



DEPARTMENT OF THE NAVY

ATLANTIC DIVISION
NAVAL FACILITIES ENGINEERING COMMAND
NORFOLK, VIRGINIA 23511-6287

Handwritten notes: NREAT, C. J. DeBell, T-6280, BVE, (804) 445-2935, IN REPLY REFER TO 5090 1142SGO, 1 SEP 1987

From: Commander, Atlantic Division, Naval Facilities Engineering Command
To: Commander, Naval Facilities Engineering Command

Subj: RCRA IMPACTS ON EXISTING DOD WASTEWATER TREATMENT FACILITIES

- Ref: (a) Meeting between EPA Region IV/MCAS Cherry Point/NAVAVNDEPOT Cherry Point/ LANTNAVFACENCOM of 12 Aug 87
(b) EPA Region IV Notice of Violation (NOV) Issued to PWC Pensacola on 1 May 87
(c) EPA Region IV NOV Issued to NAS Jacksonville on 7 Jul 87

1. EPA Region IV has interpreted RCRA such that allowing any hazardous wastes to enter non Publicly Owned Treatment Works (POTW) treatment facilities makes those facilities regulated RCRA Hazardous Waste Units. Therefore, since all DOD treatment facilities are defined as non-POTWs and practically all contain at least minute quantities of HW, then all DOD treatment facilities could be designated as RCRA Hazardous Waste Units. The cost of complying with the associated RCRA requirements will be excessive and environmentally non productive. We request NAVFACENCOM and DOD assistance in obtaining a re-evaluation of the EPA position. The specific issues at MCAS Cherry Point are provided below to demonstrate the impact of the EPA Region IV position.

2. During reference (a), we participated in discussions of a plan of action for minimizing operational impacts while complying with recent EPA Region IV RCRA interpretations at Navy/Marine Corps facilities. Our discussions concerned the impact on the industrial/domestic wastewater treatment plants and sludge management from both plants at MCAS Cherry Point. The following topics were discussed concerning present operations at MCAS/NAVAVNDEPOT Cherry Point:

- a. M... both concentrates and rinsewaters.
b. W... ly from aircraft stripping
operation
c. D... tic sewage treatment plant
polishing Waste (HW) units.
d. I... omestic sewage treatment plant
sludges, ... wastes.
Elec... the managment of concentrates and
industri... d is partially in place at
NAVAVNDE... ion IV places the "burden of proof"
on the generator to ensure that no metal ions of listed HW are present in
any subsequent rinsewaters (i.e., overflow rinse). If this cannot be
demonstrated, as we believe is the case, then these rinsewaters, if discharged

Handwritten notes: Copy for Betty, Tom Clark, READ-FILE

08547





DEPARTMENT OF THE NAVY

ATLANTIC DIVISION
NAVAL FACILITIES ENGINEERING COMMAND
NORFOLK, VIRGINIA 23511-6287

NRBAT
C. D. Shell:

T-6280

TELEPHONE NO

(804) 445-2935

IN REPLY REFER TO

5090

1142SGO

1 SEP 1987

From: Commander, Atlantic Division, Naval Facilities Engineering Command
To: Commander, Naval Facilities Engineering Command

Subj: RCRA IMPACTS ON EXISTING DOD WASTEWATER TREATMENT FACILITIES

Ref: (a) Meeting between EPA Region IV/MCAS Cherry Point/NAVAVNDEPOT Cherry Point/ LANTNAVFACENCOM of 12 Aug 87
(b) EPA Region IV Notice of Violation (NOV) Issued to PWC Pensacola on 1 May 87
(c) EPA Region IV NOV Issued to NAS Jacksonville on 7 Jul 87

1. EPA Region IV has interpreted RCRA such that allowing any hazardous wastes to enter non Publicly Owned Treatment Works (POTW) treatment facilities makes those facilities regulated RCRA Hazardous Waste Units. Therefore, since all DOD treatment facilities are defined as non-POTWs and practically all contain at least minute quantities of HW, then all DOD treatment facilities could be designated as RCRA Hazardous Waste Units. The cost of complying with the associated RCRA requirements will be excessive and environmentally non productive. We request NAVFACENCOM and DOD assistance in obtaining a re-evaluation of the EPA position. The specific issues at MCAS Cherry Point are provided below to demonstrate the impact of the EPA Region IV position.

2. During reference (a), we participated in discussions of a plan of action for minimizing operational impacts while complying with recent EPA Region IV RCRA interpretations at Navy/Marine Corps facilities. Our discussions concerned the impact on the industrial/domestic wastewater treatment plants and sludge management from both plants at MCAS Cherry Point. The following topics were discussed concerning present/future operations at MCAS/NAVAVNDEPOT Cherry Point.

