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Compliance Assistance Reviews at Bureau of Indian Affairs Facilities

EPA recently conducted compliance assistance reviews of two Bureau of Indian Affairs (BIA) facilities. The first occurred in Region 10 at the Wapato Irrigation Project in Yakima, Washington. The second took place in Region 4 at the Cherokee Agency in Cherokee, North Carolina. The reviews, conducted under a 1998 Memorandum of Agreement between EPA and BIA, included a diverse group of participants, including EPA Headquarters and Regional representatives, BIA Area and Agency/Project staff, tribal representatives, and U.S. Department of Agriculture personnel.

The goal of the reviews is to identify site-specific regulatory compliance concerns and opportunities for compliance assistance. In addition, EPA expects that many of the specific issues and solutions identified at these two BIA facilities will be applicable to other BIA locations and that the lessons learned can be transferred BIA-wide.

The project has been exciting and challenging for EPA because it has involved offering assistance with traditional EPA compliance-based issues, such as hazardous waste management and spill planning, as well as unique environmental management concerns of importance to BIA and tribes. For example, at the Wapato Irrigation Project, non-traditional issues being addressed include agricultural and irrigation drainage management practices that may lessen impacts on surface water quality and wildlife habitat. At the Cherokee Agency, these issues involve oversight of activities where BIA is not the operator, but faces potential liability or owns property.

EPA will provide specific compliance review findings and recommendations for each facility. EPA will publish draft reports in fall 1999. Their primary emphasis will be the identification of potential improvements and compliance assistance tools available from EPA and other sources. For more information regarding Cherokee, contact Anthony Shelton at 404-562-9636; for information on Wapato, contact Michele Wright at 206-553-1747.

[See related story on alleged UST violations at Wapato, on page 11.]

Top left: Unused paints and printing chemicals collected for one-time disposal, Warehouse Cherokee Agency. Top right: Sediment discharge at Wapato Irrigation Project. Bottom: Out of service transformer storage area, Wapato Maintenance Complex.

Inside

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GuestSpot

TXP3: The Texas Pollution Prevention Partnership

by Israel Anderson, Division Director, Small Business and Environmental Assistance Division, Texas Natural Resource Conservation Commission (TNRCC)

The Texas Pollution Prevention Partnership (TXP3) was bestowed with Vice President Al Gore's "Hammer" Award for its efforts to reduce pollution in Texas. TXP3 is a collaborative initiative of the Texas Natural Resource Conservation Commission (TNRCC), the Department of Defense (DoD), NASA-Johnson Space Center, and the Texas Army National Guard. Its mission is to promote pollution prevention as the standard way of doing business for federal facilities by developing and implementing model initiatives, building trust, and producing measurable results. TXP3 boasts numerous successes, including reductions of nearly one million pounds of hazardous waste and savings of over $2.7 million at federal facilities in Texas.

TXP3 began in 1995 as a result of joint workshops, discussions, and projects and was formally chartered in 1997 as the first alliance of its type in the United States. The Texas model is inspiring similar efforts across the nation, including Ohio, Colorado, Illinois, New Mexico, Georgia, South Carolina, New York, Arizona, and EPA Region 7. The first and largest initiative of its kind, TXP3 has 25 agency members and has established itself as *the* pollution prevention partnership to be emulated.

The success of TXP3 is due to broad-based involvement and a collaborative approach across many agencies, which has established a culture of trust. Broad-based involvement was established early in a January 1996 workshop held in Austin that included diverse representatives from military installations across Texas. A group of over 120 participants, including commanders, top and mid-level management, and front-line environmental specialists, were asked to develop ways for DoD and the state to work together more effectively. The group's primary recommendation was to form a coordinating council, and thus the Texas Pollution Prevention Partnership was born. Other recommendations included cross-training, technical assistance, and holding an additional partnering workshop. All of the group's recommendations have been successfully implemented and results have been made available for use by the public, other partnerships, industry, and government agencies.

The challenge facing TXP3 has been to achieve environmental excellence despite diminishing resources and budgets. Typically, to improve environmental performance, the military and the state look to policies, regulations, and technologies that are geared towards cleaning up pollution after the fact. TXP3's goal is to reduce waste at its source, and tackle this through partnering, communication, and leveraging resources. This approach has resulted in significant pollution reduction and cost savings.

Member agencies of TXP3 have leveraged numerous resources to reduce pollution. For example, the Air Force Center for Environmental Excellence has shared its pollution prevention information clearinghouse, PRO-ACT, with all members. This has helped facilities in implementing projects, as they are armed with the best information available.

Another example is leveraging of manpower resources by the military and the state. As a direct result of a TXP3 workshop, Army reservists partnered with the TNRCC to assist a small community in East Texas in completing a wastewater sewer project under the Small Town Environmental Program. The military also provided funding for distribution of educational videos for elementary teachers in Texas. In turn, the TNRCC has provided significant manpower to help the military reduce waste, by providing technical assistance visits to over 15 installations across Texas, hosting and organizing training events, and transferring successes from the private sector to federal facilities.

