitation to request an informal settlement conference. The Region and Fort Campbell have met informally and are currently in settlement negotiations.

**XVIII Airborne Corps and Fort Bragg, NC:** EPA Region 4 issued a SDWA administrative order to the Army in March 1999 for the following: (1) Maximum contaminant level exceedences for total trihalomethanes, (2) failure to provide timely public notice for maximum contaminant level exceedences for total trihalomethanes, (3) failure to meet the monitoring and reporting requirements for total trihalomethanes, (4) failure to meet the public education requirements as a result of exceeding the 90th percentile action level for lead, (5) failure to report the failure to comply with the national primary drinking water regulations within 48 hours. There is no proposed penalty at the present time. The Army has requested a meeting to discuss the order and needed actions.

### Region 6

**Bureau of Engraving and Printing, Fort Worth, TX:** EPA filed an administrative penalty action on March 31, 1999 against the U.S. Treasury for violations of the Clean Air Act at the Bureau of Engraving and Printing (BEP), Western Currency Facility in Fort Worth, Texas. This is the largest CAA penalty filed in Region 6 against a federal facility using recently clarified penalty authority from the Department of Justice. (The decision came on July 16, 1997, from DOJ's Office of Legal Counsel that EPA has penalty authority under Section 113(d) of the CAA against federal agencies for violations of the CAA.) An EPA inspection revealed that BEP had failed to comply with regulations which reduce pollution from volatile organic compounds, sulfur dioxide, and chromium compounds. In the administrative complaint, EPA charged that BEP violated regulations of the Texas Administrative Code, which have been incorporated into the Texas Air Pollution Control Implementation Plan, and federal regulations concerning two boilers at the plant and chromium compounds. EPA seeks a \$289,800 penalty for these violations.

In another case, on June 12, 1998, a multimedia environmental compliance inspection was conducted at the BEP Fort Worth facility. From the inspection, it was determined that nickel had been "otherwise used" at above threshold amounts for 1995 and 1996. In addition, the Bureau failed to maintain records for nickel for the 1994 reporting year. A show-cause letter was issued on January 12, 1999, informing the facility of its non-compliance with EPCRA Section 313. Additional information was included in the letter instructing the facility how to achieve compliance. On February 24, 1999, information was received from the facility. After reviewing the information it was determined that BEP had met the terms of the show-cause letter and was



now in compliance with EPCRA 313. A confirmation letter acknowledging the Bureau's compliance with EPCRA 313 was sent to the facility on April 6, 1999. This issue has been closed.

**McAlester Army Ammunition Plant, Department of the Army, McAlester, OK:** On December 2, 1997, a multimedia environmental compliance inspection was conducted at the McAlester facility. From the inspection, it was determined that chlorine was "otherwise used" at above threshold amounts for 1994, 1995, and 1996. On January 12, 1999, a show-cause letter was issued informing the facility of its non-compliance with EPCRA Section 313. Additional information was included in the letter instructing the facility how to achieve compliance. On March 11, 1999, information was received from the facility. After reviewing the information it was determined that McAlester had met the terms of the Show-Cause letter and was now in compliance with EPCRA 313. A confirmation letter acknowledging the Bureau's

compliance with EPCRA 313 was sent to the facility on April 6, 1999.

## Region 10

**Kodiak Coast Guard Station, Kodiak Island, AK:** EPA issued a complaint and penalty on March 24, 1999 against the U.S. Coast Guard Integrated Support Command located on Kodiak Island, Alaska. The complaint, seeking \$74,250, reflects alleged federal hazardous waste violations observed by EPA inspectors at the facility in August 1998, and violations which were self-disclosed by the Coast Guard in a subsequent letter. Violations include a failure to adequately track and manage containers that held hazardous waste. In a separate, self-reported incident, the Coast Guard also illegally treated hazardous wastes by detonating excess ordnance in a remote bunker. By disclosing and correcting this violation in accordance with EPA's self-reporting policy, the Coast Guard qualified for penalty relief

and avoided an additional penalty of \$74,250.

