



# FedFacs

an environmental bulletin for federal facilities

## Project XL: NASA White Sands Proposes Web-Based Electronic Reporting Project

The NASA White Sands Test Facility (WSTF) has proposed implementing a centralized, multi-media, web-based information management and compliance reporting system, which will be implemented under EPA's Project XL. Project XL, which stands for "eXcellence and Leadership," is a national initiative that tests innovative ways of achieving better and more cost-effective public health and environmental protection.

NASA's web-based system will electronically provide regulatory reports and permit information to the New Mexico Environmental Department (NMED) in lieu of paper reports to satisfy existing EPA and the NMED regulatory requirements. In addition, the web-based system will include a public access section to give the general public access to historical site

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*The signing of the Project XL agreement. The signers of the agreement (sitting, from left to right): Jerry Clifford, Deputy Regional Administrator, EPA Region VI; Joseph Fries, Manager, NASA WSTF; and Paul Ritzma, Deputy Secretary, NMED. Also in attendance (standing, from left to right): Peter Pache, WSTF Honeywell Team; David Amidei, NASA WSTF; Timothy Davis, WSTF Honeywell Team; Joyce Stubblefield, EPA Region VI; Adele Cardenas, EPA Region VI; John Dupree, EPA HQ Project XL; and Jim Mayer, WSTF Honeywell Team.*

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## First Major Enforcement Action Filed in National Federal Facilities UST Initiative

The first major enforcement action resulting from the National Federal Facilities Underground Storage Tank (UST) Initiative was filed on September 18, 2000, against the U.S. Army's Fort Lewis Installation in Washington State. The proposed penalty of \$469,661 – the largest penalty ever proposed for violations of federal UST requirements against a U.S. defense installation – is contained in an administrative complaint and compliance order issued by EPA Region X. The National UST Initiative and action at Fort Lewis is intended to send a clear

message that EPA is serious in its commitment to prevent the often irrevocable contamination of aquifers, on which many families depend for drinking water, by leaks from underground tanks.

The National UST Initiative was launched by the Federal Facilities Enforcement Office (FFEO) during the Spring of 1999 to ensure compliance with UST requirements, such as the December 1998 tank upgrade requirements. Federal facilities not meeting these requirements are considered by EPA to be a high

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# Streamlining Corrective Action at Reese Air Force Base, Texas

The former Reese AFB is located in northwest Texas, approximately 10 miles from the City of Lubbock. The base is now known as Reese Center and is being redeveloped by the Lubbock-Reese Redevelopment Authority (LRRRA). The base covered 2,987 acres, and the surrounding area is predominately rural, although the continued residential expansion of Lubbock has brought a large number of homes within a few miles of the former base. Reese AFB opened in 1941 and closed as an Air Force base in 1997.

Currently, 520 acres have been transferred to the LRRRA. Two additional transfers in 2000 will give the LRRRA deed to approximately 75% of the base. The majority of reuse has been for educational needs. Texas Tech University established research laboratories, the local community college established a campus, and the police and fire departments use some areas for training.

## Environmental Background

In 1993, Reese AFB was the first federal facility to be issued an imminent and substantial endangerment, RCRA Section 7003 Order. The Order addressed off-base contamination of public water supplies by a trichloroethylene (TCE) plume. The Order required sampling of private drinking water wells and irrigation wells in a 36-square mile area around the base. Reese AFB provided an alternate water supply to approximately 40 homes.

In 1994, Reese AFB was assessed an \$81,439 penalty by the Texas Natural Resource Conservation Commission (TNRCC). The Consent Order required investigation and remediation of three areas, including the suspected TCE plume source area. The Order required Reese to construct a ground water treatment system to address the highest off-site concentration. In 1996, TNRCC issued a Permit and Compliance Plan requiring the Air Force to investigate 21 solid waste management units and two former surface impoundments. The majority of the corrective action investigation began at this time.

Two TCE plumes and a benzene plume were the major environmental concerns at the facility. One TCE plume impacts numerous private drinking water wells. An industrial drain line was used for storm water drainage. Numerous broken sections of pipe allowed the contaminated water to discharge into the surrounding soil and to the groundwater. A pump and treat system, consisting of over fifty extraction/injection wells and over ten miles of piping, has been installed both on- and off-site.

## Corrective Action at Reese

A traditional approach to corrective action usually involves a 1-3 year time frame to investigate the site, depending on the project's complexity. The approach taken at Reese has streamlined the sequence of events and reduced the time frame to 3-9 months. A Base Closure and Realignment (BRAC) Cleanup Team (BCT) was established. The BCT consists of an EPA representative, a state representative, and the DoD installation BRAC Environmental Coordinator, all of whom have decision making authority. This team approach fosters partnering, accelerates the environmental cleanup process, and expedites timely, cost-effective, and environmentally responsible disposal and reuse decisions.