Many successful projects have been implemented to reduce pollution and save money at Texas federal facilities. On-site technical assistance visits, conducted jointly with DoD and state staff, have been performed at 15 partner facilities across the state, identifying over 500 opportunities for reducing pollution and saving money. For example, as a result of technical assistance and TXP3 discussions, Dyess Air Force Base is saving $2 million annually by reducing waste and emissions, and eliminating environmental permits. Through numerous projects, Dyess eliminated 520,000 pounds of hazardous waste and 1.1 million pounds of non-hazardous waste annually.

Beneficiaries of TXP3 include federal facilities, state government, industry, and the public. The military benefits by achieving both environmental and mission readiness goals cost effectively. Likewise, the state benefits by more effectively fulfilling its mission of protecting the environment. Industry also benefits indirectly from TXP3. Many successful and well-researched projects from the military, such as innovative vehicle management programs, are proving to be useful to the private sector.

Most importantly, the public benefits from TXP3. Reduction in hazardous waste and air pollutants directly benefits the public by improving environmental quality. The public also benefits because this approach saves taxpayers money.

For more information, visit TXP3 at http://www.afcee.brooks.af.mil/txp3.

Two New Executive Orders Signed

President Clinton signed two new Executive Orders in recent months that reflect the Administration's emphasis on energy conservation and bio-based products. Executive Order (E.O.) 13123, *Greening the Government through Efficient Energy Management,* was signed on June 3, 1999. E.O. 13134, *Developing and Promoting Biobased Products and Bioenergy,* was signed on August 12.

Efficient Energy Management

E.O. 13123 is the second "greening" executive order; E.O. 13101, *Greening the Government through Waste Prevention, Recycling, and Federal Acquisition,* was signed in September 1998. Executive Order 13123 also replaces a previous energy efficiency order, E.O. 12902, signed in 1994. The new order establishes a number of goals for the federal community, including:

- Reduction of greenhouse gas emissions attributed to facility energy use by 30 percent by the 2010.
- Reduction of energy consumption at non-industrial and non-laboratory facilities by 30 percent by 2005 and 35 percent by 2010.
- Reduction of energy consumption at industrial and laboratory facilities by 20 percent by 2005 and 25 percent by 2010.
- Expanded use of renewable energy, including support for the Million Solar Roofs initiative.
- Reduced use of petroleum product energy sources at facilities.
- Reduced total energy use and associated greenhouse gas and other air emission as measured at the source.
- Reduced water consumption.

Each federal agency will be required to designate a senior agency official responsible for meeting the goals of the order and to form energy teams to support technical, legal, procurement, and management aspects of the order. The Department of Energy and the Office of Management and Budget (OMB) are required by the order to provide a variety of assistance documents and guidance to support implementation of the order. Each agency's progress in meeting the goals of the order will be judged by agency energy "scorecards."

At the field level, implementation of E.O. 13123 will require facilities to support the goals of the order through actions such as conducting facility energy audits, purchasing Energy Star® products, and employing Energy-Savings Performance Contracts. The goals of the order are further enhanced by requirements for policies such as sustainable building design as well as training, awards, and performance evaluations. DOE has taken the lead in establishing work groups to support and coordinate federal efforts to meet the requirements of E.O. 13123. Copies of the order and additional information about implementation can be found at the Federal Energy Management Program website at http://www.eren.doe.gov/femp/.

Biobased Products and Bioenergy

Executive Order 13134, *Developing and Promoting Biobased Products and Bioenergy,* focuses on development of a national strategy for making biobased products and bioenergy competitive in national and international markets. As defined in the order, "biobased product" means a commercial or industrial product (other than food or feed) that utilizes biological products or renewable domestic agricultural (plant, animal, and marine) or forestry materials. The term "bioenergy" means biomass used in the production of energy (electricity; liquid, solid, and gaseous fuels; and heat).

E.O. 13134 establishes an Interagency Council whose purpose is to prepare a strategic plan outlining national goals for development and use of, and research into, biobased products and bioenergy. The plans also will consider ways in which federal programs can contribute to the goals of the order. The Council will be co-chaired by the Secretary of Agriculture and the Secretary of Energy, and is made up of the Secretaries of Agriculture, Commerce, Energy, and the Interior, the EPA Administrator, the Director of OMB, the Assistant to the President for Science and Technology, the Director of the National Science Foundation, and the Federal Environmental Executive.

E.O. 13134 also establishes an appointed advisory committee of stakeholders, such as agricultural and energy businesses, environmental organizations, and the university research community. The committee will provide the Interagency Council with an assessment of the Council's goals, research and development activities, effectiveness of various agency programs, and the environmental and economic consequences of biobased products and bioenergy. The Departments of Agriculture and Energy are also required to establish working groups and a joint National Biobased Products and Bioenergy Coordination Office to support the Interagency Council and overall implementation of the order and strategic plans developed by the Council. The Executive Order can be found in the Virtual Library at the White House Internet website at http://www.pub.whitehouse.gov/.