**Hanford Nuclear Reservation, WA:** EPA issued a complaint on February 11, 1999 to the Department of Energy seeking payment of \$367,078 in civil penalties for alleged RCRA violations at Hanford Nuclear Reservation in Washington state. The largest component of the penalty was for improper storage of 17 drums containing solvents. The drums were stored outdoors, some for almost three years, and the storage area did not have a permit or comply with storage rules. A building serving as the receipt and distribution center for the tank farms was cited for failing to have an up-to-date contingency plan. According to EPA Region 10 officials, the most serious problem found in the multimedia inspection conducted last year was Hanford's failure to make a hazardous waste determination. Although it applied only to two one-gallon containers of waste, officials were concerned because of Hanford's history of noncompliance with that requirement.

## DIRECTOR'S WORD

*Continued from page 1*

cies, strategies, and principles on how to develop, conduct, and implement environmental management systems at federal facilities so a facility can improve its regulatory compliance, better manage its risks and liabilities, and utilize its resources most effectively. These tools should help an agency answer the question "Where are we going?" Many of our tools and documents are available via the Internet on our Web page at <http://www.epa.gov/oeca/fedfac/fflex.html>.

Next, we soon will have a Compliance Assistance Center for Federal Facilities that can assist facility managers who need information regarding compliance with environmental regulations. This Center's

Web site will provide a virtual tour of a typical federal facility and explain how to tackle various compliance issues. It will include a questionnaire for users to complete to help update the Center to ensure its responsiveness to user needs. The Center, which will be located on our Web page in the near future, will be an important tool to help agencies figure out where they want to be in the future.

My goal is for all federal agencies to assume the mantle of true environmental leadership. Not just compliance but leadership. That leadership won't just be measured in the compliance status of its facilities or whether an internal auditing system has been developed. Environmental leadership will be accomplished when the heads of each department or agency and all of its top career and political lead-

ership view environmental management as part of their missions — not just as something that EPA's Federal Facilities Enforcement Office worries about.

And last, but certainly not least, is our enforcement of environmental violations. My staff director for enforcement once said during a speech, "We don't want you to like enforcement. We want the process to be painful." She was right. As I have said before, enforcement actions and penalties deter non-compliance. We do it because it works. Enforcement will continue to be an active and vital part of FFEO's mission. However, embracing environmental leadership within all federal agencies and departments will advance the concept of environmental stewardship. Our shared environment will be the ultimate benefactor.

## EPA Region 6 Hosts Second Wetlands Regulatory Roundtable

**E**PA Region 6 hosted its second Wetlands Regulatory Roundtable in January 1999, attracting attendance from the US Army Corps of Engineers District and Divisional Offices; US Fish and Wildlife Service, Field Offices; National Marine Fisheries Service; Natural Resources Conservation Service; and state environmental offices which have a role in reviewing wetland permits.

The primary objective of the roundtable is to improve the effectiveness of the permitting program as it relates to Section 404 of the Clean Water Act. Workgroups established at the previous year's roundtable presented summaries on topics such as: cumulative impacts on wetlands, watershed approach to projects, mitigation banking, use of hydrogeomorphic modeling, review of completed mitigation sites, stream restoration projects, and an enforcement strategy.

A roundtable planned for next year will continue the discussions and new initiatives that will affect the wetlands program. Information concerning the Wetlands Roundtable can be reviewed on Region 6 web page at: <http://www.epa.gov/earth1r6/6wq/ecopro/em/permits>. For more information, contact Wanda Boyd at (214) 665-6696.

## P2 Workshop at Coast Guard Facility

The Coast Guard Training Center in Cape May, NJ hosted a pollution prevention (P2) environmental workshop in March 1999, jointly sponsored by Regions 2 and 3. The two day workshop was

designed primarily for civilian federal agencies, and combined classroom lectures with a pollution prevention opportunity assessment exercise at the automotive maintenance shop of the Coast Guard facility. Prevention opportunities identified during the workshop assessment exercise were discussed in follow-up lectures and with members of the facility. (A formal pollution prevention opportunity assessment was conducted at the facility in August 1997 by Region 2, which formed the basis of some discussion as well.) The workshop covered such topics as:

- The Pollution Prevention Act of 1990 and Executive Order 12856;
- Integration of P2 concepts into Environmental Management Systems;
- P2 and Environmental Compliance;
- P2 plans, baselines and assessments; and
- Hazardous Material Control Systems.