The Reese BCT reduced the number of reports and review time. At the monthly BCT meeting, the site background is discussed and a decision matrix is laid out that details in clear steps how the investigation should be completed. As the investigation proceeds, the decision matrix is followed, briefings are held on the progress, and course corrections are made. A final report is sub-

## COST OF THE CLEANUP AND SAVINGS

Total Spent to Date: \$83 million

Total Cost Avoidance to Date: \$9.6+ million

\$5.5 million	reducing need for a landfill cap on the golf course
\$2.4 million	multiple expedited projects
\$600,000	reduced sampling parameters/frequency
\$550,000	used innovative biotic barrier in RCRA landfill cap
\$550,000	expedited soil removal which allowed for disposal under the SW landfill cap

Current Remaining to Spend (FY00-FY03): \$77 million

Total Planned Cost Avoidance: \$37+ million (48%)

\$10 million	eliminating long-term monitoring at two playa lakes with hot spot removal
\$12+ million	eliminating sampling of private wells through the construction of an off-base water line to serve residents
\$15 million	reduced sampling frequency/number wells

mitted for approval using information gathered at the monthly meetings. The regulators provide input on the investigation on at least a monthly basis.

The team's approach to "no surprises" has led to open communications and trust, giving them a high level of credibility to both the government and citizens. In the past, the public did not trust the Air Force and, to a certain extent, the regulators. Restoration Advisory Board meetings involved a lot of finger pointing and limited information exchange. The current BCT has regained the trust and confidence in the public and the LRRRA.

The approach used at Reese has allowed the Air Force to complete the majority of investigations and the installation of the ground water pump, treatment systems, and landfill cap within two years of base closure. The Reese BCT has been recognized by the Assistant Secretary of the Air Force for being one of only four Air Force facilities to meet planned closure dates. Of these four, the Reese BCT completed the work faster (within 2 years of closure) than any other Air Force facility.

For more information, please contact Gary Miller, EPA Region VI, at (214) 665-8306.

# Federal Agency Hazardous Waste Compliance Docket Update Released

The twelfth update of the Federal Agency Hazardous Waste Compliance Docket was released in the *Federal Register* on June 12, 2000, which details additions, deletions, and corrections to the previous docket update. Section 120(c) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986, requires EPA to establish the docket.

**The Federal Agency Hazardous Waste Compliance Docket contains information about federal facilities engaged in hazardous waste activity or from which hazardous substances may have been or may be released.**

The Federal Agency Hazardous Waste Compliance Docket contains information about federal facilities engaged in hazardous waste activity or from which hazardous substances may have been or may be released. The docket lists a total of 2,205 federal facilities following the twelfth update.

The purpose of the docket is to:

- Identify all federal facilities that must be evaluated to determine whether they pose a risk to human health and the environment sufficient to warrant inclusion on the National Priorities List;
- Compile and maintain the information submitted to EPA on such facilities under the provisions listed in Section 120(c) of CERCLA; and
- Provide a mechanism to make information available to the public.

The initial list of federal facilities to be included in the docket was published February 1988, and CERCLA requires that the docket be updated every six months, as federal agencies report new facilities to EPA. Beginning this year, the docket will be published twice a year, and the next update will be published by the end of this calendar year.

For more information, contact Augusta Wills, National Docket Coordinator, at (202) 564-2468.

## PROJECT XL

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information, ground water database archives, geographic information system (GIS) reports, International Organization for Standardization certification information, recycling data, waste minimization reports, NEPA information, community right-to-know issues, and other associated compliance information.

The NASA project will provide EPA, NMED, and the public with improved access to higher quality regulatory information, scientific data, and analytical tools. The web-based information system also will facilitate a more thorough analysis of WSTF's environmental data and reports by NMED and the general public. The project also will reduce paper use and lower staff costs, both at NASA and at the regulatory agencies.

To implement this project, NASA WSTF must request regulatory flexibility from existing EPA and NMED regulations that require a written signature or paper submission of regulatory reports and permit information affected under this project. As part of this project, EPA will draft site specific rule(s) to facilitate

the electronic transmission of permit information and compliance reports.

In addition, a formal stakeholder outreach process has been developed by NASA WSTF. The outreach effort will involve public meetings and comment periods at key points throughout the project.

The experience and lessons learned from Project XL will assist EPA in redesigning its current regulatory and policy-setting approaches for reporting environmental information. Project XL encourages testing of cleaner, cheaper, and smarter ways to attain environmental results superior to those achieved under current regulations and policies. It also requires greater involvement by stakeholders – the people and organizations affected by EPA's decisions. It is vital that each project test new ideas with the potential for wide application and broad environmental benefits. Project XL offers a tremendous opportunity for everyone to think "outside the box" of our current system and to find solutions to obstacles that limit environmental performance.



*EPA Headquarters and Region VI staff joined NASA officials in a tour of the White Sands Test Facility. The site visit capped off a two-day public meeting and a negotiation session in August to finalize the XL project agreement.*

Information about NASA's web-based electronic reporting project or Project XL is available on the internet at <http://www.epa.gov/ProjectXL>, or via Project XL's Information Line at (202) 260-5754.

For more information on the WSTF project, please contact Adele Cardenas, the regional contact, at (214) 665-7210; John DuPree, EPA/XL Headquarters, at (202) 260-4468; or David Amidei, Project Sponsor, at (505) 524-5024.