UPDATED *YELLOW BOOK* NOW AVAILABLE

The recently-updated *Yellow Book: Guide to Environmental Enforcement and Compliance at Federal Facilities* is available for downloading from EPA's Enviroene website at http://es.epa.gov/oeca/fedfac/yellowbk/index.html. To purchase a copy contact GPO, 710 North Capital St., NW., Washington, DC, 20401, Phone:202-512-1800 or Fax: 202-260-1800; Stock Number 055-000-00624-5 or Publication No. EPA-315-B-98-011. Cost: $29.00.

New Emphasis on Compliance with UST Regs

EPA is placing renewed emphasis on compliance with underground storage tank regulations at federal facilities. Last summer, EPA issued a strategy for enforcing UST regulatory requirements (under Subtitle I of RCRA) that came into effect in December 1998. EPA's goal is full compliance with the 1998 requirements as quickly as possible. EPA's regulations do not provide for a grace period in which violations can be corrected without a penalty. UST owners/operators have had over ten years to comply with federal requirements. During this period, EPA conducted extensive outreach activities to inform the regulated community of the 1998 technical requirements and provided compliance assistance to owners and operators of UST facilities. Given the threat that sub-standard tanks pose to human health and the environment, EPA believes it is essential to ensure that violations are promptly corrected.

Under RCRA Subtitle I, EPA has the authority to, and will, inspect UST facilities in order to assess compliance with the UST regulations. While EPA may take enforcement actions in all states,* its activities will be concentrated in states that have less active UST enforcement programs. EPA also will try to be responsive to requests from any state for support in dealing with federal agencies or other UST owners and operators who resist state compliance efforts.

* *EPA can enforce federal requirements in states and territories that do not have EPA's approval to run their own UST programs, and in Indian country. In approved states and territories, EPA can enforce state regulations that were included in the State Program Approval process, even if they are more stringent than the corresponding federal regulations. The Agency does not enforce state regulations that are broader in scope than the federal regulations, e.g., those applicable to UST systems not covered by the federal regulations, such as heating oil tanks for direct consumptive use.*

UST Training for FFEO Staff

As part of FFEO's participation in the UST enforcement drive, FFEO staff members participated in July 1999 in UST inspector training along with other EPA personnel. The class was conducted by Marcel Moreau, a nationally recognized expert in the UST field who has trained regulators at all levels. In addition to classroom work, trainees visited two gasoline stations and a power plant at federal facilities in the Washington, D.C. area.

The training served as an introduction to both technical and legal aspects of the UST regulations. The course opened with overviews of the federal UST program, the acceptable tank, piping, spill containment, and overfill prevention technologies likely to be encountered during field inspections, and then turned to tank lining and cathodic protection and associated record-keeping requirements.

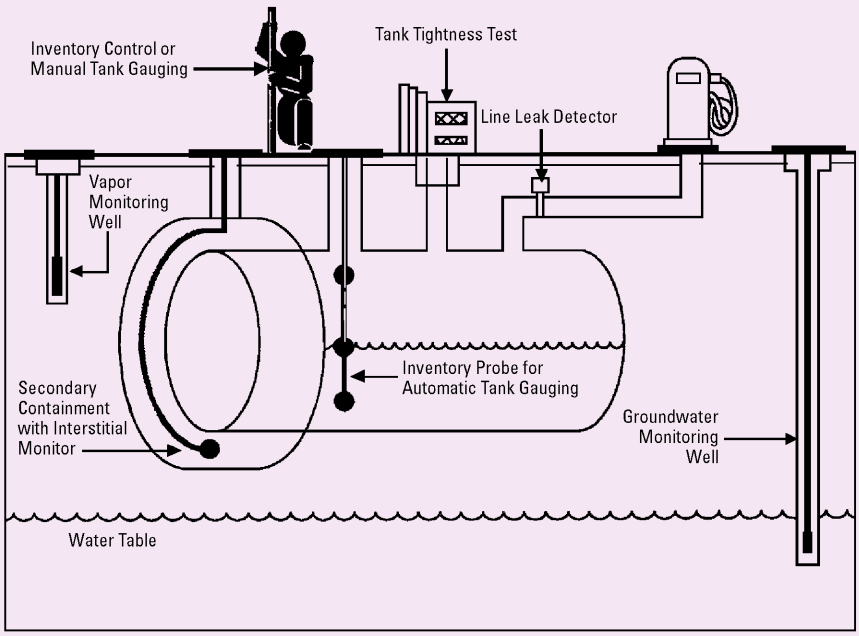
Inventory Control: Doing the Numbers

Participants were given a week's worth of raw inventory data (stick readings, tank chart and totalizer meter readings) and asked to calculate the variance for that week. After learning how to do the calculations, the class was given an introduction to the various leak detection options available for USTs and learned the steps involved in performing inventory reconciliation. The participants then discussed the theory behind statistical inventory reconciliation (SIR) and some of the difficulties presented by how SIR is practiced.

Tanks greater than 2,000 gallons in capacity may not use the manual tank gauging method of leak detection to meet regulatory requirements, which may be especially important at federal facilities, where large-capacity tanks are common.