- a. Management of electroplating wastes, both concentrates and rinsewaters.
- b. Waste solvent management, particularly from aircraft stripping operations.
- c. Designation and closure of the domestic sewage treatment plant polishing ponds as regulated RCRA Hazardous Waste (HW) units.
- d. Designation and regulation of all domestic sewage treatment plant sludges, both past and present, as hazardous wastes.

Electroplating - A partial solution to the management of concentrates and industrial rinsewaters has been proposed and is partially in place at NAVAVNDEPOT Cherry Point. However, EPA Region IV places the "burden of proof" on the generator to ensure that no metal "ions" of listed HW are present in any subsequent rinsewaters (i.e., overflow rinse). If this cannot be demonstrated, as we believe is the case, then these rinsewaters, if discharged

08514

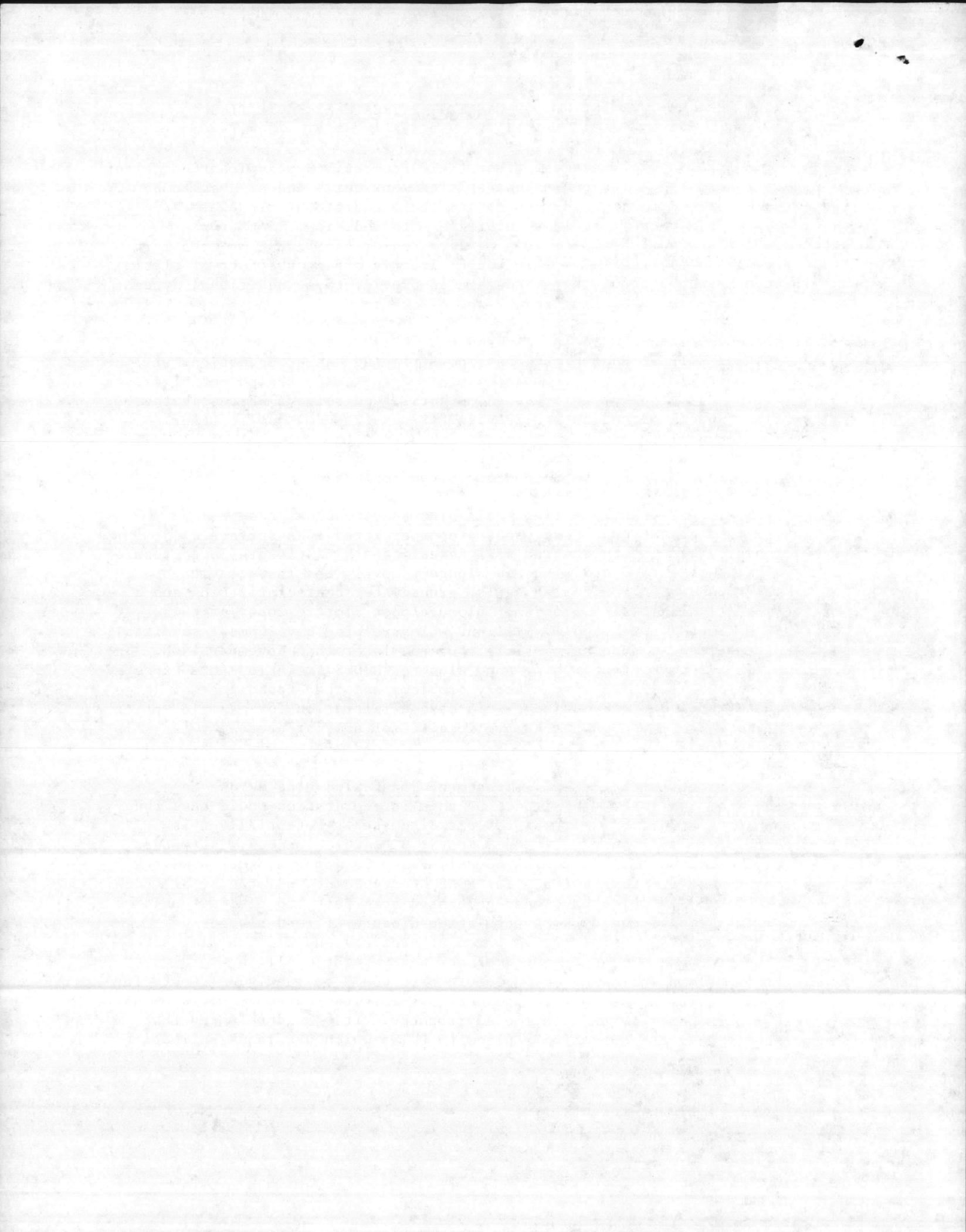
Subj: RCRA IMPACTS ON EXISTING DOD WASTEWATER TREATMENT FACILITIES

to the Industrial Waste Treatment Plant (IWTP)/domestic Sewage Treatment Plant (STP), would cause downstream wastewater treatment units and sludges to be regulated under RCRA. The costs to manage these additional rinsewaters/sludges in this manner would be prohibitive. In addition, costs for design/implementation of closed loop plating and/or additional pretreatment systems would be substantial. This would directly affect the current plating shop MILCON P-913 by requiring a redesign to provide these additional systems with no guarantee of achieving zero "ion" discharge.

Solvents - Although MCAS and NAVAVNDEPOT Cherry Point are relatively confident that solvent concentrations from stripping hanger operations will be within influent limitations at the headworks of the IWTP, the potential exists for detection of methylene chloride and other listed solvent wastes in the IWTP effluent which exceed authorized limitations (25 PPM) due to other sources. This will create RCRA sludges with associated disposal problems for both the STP and IWTP. Other non-electroplating and paint stripping sources at NAVAVNDEPOT/MCAS Cherry Point could also be impacted.

Domestic Sewage Treatment Plant Polishing Ponds - Under the present regulatory interpretation, these ponds are unpermitted RCRA surface impoundments. This interpretation will necessitate RCRA closure/post closure of these units including draining and sludge removal, the installation of additional groundwater monitoring wells, groundwater characterization and a long term costly monitoring program. Closure/post closure costs of these ponds are estimated to exceed \$5 