### Region IV Takes RCRA 3008(a) Action Against Army's Fort Campbell

Region IV has taken a RCRA 3008(a) enforcement action against the Army's Fort Campbell for the improper disposal of flameless ration heaters (FRH), also known as meals-ready-to-eat (MRE) heaters, and a smoke grenade that resulted in a trash fire. Fort Campbell is located on the Tennessee-Kentucky border. The major function of the base is to support and train the 101st Airborne Division and other associated U.S. Army units in preparation for assigned combat and combat-related missions.

On June 23, 1999, a private solid waste hauler picked up waste at Fort Campbell and was en route to the county solid waste Subtitle D landfill when the load of waste caught fire. The waste hauler left the load of trash on a road on the base and the base fire department extinguished the fire. The next day, the load of trash was again on fire and the fire department had to again respond. MRE heaters and a smoke grenade were seen in the burned rubbish pile. In January 2000, MRE heaters were found by county landfill personnel in solid

waste loads picked up from Fort Campbell on two separate occasions.

Fort Campbell was ordered to pay a \$37,000 penalty and submit a plan describing procedures for complying with RCRA so that hazardous waste is properly disposed.

In a May 20, 1999, letter to the U.S. Army Soldier Systems Command, EPA's Office of Solid Waste (OSW) informed the Army that unused FRHs are D003 reactive hazardous wastes under the Resource Conservation and Recovery Act. An OSW review of the incident was conducted at the Army's request. OSW found that the material in the FRHs "can form potentially explosive mixtures with water." While recognizing that a single FRH would not be much of a threat, a "violent physical reaction or fire could result" if a number of FRHs were mishandled simultaneously.

For more information, contact David Levenstein at (202) 564-2591.

### EPA Environmental Appeals Board Reverses and Remands Tinker Air Force Base UST Decision

On July 27, 2000, the EPA Environmental Appeals Board (EAB) reversed the May 19, 1999, Administrative Law Judge (ALJ) Order granting Tinker AFB's Motions to Dismiss and for Accelerated Decision, and remanded the case back to the ALJ. The EAB deferred to the June 14, 2000, Opinion of the Department of Justice, Office of Legal Counsel (OLC) that confirmed EPA's penalty authority against Federal agencies for underground storage tank (UST) violations under Resource Conservation and Recovery Act (RCRA) Sections 6001(b) and 9006, and confirmed the validity of EPA's UST field citation procedures (*see related story on page 9 for a summary of the DOJ opinion*).

The case was initiated in January 1998,

when EPA Region VI filed an Administrative Complaint against Tinker AFB, alleging violations of the RCRA UST requirements. The Administrative Complaint sought a penalty of \$96,703, and was part of EPA's first set of UST cases against federal facilities. At the same time the case was pending before the ALJ, and before the Order was issued in May 1999, the Department of Defense (DoD) referred to OLC the issue of whether or not EPA has statutory authority to assess civil administrative penalties against another federal agency for UST violations. Shortly after the UST penalty issue was referred to OLC, the ALJ issued the May 1999 Order that found that EPA lacked the statutory authority to assess civil administrative penalties against another federal agency under the RCRA Section 9006 UST provisions. EPA appealed the ALJ Order to the EAB in June 1999, and all parties have been waiting for the OLC Opinion.

Given the OLC Opinion and the case remanded to the ALJ, Tinker AFB and EPA have recommended settlement negotiations. Although a November 14, 2000, hearing date has been set by the ALJ, a settlement in principal has been reached by both parties. The alleged violations at Tinker AFB are typical of UST violations that EPA sees at federal facilities, including those found at Barksdale AFB in Bossier City, Louisiana, where EPA issued a Complaint alleging failure to conduct release detection in accordance with the federal and state UST regulations.

EPA has found that most federal facilities have proper UST equipment for release detection, spill and overflow prevention, and corrosion protection. Generally, facilities in violation have deficiencies in properly managing the equipment for release detection requirements. Federal agencies should ensure that their personnel are familiar with proper UST management methods and are thoroughly trained to operate UST release detection equipment.

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# WasteWise Teams With Federal Agencies

Federal agencies are invited to join over 1,000 businesses, governments, and other organizations that have realized the environmental and cost-saving benefits of reducing their municipal solid waste by joining the WasteWise voluntary partnership program. Sponsored by the U.S. EPA, WasteWise assists organizations of all sizes prevent waste, recycle, and buy recycled-content products. During a special campaign, EPA is promoting federal agency participation as WasteWise partners. This effort will help agencies comply with President Clinton's Executive Order 13101, which directs federal agencies to develop a comprehensive waste reduction program.

EPA launched WasteWise in January 1994 as a voluntary partnership program to help organizations find practical and cost-effective methods for reducing their solid waste. WasteWise provides support in three core program areas: waste prevention, recycling, and buying and manufacturing products with recycled content. Over 1,000 organizations from across the country participate in the program, representing 50 industry sectors ranging from aerospace to utilities, as well as governments and institutions. WasteWise has already helped these organizations save

more than \$830 million in avoided disposal costs, prevent the creation of more than 2.4 million tons of waste, and recycle 24 million tons of excess material. "Waste prevention and recycling at federal agencies can significantly help the government save environmental resources and eliminate unnecessary expenses," according to Craig Hooks, FFEO Office Director.