The difference between gravity-drop

LEAK DETECTION SYSTEMS



Inside the Pumps

Given the threat that sub-standard tanks pose to human health and the environment, EPA believes it is essential to ensure that violations are promptly corrected.

deliveries and pressure deliveries was discussed to emphasize how important it is for federal facilities in particular to know whether their fill-pipes are pressure-rated. Most DoD fuel deliveries are pressurized. The consequences of a pressurized fuel delivery being made in a non-pressure rated fill-pipe could be serious.

The class turned to a discussion of the variables affecting tightness tests and ways that different tightness test methods compensate for these variables. Both volumetric and non-volumetric methods were discussed. A discussion followed of leak detection evaluations and automatic tank gauging. Other topics included: technologies for creating and monitoring secondary containment for underground tanks and piping, the distinction between pressurized and suction pumping systems, the workings of mechanical and electronic line leak detectors, and the requirements for suction piping systems. The course also covered inspection issues such as "What is a serious violation?" and "How can consistency among inspectors be achieved?" The class reviewed records from facilities to be visited in order to evaluate compliance and to identify items to look for during the visits.

The training accomplished a great deal towards increasing the understanding of both the legal requirements and technical complexities associated with UST regulation and inspection. Further work by FFEO staff is contemplated in the field and in support of the regions, in order to put this training into practice.

FFEO Staff Looking Under the Lid

Environmental Management Reviews in Region 8

by Dianne Thiel, EPA Region 8 Federal Facilities Coordinator

Region 8 recently completed three environmental management system reviews (EMRs) and is working on a fourth. The first three EMRs involved evaluating both a facility and at least one other management level above the facility. During the course of conducting these EMRs, we've seen many examples of good environmental management practices which we would like to share with you.

EPA Region 8 Laboratory

At our laboratory in EPA Region 8, we reviewed systems at the Lab itself, in the Regional Office, as well as support provided by the Safety, Health and Environmental Management Division at EPA Headquarters. The Environmental Compliance Manager reports directly to the Laboratory Director and has the authority to make decisions. Environmental funding is provided for pollution prevention equipment and software, in addition to pollution control and waste disposal costs. The Environmental Compliance Manager provides orientation training for new employees, contractors, and visitors, in addition to annual employee refresher training. The system for tracking training, called REGISTRAR, documents training sponsored by the EPA Regional Office and can be audited and accessed easily by all employees. Required training can be flagged and tracked for supervisors and employees. The Safety, Health and Environmental Management Division at EPA Headquarters provides formal training, policies, manuals, technical assistance, and contractor support on a project specific basis. This division hosts regular conference calls with the regions and at least one national meeting a year. The division also conducts regular compliance audits at the laboratory and monitors audit findings until they are closed out.

Western Area Power Administration

For Western Area Power Administration, we looked at the headquarters environmental program and one of the four regional offices. Western has a Corporate Environmental Office as well as an Environmental Manager at each regional office. Corporate provides planning, support and compliance assistance to the regions. For example, the planning group in the Corporate Environmental Office developed systems for tracking accomplishments and reviewing milestones related to environmental impact statements, environmental assessments, and categorical exclusions.

The Corporate Office developed a list of standard environmental specifications for construction projects now maintained by environmental staff in the Rocky Mountain Region. Environmental staff in the regions evaluate each new construction contract and recommend the appropriate specifications for that site from the comprehensive list. One of the managers at the Corporate Office follows regulatory developments and shares that information expeditiously with the regions. Top management at the Corporate Office reviews an annual environmental report on program accomplishments and initiatives prepared by the Environmental Office. The Public Affairs Office publishes a professional newsletter called "Closed Circuit," that is distributed to all employees, retirees, and customers, and regularly features articles on environmental topics.

At the Rocky Mountain Region (RMR) of Western Area Power Administration, joint environmental and safety inspections are conducted annually at staffed facilities and every three years at unmanned facilities. Exceptions found during inspections are reported to line and top managers who ensure that corrections are made in a timely manner. A centralized database is used for inspection results, and findings from inspections are used to improve and target environmental training. Baseline audits have been done at all RMR facilities and these records are maintained and updated. A

Can You Guess What It Is?

- *It's collaborative and inexpensive*
- *It uses an outside party*
- *It can lead to long-term environmental compliance*
- *It provides feedback and identifies opportunities for improvement*
- *It can enhance a federal facility's environmental management*

It's an EMR, an Environmental Management Review! EMRs are conducted by EPA Regional Offices to help federal facilities improve their Environmental Management Systems (EMS). They are free and voluntary, but EPA resources are limited. Call your EPA Regional Federal Facility Coordinator for more information. EMRs are conducted in accordance with FFEO's December 1998 *Final Policy and Guidance for Conducting Environmental Management Reviews (EMRs) at Federal Facilities.*

required safety and environmental awareness training session is held annually for all craftspeople. Some line managers and field supervisors also participate. Attendance is required and tracked by the Safety office. In 1998, the Rocky Mountain Region began training construction inspectors to do field checks of mitigation measures during construction projects. RMR is also including inspectors in the environmental training given annually for maintenance workers.