million. Closure plan development/submittal has been requested as soon as possible, but not later than November 1988. In addition, as a result of polishing pond closure, NPDES violations are expected which will create additional regulatory problems and the expenditure of large sums of money to treat the effluent, via carbon filtration for example, prior to discharge. Estimated NAS Jacksonville cost for similar treatment is \$1.9 million per year.

Designation of Domestic Sewage Treatment Plant Sludge as HW due to Discharges from the IWTP. The impact of this interpretation would have the most pronounced effect of all the problems discussed. Potentially this interpretation could require all DOD Domestic STPs which accept wastewaters from activities with any industrial operations to be managed under RCRA. A second major ramification is that, for MCAS Cherry Point and others, all such domestic STP sludges which have been generated both past and present would be RCRA HW. This would require RCRA regulation/closure of land sludge application areas (approximately 35 acres at present) and all landfill sites where STP sludges have been disposed of at Cherry Point. All the resultant permitting problems including post closure care would be required. Costs for regulation of such units DOD-wide would be prohibitive and there would be no acceptable cost/benefit ratio to the environment. It should be noted that these requirements are not being applied to POTWs which use land application for similar sludges.



Subj: RCRA IMPACTS ON EXISTING DOD WASTEWATER TREATMENT FACILITIES

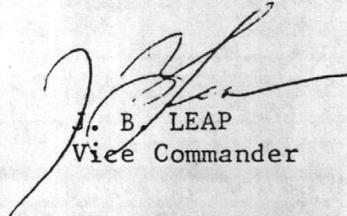
3. The problems addressed above are not unique to MCAS Cherry Point as evidenced by references (b) and (c). We recommend that the Navy/DOD position at a minimum include the following:

a. Legal challenge to the EPA Region IV interpretation especially as it pertains to treatment plant sludges.

b. Insist that all WWTPs be regulated under NPDES, not RCRA, and certainly not both.

c. Should recommendations a, and b, fail then Navy/DOD must be prepared to provide increased support/staffing (Activities and EFDs) to ensure compliance and acceptable resolution of these requirements throughout the Navy/DOD.

4. Your official legal guidance/directive on how to proceed in all of these issues is requested.


J. B. LEAP
Vice Commander

Distribution:

CNO (OP-45)
CMC
COMNAVAIRSYSCOM
COMNAVAIRLANT
COMNAVSURFLANT
NAVSEASYSYSCOM
CINCLANTFLT
MCAS Cherry Point
NAVAVNDEPOT Cherry Point
MARCORB Camp Lejeune
NORTHNAVFACENGGCOM
SOUTHNAVFACENGGCOM
WESTNAVFACENGGCOM
CHESNAVFACENGGCOM
PACNAVFACENGGCOM