For federal agencies, teaming with WasteWise "only makes sense; there is a natural link between WasteWise and Executive Order 13101," notes Fran McPoland, the Federal Environmental Executive. "WasteWise partnership benefits federal agencies by helping them increase their operational efficiencies and reduce waste." Participation in WasteWise helps federal agencies meet their Executive Order obligations in several ways, including providing focused information, maintaining resources and staff to help partners, offering a well-designed program, networking, and assembling local and national recognition and award opportunities.

For more information on the WasteWise program, call the WasteWise Helpline at 1-800-EPA-WISE (372-9473), e-mail [ww@cais.net](mailto:ww@cais.net), or visit the web site at [www.epa.gov/wastewise](http://www.epa.gov/wastewise).

## EPCRA SECTION 313 Q&A ADDENDUM FOR FEDERAL FACILITIES REVISED

In conjunction with Executive Order 13148, *Greening the Government Through Leadership in Environmental Management*, the U.S. EPA Toxic Release Inventory Program issued *EPCRA Section 313 Questions and Answers Addendum for Federal Facilities, Revised 1999 Version* (May 2000). This document clarifies reporting requirements for federal facilities under Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA).

Under EPCRA Section 313, facilities are required to report releases and other waste management of specifically listed chemicals. Federal facilities are required to report regardless of SIC code if they meet threshold requirements. EPA developed this document, which includes 134 questions and answers and associated appendices, to facilitate reporting and provide an additional explanation of reporting requirements.

This federal facility addendum supplements the *EPCRA 313 Questions and Answers Revised 1998 Version*, which addresses reporting requirements for all facilities.

This document is available for download at <http://www.epa.gov/tri/guidance/htm>.

For more information, call the EPCRA Hotline at (800) 424-9346.

## THE HAMMER

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For more information, please contact Cheryl Boyd, Region VI, at (214) 665-2161 or Andrew Cherry, EPA Headquarters, at (202) 564-2589.

## Region VI Issues Three Safe Drinking Water Act Penalty Actions Against U.S. Forest Service

On August 17, 2000, EPA Region VI issued three Administrative Complaints

against the U.S. Forest Service, alleging violations of the Safe Drinking Water Act. The Complaints allege violations of the National Primary Drinking Water Regulations, including failure to perform coliform bacteria monitoring and exceeding the maximum contaminant level for coliform bacteria. The water systems cited are the Duran and the Canjilon Lakes Campgrounds in the Santa Fe National Forest and the Guadalupe Administrative Site in the Lincoln National Forest. Settlement negotiations between EPA and the U.S. Forest Service are ongoing.

Microbiological contaminants present a health issue in drinking water systems and have long been considered one of the drinking water program's highest enforce-

ment priorities. Total coliform bacteria are used as an indicator in drinking water to assess the sanitary integrity of the treatment processes and distribution system. If total coliform are present in drinking water, conditions also exist for the presence of harmful pathogens. Enforcement of the microbiological rules is a national enforcement priority within EPA, and negotiations have commenced with the USFS for settlement. USFS has indicated they intend to submit a Supplemental Environmental Project Proposal as a result of the violations at the three aforementioned facilities.

For more information, contact Maurice Rawls at (214) 665-8049 or Efrén Ordóñez at (214) 665-2181.

# Partnerships

## Virginia and DoD Form First Pollution Prevention Partnership in Region III

Barb D'Angelo, Director of the Office for Environmental Innovation for Region III, represented EPA in the signing of the first Pollution Prevention Partnership in the region. Governor James S. Gilmore, III and Rear Admiral Christopher W. Cole, Commander of Navy Region Mid-Atlantic and DoD Regional Environmental Coordinator for Region III, were the key signatories at the Virginia/DoD Pollution Prevention Partnership signing ceremony, held October 19th in the Rotunda of the Capitol Building in Richmond, Virginia.

Other participants for the Commonwealth of Virginia were John Paul Woodley, Secretary of Natural Resources, and Dennis Treacy, Director of the Department of Environmental Quality. Other signatories to the agreement included the commanders, or their representative, for most of the military installations and activities in Virginia.

Approximately 20 separate military installations and activities in Virginia have been active participants in the partnership. The partnership was formed to identify opportunities, develop solutions and promote successes, enhance the missions of the pollution prevention participants, conserve resources, and improve the quality of Virginia's environment.

Goals of the partnership are to review specific practices and processes that can be transferred among participants, initiate cooperative projects, and externally share information through venues such as conferences, workshops, publications, and the internet. Through the initiative of the participants, a number of work groups have already been formed to address affirmative pollution prevention procurement policies and practices; the decrease or elimination of solvents, uni-

versal waste, and aqueous film forming foam; and the management of hazardous materials. In addition, cooperative projects have been initiated to increase member participation in the Virginia Naturally 2000 Program and the Businesses for the Bay Program. Other cooperative efforts involve educating design engineers on sustainable building techniques, technologies, and processes, and an initiative to reduce the discharge of priority chemicals into Virginia's environment. A number of actions to share information and promote pollution prevention opportunities and programs also have been initiated.

The signing of the charter formalized a partnership that has been in the making for six months and has been characterized by the enthusiastic participation of all the members of the partnership team. Based on this enthusiasm and the large number of military activities in Virginia, tremendous potential exists to implement successful pollution prevention processes and programs throughout Region III. This will improve the overall quality of the environment at these military activities and elsewhere within Region III.

