

State of Oregon

Department of Environmental Quality Memorandum

Date: Oct. 18, 2012

To: Environmental Quality Commission

From: Dick Pedersen, Director

Subject: Agenda item B, Action item: Resolution for a permit modification to allow the Umatilla Chemical Agent Disposal Facility to ship wastes off-site for treatment and disposal
Oct. 25-26, 2012, EQC meeting

Why this is important

This permit modification would add conditions to the UMCDF hazardous waste permit that would allow the option to send agent-contaminated secondary wastes offsite to a commercially available hazardous waste incineration facility when the wastes can be transported at low risk. This creates a waste management option for low risk wastes generated during facility closure and will be necessary once all the UMCDF incinerators are shut down.

DEQ recommendation and EQC motion

DEQ recommends that the Oregon Environmental Quality Commission adopt the resolution in attachment A to authorize DEQ to approve this permit modification request.

Background

In 1997, DEQ issued the original hazardous waste permit for the Umatilla Chemical Agent Disposal Facility. In that permit, DEQ inserted a condition prohibiting the off-site management of agent-contaminated wastes based on an Oregon Environmental Quality Commission finding. At the time of permit issuance, no safe levels for chemical agents had been determined.

Since that time, at the direction of Congress, the Centers for Disease Control established by regulation standards for GB, VX, and HD for workplace exposure. In addition, the National Research Council has recommended, due to the limited treatment capacity available at demilitarization sites, that chemical demilitarization facilities pursue the off-site treatment of secondary wastes at commercially available incinerators when the transportation of these wastes can be performed safely.

On April 12, 2012, Umatilla Chemical Agent Disposal Facility submitted a permit modification request to add requirements to the permit that allow off-site treatment for agent-contaminated secondary wastes. DEQ must secure commission approval for changes to permit conditions prior to authorizing the modification request.

The permit modification request contained three site-specific risk assessments performed by the Confederated Tribes of the Umatilla Indian Reservation, under contract with the U.S. Army. These risk assessments were conducted to address stakeholder concerns about transportation risks of off-site shipment of waste. These assessments concluded that certain secondary wastes can be shipped off-site at low risk. The permit modification request is based on the conditions in the assessments.

**Commission
authority**

The commission is authorized to issue hazardous waste permits by Oregon Revised Statute 466.

Key issues

ORS 466.055 requires the commission to make certain findings before issuing a hazardous waste permit. The commission must find that the proposed facility has no major adverse effect on either public health and safety or the environment of adjacent lands. When the commission authorized the issuance of the original Umatilla Chemical Agent Disposal Facility permit, the omnibus permitting authority [ORS 466.150(8)] was used to include permit conditions II.B.2 and II.B.3. These conditions, which prohibited the off-site shipment of agent contaminated waste and required all agent contaminated wastes to be treated on-site, were deemed necessary to protect human health and the environment due to the lack of any information on safe exposure levels.

This permitting action proposes to change the hazardous waste permit to allow agent-contaminated secondary wastes that can be transported at low risk to go to off-site hazardous waste incineration facilities. The current permit does not allow these types of wastes to be transported off-site. The changes to the permit identify the levels of agent that can be considered low-risk during transportation based on exposure limits developed for GB, VX, and HD by the Centers for Disease Control and Prevention and through use of the site specific risk assessments submitted with this permit modification. In order for DEQ to approve the permit modification, the commission must revisit its 1997 finding that included a

prohibition on all off-site shipment of agent contaminated waste is necessary to protect human health and the environment.

The facility is currently dismantling and decontaminating equipment as part of the closure activities. Any equipment that may have been contaminated by chemical agent is being decontaminated by processing through the metal parts furnace. At some point during closure, it will no longer be economically feasible to run the furnace given the reduced amount of waste that would be produced. That will leave some potentially contaminated wastes that need to be treated and disposed of, but the facility will not have the capability to do so on-site.

**Alternatives for
commission
action**

The commission could choose to take other actions with respect to the proposed permit modification:

- Require additional information prior to adopting the resolution.
- Not adopt the resolution.

Next steps

If the commission approves this action, DEQ will approve the permit modification and notify the public that it has been approved.

Attachments

- A. Resolution authorizing a change in the UMCDF hazardous waste permit to allow off-site shipment of certain agent contaminated wastes
- B. Proposed changes to the UMCDF permit
- C. Original comments and response to comments from the first public comment period
- D. Original comments and response to comments from the second public comment period
- E. 1997 Oregon Environmental Commission order on the UMCDF permit

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