The workshop was attended by approximately 40 representative from such agencies as the U.S. Mint, Federal Aviation Administration, National Park Service, Bettis Atomic Power lab, and the Smithsonian Institute. Feedback was positive and similar pollution prevention/waste minimization workshops will be held for the federal facility community in the future.

## Region 8 Sponsors Environmental Virtual University Pilot Project

As part of EPA's national compliance assistance for Department of Interior employees, Region 8 awarded Front Range Community College (FRCC) in Westminster, Colorado a grant to develop "Introduction to Environmental Science

via the Internet." The EPA grant covers tuition for up to 30 DOI employees, who will each earn 3 hours of college credit. This pilot project utilizes FRCC's Web-based distance education software and expertise in environmental training. The class is a core class in the environmental curriculum at FRCC, and is designed to introduce students to scientific and policy issues underlying current environmental problems in the natural world. Issues presented include hazardous waste management, acid mine drainage and aquatic ecosystems, urban air pollution, ozone degradation, and pollution prevention.

The 12-week course started on January 29, 1999, and currently has 13 students enrolled.

Each week's reading assignments, Internet research assignments, homework assignments, and/or quizzes are posted on the class bulletin board. Students contact the instructor via e-mail for answers to questions or for any clarifications or help needed.

Response from participants in this class has been positive. One student e-mailed the instructor "I can't tell you how much I enjoy this class. I am the safety officer for our soils engineering lab, and the information I am picking up from this class is right in line with some of the work I have done or even some work I am now doing." Once the class is complete, FRCC will provide each student with an opportunity to evaluate the course content, instructor, and Internet delivery. FRCC is planning to offer this class again in the fall, and has targeted two additional classes, "Introduction to Environmental Laws and Policies" and "Pollution Prevention" to be developed for Internet delivery. (EPA support for tuition for these classes is not planned.) For more information, contact John Works (EPA) at (303) 312-6196 or Kim Lewis (FRCC) at (303) 404-5356.

## Who Are the Federal Facilities Coordinators?

**H**ave a question about EPA and don't know whom to call? The Federal Facilities Coordinators, located in each EPA regional office, will either answer your query or direct you to the right location or person.

Have suggestions for a workshop? Need to get together with your state or tribal representatives on environmental issues of mutual concern? Need assistance to enhance a pollution prevention program? FFCs plan, coordinate, or conduct inspections or compliance assistance workshops and work cooperatively with program staff and managers to ensure that federal facilities are provided the tools they need to be in environmental compliance.

FFCs have an average of 20 years of government service. They are engineers, scientists, and environmental protection specialists. They have work experience with EPA headquarters, state agencies, and environmental interest groups. And they are the primary regional points of contact for federal facilities looking for EPA information and referral.

The FFCs and FFEEO welcome your suggestions and want to work with you to strengthen our environmental partnerships!

### REGIONAL FEDERAL FACILITIES COORDINATORS

- Region 1: Anne Fenn, (617) 918-1805
- Region 2: Jeanette Dadusc, (212) 637-3492
- Region 3: Bill Arguto, (215) 814-3367
- Region 4: Stacy Howard, (404) 562-9633 (DOE Coordinator)  
David Holroyd, (404) 562-9625 (DoD Coordinator)  
Anthony Shelton, (404) 562-9636 (CFA Coordinator)
- Region 5: Lee Regner, (312) 353-6478
- Region 6: Joyce Stubblefield, (214) 665-6430
- Region 7: Diana Jackson, (913) 551-7744
- Region 8: Dianne Thiel, (303) 312-6389  
Connally Mears, (303) 312-6217
- Region 9: Sara Segal, (415) 744-1569  
Larry Woods, (415) 744-1580
- Region 10: Michele Wright, (206) 553-1747  
Susan Ennes, (206) 553-6249