For more information, please contact Bill Arguto, Region III Federal Facilities Coordinator, at (215) 814-3367.

## Region III/State/DoD Environmental Colloquium: *Partnerships for a Better Environment*

EPA Region III was joined by the Depart-



*Virginia/DoD Pollution Prevention Partnership signing ceremony, Capitol Building in Richmond, Virginia.*

ment of Defense, and agencies of states and the District of Columbia to host the Regional Environmental Colloquium on August 22 - 24, 2000, in Baltimore, MD. The well-attended conference stressed *Partnerships for a Better Environment*. Speakers included representatives from

the military services of the DoD, Civilian Federal Agencies, and regional state regulators. Keynote speakers included:

- RADM Christopher Cole - Commander, Navy Region Mid-Atlantic and DoD Regional Environmental Coordinator;
- Karla Perri - Assistant Deputy Under Secretary of Defense for Environmental Cleanup;
- Bradley Campbell - EPA Region III Administrator; and
- Tayloe Murphy - Virginia House of Delegates member (retired).

Each keynote speaker discussed their agency's commitment to environmental excellence, the importance of partnerships, and future direction for their environmental program. Mr. Murphy stressed the importance of partnering and noted the importance of implementing and achieving goals once partnerships are established.

Using the partnership theme, speakers presented ideas and concepts used to accomplish various tasks pertaining to remediation, auditing, compliance assistance, beyond cleanup, watershed management, waste and chemical management, and pollution prevention and waste minimization, among others. Speakers from each session presented useful ideas and tools for accomplishing environmental tasks.

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# EPA Region VI Conducts Environmental Management Reviews

**E**PA Region VI conducted four Environmental Management Reviews (EMRs) at federal facilities in FY2000. EMRs were conducted at the following facilities:

- U.S. Food and Drug Administration, Arkansas;
- U.S. Department of Agriculture, Agricultural Research Service, Southern Plains Area, College Station, TX;
- ARS Knipling-Bushland U.S. Livestock Insect Research Laboratory, Kerrville, TX; and
- U.S. Department of Treasury, Bureau of Engraving and Printing, Fort Worth, TX.

The EMR process reviews seven disciplines: organizational structure; environmental commitment; formality of environmental programs; internal and external communication; staff resources, training, and development; program evaluation, reporting, and development; and environmental planning and risk management. EPA has submitted draft EMR reports to each facility, and all reports are expected to be finalized soon.

Region VI is gearing up for its 2001 road trip and is looking for facilities/agencies to participate in the next round of EMRs.

## EPA Region VI Requests EMR Feedback

To improve the EMR process, EPA Region VI has requested EMR participants to comment on the usefulness of the EMR conducted at their facility.

Phil Smith, Safety and Health Manager at the USDA ARS, Southern Plains Area, provided the following comments after their EMR:

*While it's always beneficial to have an impartial, friendly review of your environmental management programs,*

*this EMR was particularly valuable in that it came as our agency was beginning its next round of strategic planning. The recommendations from this review will help us keep our laboratories in the forefront of environmental stewardship.*

*This EMR had both long and short term positive effects. In the long term, the recommendations from this review will pay dividends for years to come in the development of our environmental management programs. In the short term, the EPA team presented a seminar on the local watershed and geology that led to fresh thoughts on the relationship between our research, the community and water quality.*

J.E. (Cody) Partridge, Director of Environment, Safety and Health at the U.S. Food and Drug Administration, Jefferson Laboratories, Jefferson, Arizona provided the following feedback:

*The recently completed EPA Region VI EMR at our facility provided a quick, capsule review of our environmental management system/program. We chose to have an overview of all seven disciplines rather than focusing on one or two specific areas. The two person team was on-site for approximately 2 and 1/2 days conducting interviews and reviewing documentation. In addition, the EMR team had requested and received our response to a pre-site visit questionnaire. The EMR report was concise and straight forward with an evaluation of each of the seven disciplines. We have already begun to institute some of the suggestions and to correct our deficiencies. We found the EPA Region VI EMR process to be very helpful, non-threatening, and time well spent.*

Katherine Batiste, Environmental

Coordinator at the U.S. Department of Energy, Strategic Petroleum Reserve (SPR), provided the following comments on the recent EMR of two SPR facilities and management office:

*The EMR performed by EPA in June of 1999 at the SPR provided good, independent feedback on the strengths and opportunities for improvement regarding our Environmental Management System, and provided a preview of considerations for the subsequent successful ISO 14001 certification. It is noteworthy that the EMR was performed in a manner that created only minor impacts to the daily facility operations, but included a sampling across all levels of job functions, giving a good basis for evaluating the implementation of the overall Environmental Management System. This EMR proved valuable in providing a good sense of EPA's expectations in regard to effective Environmental Management Systems and their implementation, as well as providing excellent feedback on our Environmental Management System from an independent, third-party perspective, entirely consistent with EPA's new Performance Track Initiative.*

*As a suggested process improvement, when reviewing centralized Environmental Management Systems, begin the review at the centralized headquarters, followed by review of field locations, in lieu of the reverse as was done at the SPR, so as to follow the process flow-down and more clearly understand demarcation of responsibilities.*

Please call Joyce Stubblefield, EPA Region VI Federal Facilities Coordinator at (214) 665-6430 or e-mail [stubblefield.joyce@epa.gov](mailto:stubblefield.joyce@epa.gov) for more information.