The Environmental Manager at RMR reports directly to the Regional Manager, attends and reports at all RMR senior staff meetings, and has authority to approve and implement most new environmental procedures. His monthly environmental activity reports are widely distributed to managers throughout the region and are sent to the Corporate environmental office. The Environmental Manager is included in management of the business: he participates in quarterly Maintenance Managers' meetings and is a member of the Maintenance, Design and Construction Council which meets quarterly to discuss long range planning, budget formulation, performance goals, and benchmarking for the business.

The Environmental Managers at the Corporate Office and in the regions meet quarterly to improve communication and information sharing, plan, review procedures, and address common problems. The location and responsibility for planning the meeting rotate among the participants. Corporate and regional environmental personnel share responsibility for developing and revising environmental procedures. One office is generally tasked to develop or revise a procedure, which is then reviewed and approved by the Environmental Managers' Team and issued through the Corporate Office. In 1998, the Environmental Managers' Team initiated a pilot self-assessment program to review their environmental management systems within specific programs, such as RCRA, pesticides, and cultural resources.

U.S. Postal Service

At the U.S. Postal Service, we reviewed management systems at a vehicle maintenance facility (VMF), a District Office, and the Western Area Office. USPS has many good examples of effective management systems. For instance, personnel with environmental responsibilities are in leadership positions at each level of the organization.

At the Area, District, and VMF levels, the environmental manager reports directly to the top manager and part of the senior staff. Postal procedures and job descriptions clearly spell out environmental responsibilities up the management chain. The VMF Manager and Line Supervisors are knowledgeable about environmental issues and alert to potential environmental problems as well as opportunities for pollution prevention. Weekly standup talks for staff at the VMF focus on environmental topics in addition to safety.

The District Environmental Compliance Coordinators for the Colorado/Wyoming District have taken numerous proactive measures to reduce regulatory reporting requirements, anticipate new requirements, and share successes across facilities. At the Area and national levels, Environmental Coordinators are actively involved in multilevel, cross-functional work groups to improve program implementation and link the environmental program to postal systems and operations. Minutes of some work group meetings are posted on their internal website to facilitate broad information sharing. One national work group is finalizing an environmental management system tied to the Postal Service's quality system, called *Customer Perfect!*

Specific tools developed by the Area Office include a macro experience matrix — a table which shows the level of expertise and experience in RCRA, NPDES, and other programs of all the environmental coordinators within the Western Area. This table makes it easy for environmental coordinators to quickly determine whom to call if they have a question on a particular regulatory program. The table also helps identify training needs. Another table shows the environmental training recommended for various job categories within the Postal Service.

EPA Region 8 encourages other Region 8 federal facilities to volunteer for an EMR so we can continue to showcase successful environmental practices. For more information or to volunteer your facility, contact Dianne Thiel at 303-312-6389 or thiel.dianne@epa.gov.

EPA Conducts 3 EMRs at DOE SPR Sites

DOE's Strategic Petroleum Reserve (SPR) Program Management office in New Orleans, LA agreed to have an EMR conducted at two SPR storage sites (Bryan Mound in Freeport, TX and Bayou Chatow in Baton Rouge, LA) and at the Program Management office during the week of June 14, 1999. SPR's willingness to participate in the EMR process was evidence of upper management's interest in the importance of environmental management systems (EMS) for achieving environmental excellence.

The SPR offices are primarily government-owned/contractor-operated (GOCO) federal facilities. At a GOCO site, the government owns the facilities and a contractor manages all regular activities. The contractor for DOE at the SPR sites is DynMcDermott (DM). At the sites reviewed in this EMR, DM is essentially in charge of the environmental program, with direction from DOE personnel. Hence, the EMR team assumes that DOE and DM personnel will work together on implementing any recommendations.

Recommendations made by the EMR Team are specific to the SPR sites and are intended as guidance to be used in improving and formalizing DM's EMS. SPR requested that EPA's review include the organization's entire environmental management system, that included the following elements: 1) organizational structure; 2) environmental commitment; 3) formality of environmental programs; 4) internal and external communication; 5) staff, resources, training, and development; 6) program evaluation, reporting, and corrective action; and 7) environmental planning and risk management.

For more information, contact Joyce Stubblefield, EPA Region 6, at 214-665-6430.

Region 6 Multi-Media Inspections

Region 6 inspection teams recently conducted two Type D Multi-Media Inspections (MMI) at Air Force facilities.

- **Holloman Air Force Base,** New Mexico, is currently the home of the 49th Fighter Wing of the United States Air Force. The 49th Wing is the umbrella for several fighter groups; the F-117 Nighthawk is one of its main weapon systems. It is also a major training facility for pilots from other countries such as Germany and Taiwan. The purpose of the inspection was to determine the facility's compliance status with the applicable provisions of the Clean Air Act, RCRA, TSCA, EPCRA, and the Clean Water Act.
- **Lockheed/Martin, Air Force Plant #4,** Fort Worth, Texas, is currently in production and testing of the F-16 Fighting Falcon and development of the F-22 Raptor. The purpose of the inspection was to verify compliance with regulations under RCRA, Clean Air Act, Clean Water Act, TSCA, and EPCRA. The City of Fort Worth participated in the MMI by assisting EPA inspectors under the Air program. Although not directly involved with the inspections, the Texas Natural Resources Conservation Commission provided valuable information to participating programs during the file review stage.