#### On-Line Notes:

#### HOW DO YOU SPELL "ENVIRO\$ENSE?"

**Y**ou may have noticed that the domain name (URL) address for FFEEO's Enviro\$ense/FFLEX (Federal Facilities Environmental Leadership Exchange) Web site — <http://www.epa.gov/oeca/fedfac/fflex.html> — appears on your browser screen as <http://es.epa.gov/oeca/fedfac/fflex.html>. As you may have discovered, you can access Enviro\$ense/FFLEX Web pages using either address. So what is the significance of "www" versus "es" in the address? The "www" designation refers to EPA's main server; the "es" refers to the server currently being used by the Enviro\$ense (ES) network. Within the year, however, the "es" server for Enviro\$ense will become part of the larger EPA server system, and typing in the "es" form of the address will not access the site. Therefore, any time you publish or give out the Enviro\$ense address, you should always use the "www" form rather than the "es" designation. The main domain name address for Enviro\$ense itself can be accessed at <http://www.epa.gov/envirosense>.

For more information, contact Isabelle Lacayo, 202/564-2578 or [lacayo.isabelle@epa.gov](mailto:lacayo.isabelle@epa.gov).

### New Yellow Book Published

**T**he Yellow Book: Guide to Environmental Enforcement and Compliance at Federal Facilities, commonly referred to as the "Yellow Book," is currently being published and will be available in hard copy and via the Internet in June 1999. The new Yellow Book revises and supersedes the 1988 version entitled Federal Facilities Compliance Strategy.

The Yellow Book is designed to assist federal facilities with achieving and maintaining compliance with federal environmental requirements as required by Executive Order 12088, Federal Compliance with Pollution Control Standards, and in going beyond these requirements to lead the way in minimizing environmental contamination.

For information on ordering the Yellow Book, contact Priscilla Harrington of EPA's FFEEO at (202) 564-2461 or fax (202) 501-0069.

# Upcoming Events

## August 1999

### EPA Region 7 Federal Facilities Conference

*Kansas City, KS*

Contact: Diana Jackson at (913) 551-7509 or [jackson.diana@epa.gov](mailto:jackson.diana@epa.gov).

## August 11-12, 1999

### Great Lakes Regional Pollution Prevention Roundtable Summer Meeting

*Traverse City, MI*

Contact: Lisa Merrifield, (217) 333-8940 or [merrifld@wmrc.hazard.uiuc.edu](mailto:merrifld@wmrc.hazard.uiuc.edu).

## September 20-23, 1999

### 1999 Chemical Emergency Preparedness and Prevention Conference

*Washington, DC*

Sponsor: EPA Region 3. Contact: Al Brown, (215) 814-3302, or go to <http://www.epacepp.com>.

## November 15-18, 1999

### Third Annual DoD Maintenance Symposium and Exhibition: Transforming Maintenance With Technology

*St. Louis, MO*

Sponsor: National Defense Industrial Association, Office of the Secretary of Defense. Contact: Terra Thomas, NDIA, 2111 Wilson Blvd., Suite 400, Arlington, VA, 22201-3061, tel: 703-247-2590, fax: 703-522-1885, [tthomas@ndia.org](mailto:tthomas@ndia.org).

## LIST OF ACRONYMS

CAA	Clean Air Act
CERCLA	Comprehensive Emergency Response, Compensation, and Liability Act
CFA	Civilian Federal Agency
CWA	Clean Water Act
DLA	Defense Logistics Agency
DoD	Department of Defense
DOE	Department of Energy
DOI	Department of the Interior
DOJ	Department of Justice
EMR	Environmental Management Review
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-To-Know Act of 1986
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FFEO	Federal Facilities Enforcement Office (EPA)
NPL	National Priorities List
OECA	Office of Enforcement and Compliance Assurance (EPA)
RCRA	Resource Conservation and Recovery Act
SDWA	Safe Drinking Water Act
SEP	Supplemental Environmental Project
TSCA	Toxic Substances Control Act
UST	Underground Storage Tank

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