# Cleaning National Parks: A Yellowstone and Grand Teton Pollution Prevention Project

**Y**ellowstone and Grand Teton National Parks are “greener” as a result of a joint project funded by EPA Region VIII, the Wyoming Department of Environmental Quality, and the National Park Service (NPS). Yellowstone and Grand Teton significantly reduced the toxicity of janitorial products used in park operations with help from a Jackson, Wyoming, company.

First, the consultants inventoried all the cleaning products at the Parks. At Yellowstone, they identified 130 products. Another 30 products were on the shelves but were not used. As they conducted the inventory at Yellowstone, the consultants found products containing chemicals such as 2-butoxyethanol, perchloroethylene, trichloroethylene, 1,1,1-trichloroethane, sodium hydroxide (lye), ammonia, phosphoric acid, bleach, naphthalene, toluene, xylene, and acetone. The large number of products meant dollars for appropriate storage space, hazardous waste disposal in some cases, and confusion as to what products did what jobs.

The consultants talked to NPS maintenance staff and managers to learn about their cleaning practices, tools, and challenges. The consultants then worked with the NPS Maintenance Office and two concessionaires – the medical clinics and service stations – to conduct a pilot implementation project during the winter season of 1998-1999. During the pilot at Old Faithful and Mammoth, new cleaning products were introduced that were both effective and met strict bid specifications issued by the city government of Santa Monica, California. Most of the new products are environmentally preferable for many reasons, including:

- They contain ingredients made from corn or soybeans (renewable resources);
- The general cleaning products do not contain disinfectants;
- They do not contain Toxic Release Inventory chemicals;



*Lexi Marsh, maintenance employee at Madison Junction, Yellowstone National Park, is one of the project “champions.”*

- VOC levels meet or exceed California’s VOC regulations for cleaning products;
- Products are sold in bulk and measured in appropriate concentrations by on-site dispensers; and
- Products are not delivered in aerosol cans.

As part of this project, disinfectants are used alone where absolutely necessary. Also, the manufacturer takes back the larger product containers, while the smaller five gallon containers can be recycled. Commercially strong, refillable bottles are used by the staff, eliminating disposal of empty pint or quart bottles.

After the pilot, Yellowstone decided to expand the project to all NPS facilities in the Park. Grand Teton, a neighboring park, joined the project. The Yellowstone Facility Manager said that use of sodium hypochlorite (bleach) has been dramatically reduced throughout the Park. The central warehouse began stocking most

of the 18 approved products and the warehouse manager was enthusiastic about the new approach. Staff at both parks said that they felt better after switching to the new products.

This project also succeeded because there was top management support. Introducing the program on a limited basis allowed Yellowstone to test products for performance and involve the janitorial staff in the decision-making process on whether to go park-wide. The consultants guided the project, providing training on proper disinfection practices, hands-on cleaning demonstrations, and oversight. The purchase of cleaning products was simplified. Finally, the “champions” for this project continued to look for new applications for environmentally preferable products.

Lessons learned included the importance of early coordination with the warehouse manager and purchasing departments, who can be effective advocates. There should be a champion for the project at each location. Strong management commitment is needed and should be regularly communicated.

A report, *Cleaning National Parks: Using Environmentally Preferable Janitorial Products at Yellowstone and Grand Teton National Parks*, is available. The report documents the process that the parks and their consultants used to introduce environmentally preferable cleaning products. The report is available on the EPA Region VIII web site at [www.epa.gov/region08](http://www.epa.gov/region08) under the Toxics and Poisons section.

Paper copies of the report will be available from EPA’s Pollution Prevention Information Clearinghouse. Contact [ppic@epamail.epa.gov](mailto:ppic@epamail.epa.gov) after December 15, 2000. The report is printed on text grade paper which is 100% process chlorine free and is made with 100% post-consumer content. It has a brightness of 90 and an opacity of 95.

If you have questions about the cleaning project, please call Dianne Thiel at (303) 312-6389.

## FIRST ENFORCEMENT ACTION

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priority for enforcement action. The initiative involved conducting inspections at selected federal facilities and performing follow-up enforcement actions, when appropriate. EPA Regions identified candidate facilities for inspection based on several criteria, including proximity to sources of drinking water or sensitive ecosystems, compliance history, and age of tanks. The inspections, which were conducted nationwide during the Summer and Fall of 1999, were carried out by a team of experienced state and federal inspectors.

At Fort Lewis, the Washington Department of Ecology participated with EPA in the inspection of the installation's UST systems during the Fall of 1999. Numerous violations were identified at that time, including leak detection problems at the Fort Lewis Logistics Center, which is located within one mile of Sequelitchew Springs, one of several

drinking water sources on or near the base. Most drinking water in the Fort Lewis area comes from relatively shallow ground water sources which are particularly vulnerable to contamination. Violations identified in the complaint involved over half of the sixty-two regulated UST systems on the base, with ten of the systems having more than one violation. Several of the violations had previously been brought to the attention of Fort Lewis during a 1994 inspection.