Region 6: Restoration Summit

On August 18-19, 1999, the Air Force hosted a restoration summit in Dallas as a follow-up to the Federal Facilities Environmental Restoration Dialogue Committee report recommendation to continue building consensus and focus on goal-setting and priorities for cleanup activities, as well as innovative cleanup technologies.

The meeting included representatives from the Air Force, EPA, and Region 6 states. The Air Force, EPA, and states Division Directors discussed issues related to base closure for FY 2000 and beyond, Superfund, risk management strategies, the Government Performance and Results Act, data quality/lab fraud, consensus building in priority setting and state perspectives. A summary report with action items is forthcoming. Some potential actions discussed were to:

- Work with Texas to identify bases that have problems with report quality and remedy.
- Develop AF/EPA/state team(s) to work all action items.
- Coordinate a process for regulators to be involved in the peer review of restoration sites.
- EPA/AFCEE to review standardization of documents and terminology.
- Establish four EPA/state/AF working groups to facilitate and fast track restoration efforts at ACC-Barksdale; AFMC-Tinker; AETC-Laughlin; AFBCA/AFCEE-Carswell/AFP4.

Contact: Joyce Stubblefield, EPA Region 6, 214-665-6430.

Region 7: Army Officer Exchange Program

The Army's Training With Industries Program aims to develop a group of officers experienced in higher level managerial techniques and who have an understanding of the relationship of industry to specific functions of the Army. Once an officer is integrated back into an Army organization, he/she can use this information to improve the Army's ability to interact and conduct business with industry.

One participant in the program, Captain Cedrick Farrior, is assigned to EPA Region 7 through August 2000, beginning with a rotation in the federal facilities program. Captain Farrior has been in the Army for 12 years and has served in a host of assignments both in the US and abroad. Several of his assignments include Texas, Alaska, Indiana, Georgia as well as tours to Japan and Thailand. He can be reached at farrior.cedrick@epa.gov

Region 9: Compliance Agreement for Wake Island

EPA Region 9 and the Department of the Army, U.S. Army Space and Missile Defense Command (USASMDC) recently signed a Federal Facilities Compliance Agreement (FFCA) that establishes compliance schedules to resolve several existing areas of noncompiance on Wake Island. This is the first FFCA for a U.S. possession not affiliated with any state or territory.

Wake Island is an atoll approximately 4.5 miles long and 2 miles wide, located 2,460 miles west of Hawaii and 1,500 miles east of Guam. It has no indigenous population; however, over 100 Army contractor personnel reside on Wake and during launch operations (about four times a year) the population doubles. USASMDC uses Wake Island to support launch operations for the Ballistic Missile Defense Organization.

Under the FFCA, the USASMDC and EPA are addressing noncompliance areas including: unpermitted point source discharges; discharge of untreated domestic wastewater; inadequate secondary containment and spill prevention and countermeasure plans for petroleum storage facilities; and solid waste disposal practices. The FFCA does not cover ongoing remedial activities that the Air Force is taking to address past activities.

EPA Region 9 supports the initiative of the USASMDC to resolve compliance issues on this small and historic atoll.

Region 7's Annual Federal Facilities Conference

Over 100 attendees participated in Region 7's Annual Federal Facilities Conference in Kansas City on August 24-25, 1999. The theme was "Achieving Excellence In The New Millennium." Topics dealt with regulatory and information issues that concern federal facilities, as well as environmental justice, Title VI, and Project XL. Attendees represented the Departments of Defense, Energy, Transportation, the IRS, GSA, Federal Aviation Administration, Food and Drug Administration, USDA, and the Postal Service, as well as state agencies.

Feedback from both attendees and speakers has been very positive. The Enforcement Coordination Office is grateful for the tremendous support from the various Region 7 sections whose contributions were critical to the success of the conference. Planning will begin shortly on the next conference, tentatively scheduled for Summer 2000. Suggestions are greatly appreciated. Please forward suggestions or comments to Diana Jackson (jackson.diana@epa.gov) or Cedrick Farrior (farrior.cedrick@epa.gov).

Region 6 Hosts Source Water Assessment Meeting

In November 1998, the Clean Water Action Plan (CWAP) Federal Multi-Agency Source Water Agreement was signed by nine federal agencies. The document is an agreement to develop partnerships that will support state and tribal government efforts to complete source water assessments nationwide and support source water protection programs with the primary goal of protecting the nation's sources of drinking water.

As a first step in building those partnerships, the Water Quality Protection Division of EPA Region 6 hosted a regional Source Water Assessment Program Federal/State Coordination meeting on May 25-26, 1999, in Dallas, Texas. Representatives of the nine federal agencies and the five states in Region 6 attended the meeting. The goals of the meeting were to:

- Define mechanisms to make federal data, information, and technical expertise available to states for use in conducting source water assessments.
- Determine how program authorities under relevant state and federal laws can be applied to drinking water source areas needing protection.
- Forge partnerships at the regional, state, and field office level to implement the source water assessment and protection programs within a watershed framework.
- Focus on coordination needs between agencies at all levels for transboundary watershed issues.
- Establish an ongoing planning/coordination function to continue the momentum generated at the meeting.

Contact: Ken Williams, EPA Region 6, 214-665-7129.

CFAs Meet in the Pacific Northwest

The Civilian Federal Agency (CFA) Task Force, in coordination with FFEO and SGS ICS National Education Center, sponsored the second annual CFA Environmental Symposium on May 17-20, 1999, in Seattle, Washington. 245 environmental managers and staff from 35 agencies and numerous federal facilities attended the symposium.

Speakers, including Steve Clark, Acting Regional Administrator of the Bureau of Reclamation, Great Plains Region, and William Stelle, Jr., Regional Administrator, National Marine Fisheries Service, Northwest Regional Office, addressed current environmental issues in the Pacific Northwest and set the tone for symposium participants to share solutions to environmental business management challenges.

In addition to 27 break-out sessions, the National Education Center provided training in Environmental Compliance Auditing and Implementation of ISO 14000 Environmental Management Systems. Other training workshops conducted by staff from CFAs provided hands-on skills in:

- Environmental Statute Review
- Re-refined Oil Programs
- Environmental Justice
- Compliance Assistance Centers
- Green Purchasing
- Plain Language Principles
- Property Transfer
- Enviro-Surfing.

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CONFERENCE UPDATE

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The CFA Task Force is making plans for its next symposium. The date and location are yet undetermined. To contribute planning ideas, contact your CFA Task Force representative or consider becoming a member of the Task Force for your agency. For more information about the CFA Task Force or for a list of members, contact FFEO at 202-564-2510 or visit the EPA Enviroene website at http://www.epa.gov/oeca/fedfac/fflex.html.

Transient Drinking Water Training Offered

Steve Tuber, EPA Region 8 Water Program Director, welcoming participants to the class.

In the fall of 1998, Ken Morin, Manager of the Bureau of Land Management's compliance auditing program, approached EPA Region 8 about conducting a training class for BLM personnel. Ken had identified a number of difficult issues common to small, remote locations such as campgrounds, recreation sites, historic areas, and fire stations, where BLM provides drinking water to the public and/or its employees. Ken volunteered to work with EPA to develop a class to address these issues. EPA agreed to the project if the class would be open to other land management agencies with similar concerns.

With Ken's input, the Region 8 Drinking Water Program designed a course to address the needs of maintenance and field personnel and managers responsible for operating the transient, non-community drinking water supplies. The class was held May 18-20, 1999, at the EPA Region 8 offices in Denver, Colorado. Representatives of nine federal agencies attended, along with a few state and local agency staff. Of the 48 participants, 27 were from facilities located within Region 8.

The major focus of the course was on microbiological contamination. EPA Drinking Water Program staff gave presentations on the different types of water borne pathogens and methods used to detect these microorganisms, taking a coliform sample, writing a site sampling plan, monitoring and record keeping requirements for transient systems, fixing and preventing bacteriological contamination problems, and determining if a ground water supply is under the influence of surface water.

EPA speakers also covered hauled water requirements and disinfection procedures, point of entry/point of use requirements, and bottled water. Ken Bousfield of the Utah Drinking Water Program discussed proper development of wells and springs, because Utah has many springs that are used as water supplies. The problem of cross connections between drinking water plumbing and fire sprinkler systems, lawn irrigation systems, or hose bibs was addressed. A case study on Alpine, Wyoming was presented, as well as numerous other real world examples. Source water protection programs, sanitary surveys, and closing of Class V Underground Injection Control wells were offered as techniques for preventing contamination of drinking water sources.

Selected chemical contaminants were also discussed, including nitrate, nitrite, radium, uranium, radon, iron, manganese, sulfate, fluoride,and total dissolved solids. Health effects associated with each were covered briefly. Representatives of the Bureau of Reclamation's Water Treatment Engineering and Research Group presented a session on treatment technologies for chemical contaminants. Finally, an EPA inspector discussed enforcement of drinking water regulations.

The slide presentations from this training course were shared with two other EPA regions in the hopes that they will offer similar training. The course presentations will be available on EPA's website (http://www.epa.gov/safewater/dwa) so that others knowledgeable about transient, non-community systems can download them and offer similar training. EPA Region 8 is interested in hearing from other federal agencies in the region about other training topics that could be offered in partnership in the future. Contact: Dianne Thiel, EPA Region 8, 303-312-6389 or thiel.dianne@epa.gov.

The Hammer

Region 3

Southeast Federal Center: On July 28, 1999, EPA Region 3 mailed to GSA a signed RCRA 3013 Order requiring investigation of, and some interim measures on the Southeast Federal Center (SEFC). This is the first Section 3013 Order on Consent that EPA has entered into with a federal agency. The SEFC occupies 55.3 acres along the Anacostia River. Several studies of the area revealed the presence of contamination at or near the facility. The contaminants detected, including benzene and lead, have detrimental effects on human health and the environment. Contact: Sally M. Dalzell, EPA FFEO, 202-564-2583.