The complaint and order requires Fort Lewis to bring its USTs into compliance with the State of Washington's EPA-approved UST regulations. The complaint's proposed penalty assessment is intended to encourage timely resolution of the violations, and to deter federal agencies and others from incurring future violations. EPA's enforcement action had been delayed pending a decision by the Department of Justice's Office of Legal Counsel (OLC) on EPA's authority to assess penalties for noncompliance with UST requirements. The Fort Lewis action

is the first major penalty action taken against a federal facility since the DOJ opinion was issued (see below for a summary of the DOJ opinion).

"Anyone who lives on or near a U.S. Army base should expect the same environmental safeguards that everyone else enjoys," said Chuck Findley, Acting EPA Regional Administrator. "Many of the violations at Ft. Lewis involved inoperative or malfunctioning leak detection equipment. Base personnel have had 10 years to upgrade their facilities and know that leak detection is our first line of defense in protecting the purity of our groundwater and safeguarding the public from potentially dangerous leaks of gasoline."

For further information on the Fort Lewis action, contact Tim Hamlin at (206) 553-1563 or Melanie Garvey at (202) 564-2579. For information on the National Federal Facilities UST Initiative, contact Lance Elson at (202) 564-2577.

## DOJ OPINION CONFIRMS EPA'S PENALTY AUTHORITY AGAINST FEDERAL AGENCIES FOR VIOLATIONS OF RCRA UST REQUIREMENTS

The Department of Justice has resolved a dispute between EPA and the Department of Defense (DoD) by confirming EPA's authority to require federal agencies to pay penalties for violations of RCRA UST requirements. The Opinion was issued by DOJ's Office of Legal Counsel (OLC) on June 14, 2000. The dispute between EPA and DoD originated from the two agencies' differing interpretations of whether RCRA Sections 6001(b) and 9006 confer upon EPA authority to assess administrative penalties for UST violations.

The OLC Opinion confirmed EPA's penalty authority against federal agencies under RCRA Sections 6001(b) and 9006 using the clear express statement standard, and confirmed the validity of EPA's UST field citation procedures. OLC examined the UST issues and concluded that "RCRA clearly grants EPA the authority to assess penalties against federal agencies for UST violations and that EPA's UST field citation procedures do not violate RCRA or the Constitution." The OLC Opinion also states that "a straightforward reading of RCRA's statutory text and the relevant legislative history leads us to conclude that it was clearly Congress' intent to

authorize EPA to assess penalties against federal agencies for violation of the UST requirements."

This long-awaited confirmation of the validity of EPA's UST field citation procedures and EPA's UST penalty authority over federal agencies is an important development for the Federal Facilities Enforcement Program. OLC's UST Opinion is consistent with its July 1997 Opinion that confirmed EPA's penalty authority under Sections 113(d), 205(c), and 211(d)(1) of the Clean Air Act. In both Opinions, DOJ determined that EPA has penalty authority against federal agencies under any law, provided that the statute clearly provides the authority, regardless of whether the waiver of sovereign immunity would be considered broad enough to subject federal agencies to penalties assessed by those outside the federal government. EPA now has administrative order and penalty authority against federal facilities under several environmental laws including the Safe Drinking Water Act, the Clean Air Act, RCRA (UST and hazardous waste), and the lead-based paint provisions of Title IV of the Toxic Substances Control Act.



## Workshops and Conferences

### Workshop to Address Management of Contaminated Federal Facilities

The U.S. Department of Energy (DOE) Oakland Operations Office, DOE's Office of Science and Technology, EPA Region IX, and other federal agencies will sponsor a workshop on land transfer and long-term stewardship of contaminated federal facilities on December 13-15, 2000, at the Argent Hotel in San Francisco.

With a focus on the unique policy and technical issues that affect federal facilities, the workshop will involve a wide range of stakeholders, such as federal and state project managers and regulators, private sector contractors, technology researchers and vendors, insurance and finance representatives, and public interest groups and stakeholders.

Guest speakers will address topics such as:

- land transfer;
- managing contamination over the long term;
- liability issues and risk financing;
- risk based corrective action;
- land use and institutional controls;
- post-closure sampling and monitoring techniques; and
- GIS/information management issues.

Pacific Rim Enterprise Center, a non-profit organization that develops innovative, practical solutions to complex regional, national, and international environmental problems, is hosting the workshop. For more information, please visit the workshop web site at [www.pacific-rim.org/calconf](http://www.pacific-rim.org/calconf).

### Region VII's Federal Healthcare Facilities Compliance Assistance Workshop

On September 14, 2000, the EPA Region VII Federal Facilities Program conducted a Federal Healthcare Facilities Compliance Assistance Workshop in Topeka, Kansas. This workshop was held in conjunction with the 2000 Region VII Pollution Prevention Roundtable (P2RT) meeting, which focused on healthcare facilities. The meeting and workshop provided the perfect opportunity to coordinate the requirements of environmental regulations with P2 solutions. The goal of both the workshop and P2RT meeting was to assist healthcare facilities in learning about environmental regulations faced by hospitals and solutions to managing healthcare waste streams.