Bainbridge, MD: On July 23, 1999, EPA Region 3 issued a Clean Air Act Compliance Order to the U.S. Navy for asbestos violations at Bainbridge in Maryland. The Navy recently discovered the presence of friable asbestos-containing air cell insulation at a 10-acre area of the site. The order requires the Navy to sample for friable asbestos material, remove it, and then properly dispose it. Contact: Sally M. Dalzell, EPA FFEO, 202-564-2583.

Region 6

Camp Stanley Storage Activity Facility: Region 6 issued an Administrative Order on Consent to the Camp Stanley Storage Activity (CSSA) facility in Boerne, Texas. The CSSA has been operating as a hazardous waste management facility since November 19, 1980. The order concerned the identification, investigation, and prevention of further contamination due to the release of hazardous wastes to the environment.

There are 12 wells at the CSSA facility that are used as potable drinking water sources, monitoring wells, and agricultural water supplies. During a routine pesticide screening site visit on August 9, 1991, the Texas Department of Health sampled water supplies from well #16 and found traces of several chemicals in the water samples. The contaminants consisted of 127 micrograms/liter of 1, 2 dichloroethane (DCE), 151 micrograms/liter of trichloethylene (TCE), and 137 micrograms/liter of tetrachloroethylene (PCE). Further testing on August 23, 1991 confirmed the earlier results. The well in question was removed and the other wells were put on notification on a quarterly basis. On December 4, 1991, the Texas Natural Resource Conservation Commission collected samples from well #16 and two inactive wells and found that well #16 was contaminated with TCE and PCE, and the other two wells were contaminated with DCE.

The order requires CSSA to do the following:

- Perform interim stabilization measures to prevent or minimize the further migration of contaminants due to the release of hazardous constituents to the environment.
- Mitigate current or potential threats to human health and the environment.
- Perform corrective action studies to identify and evaluate alternatives for corrective actions to prevent or mitigate any migration of pollutants from the facility.

Failure by CSSA to comply with the terms of the order will result in penalties ranging from $500 to $5000 per day, depending on the extent of the non-compliance period. Contact: Greg Lyssy, EPA Region 6, 214-665-8317.

Tinker Air Force Base: In January 1998, the first set of underground storage tank (UST) cases against federal facilities were filed, including an action against Tinker Air Force Base. The parties attempted negotiations in accordance with Administrative Law Judge's (ALJ) orders. However, the case could not be settled and the Air Force moved for an accelerated decision by the ALJ.

At issue is whether EPA has the authority to assess fines where federal facilities violate the UST provisions of RCRA. EPA's position is that the UST provisions of RCRA and the context of RCRA as a whole give EPA the authority to assess fines. However, parallel to EPA's administrative action, in the Spring of 1999, DoD referred this issue to the Office of Legal Counsel (OLC) of the Department of Justice. An opinion from OLC will settle this dispute between the agencies.

Upon receipt of this referral in April 1999, the ALJ prepared an accelerated decision that EPA did not have the authority to assess fines. EPA filed its response to DoD on August 13, 1999. Two separate actions were filed in this case. A hearing date was set before the ALJ in November 1999. EPA also awaits either an OLC opinion or a reply brief from Tinker Air Force Base. Contact: Amie Richardson, EPA Region 6, 214-665-2713.

Region 10

Wapato Irrigation Project: On August 30, 1999, Region 10 issued a complaint to the Bureau of Indian Affairs (BIA) for UST violations at the Wapato Irrigation Project in Wapato, Washington, located on the Yakima Indian Reservation (see related article on page 1). EPA has proposed $19,875 in penalties against BIA for violations of several UST regulations which ensure that leak detection alarm systems are working properly. These UST regulations are in place to detect leaks, and to minimize the risk that a release would affect groundwater. The violations were discovered during a March 1999 inspection. Similar violations were found during a 1996 inspection. Contact: Melanie Barger Garvey, EPA FFEO, 202-564-2579.

Upcoming Events

December 6-9, 1999

Joint Service Pollution Prevention Conference and Exhibition

San Antonio, TX

Contact: Joyce Stubblefield, 214-665-6430.

December 10, 1999

Texas Pollution Prevention Partnership Meeting

San Antonio, TX

Contact: Joyce Stubblefield, 214-665-6430.

February/March 2000

Region 6 Phase II Stormwater Conference

Dallas, TX

Contact: Monica Burrell, 214-665-7530

LIST OF ACRONYMS

BIA	Bureau of Indian Affairs
CAA	Clean Air Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFA	Civilian Federal Agency
CWA	Clean Water Act
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
FFEO	Federal Facilities Enforcement Office (EPA)
GPO	Government Printing Office
GSA	General Services Administration
OECA	Office of Enforcement and Compliance Assurance (EPA)
RCRA	Resource Conservation and Recovery Act
TNRCC	Texas Natural Resources Conservation Commission
TSCA	Toxic Substances Control Act
USDA	Department of Agriculture
UST	Underground Storage Tank

FedFacs

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