Workshop and P2RT presentations addressed a variety of topics, including environmental regulations which affect hospitals, environmental management systems, P2's relation to the healthcare industry, infectious wastes, re-useable sharps container programs, garbage and cafeteria wastes, and procurement issues.

As a follow-up to the workshop, the University of Nebraska-Omaha is establishing a healthcare topic hub to provide information on compliance and pollution prevention for the industry.

For more information, please contact Diana Jackson, Region VII Federal Facilities Program Manager, at (913) 551-7744 or [jackson.diana@epa.gov](mailto:jackson.diana@epa.gov).

### Region VI Conducts Outreach on Using the Geographical Information System

EPA Region VI has conducted five outreach efforts with the federal community on the use of the Geographical Information System (GIS) for environmental screening. EPA Region VI is using GIS as a cumulative risk analytical tool, finding that GIS opens opportunities to explore facility operations in concert with the natural environment. One facility found that the information presented on its local watershed and geology led to new ideas on the relationship between its research, the community, and water quality. GIS can be used to index sub-watershed level ecological vulnerability data coupled with facility-specific operational data.

EPA Region VI discussed the GIS analysis approach at the following locations:

- U.S. Army Fort Polk, LA (November '99),
- Texas P2 Partnership Meeting, San Antonio, TX (December '99),
- U.S. Department of Agriculture, Agriculture Research Service Knippling-Bushland, U.S. Livestock Insect Research Laboratory, Kerrville, TX (May '00),
- Corps of Engineers, New Orleans District Office, New Orleans, LA (August '00), and
- NEPA Training Course, Dallas, TX (September '00).

To see this tool, please visit <http://www.epa.gov/earth1r6/6en/xp/enxp4a.htm> or contact Dr. Sharon L. Osowski at (214) 665-7506 or Dr. Gerald Carney at (214) 665-6523.

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## April 2001 Environmental Symposium and Exhibition: A New Era for Federal Environmental Leadership, Management and Technology

The Environmental Systems Division of the National Defense Industrial Association, in cooperation with the Deputy Under Secretary of Defense, the Civil Engineer Headquarters of the U.S. Air Force, and EPA's Federal Facilities Enforcement Office, is sponsoring the 27th Environmental Symposium and Exhibition, *A New Era for Federal Environmental Leadership, Management and Technology*. The symposium will be held April 23-26, 2001 in Austin, Texas.

The purpose of the symposium is to present issues related to federal agency environmental leadership. Discussion at the symposium will focus on the integration of environmental accountability managing impacting activities and the application of technology to ensure appropriate compliance with Executive Order 13148. Industry leaders, practitioners, environmental officials, and other government agency personnel are expected to attend the symposium.

Since EPA was unable to sponsor a Civilian Federal Agency (CFA) Symposium this year, FFEO is hosting an *EMS Self-Assessment Workshop* on the first day of the symposium, Monday, April 23, 2001. The workshop will focus on Executive Order 13148 responsibilities. While this workshop is designed for CFAs, it is open to all federal agencies.

Solicitation for papers and exhibitors has been extended for the Environmental Symposium and Exhibition. Check the information on the call for papers at <http://register.ndia.org/interview/register.ndia?~Brochure~144>.

For additional information, contact Sarah Hart at (202) 564-2457.

## NEPA TRAINING

EPA Region VI recently hosted a four-day National Environmental Policy Act (NEPA) training course that focused on writing Environmental Assessments and Environmental Impact Statements, and managing the NEPA process. The course was well received by the federal agencies, who indicated there are few courses available that cover these topics. Participants were from several federal agencies including the Department of Energy, Corps of Engineers, U.S. Department of Agriculture, and EPA. EPA's goal is to continue offering NEPA training courses to the regulated community, to keep the lines of communication open, and to inform federal agencies about training. Region VI is developing another course, for the Spring 2001, that will focus on writing NEPA documents and managing the NEPA process.

EPA is soliciting comments from federal agencies on how to improve NEPA training and other aspects of information sharing. To comment, please contact Joyce Stubblefield, Region VI Federal Facilities Coordinator, at (214) 665-6430 or [stubblefield.joyce@epa.gov](mailto:stubblefield.joyce@epa.gov). Jana Harvill may also be contacted at (214) 665-8369 or [harvill.jana@epa.gov](mailto:harvill.jana@epa.gov). The Region VI internal NEPA 309 review checklist for EISs can be found at <http://www.epa.gov/earth1r6/6en/enxp4b.htm>.

## PARTNERSHIPS

*Continued from page 6*

Speakers from EPA Headquarters included:

- James Woolford (FFRRO) - Remediation policy overview;
- Michael Haire (OFW) - TMDLs;
- Rob Lischinsky (OECA/OC/METD) - Sector facility indexing;
- Greg Snyder (FFEO) - New Executive Orders and enforcement and compliance assurance;
- Emily Chow (OECA) - Compliance assistance clearing house;
- Ken Shuster (OSW) - Munitions rules; and
- Terrence Slonecker (EPIC) - EPIC/GIS at DoD facilities.

Special Partnership Initiatives, such as the Chesapeake Bay Program and Anacostia River Toxics Alliance, were cited a programs that have successfully promoted partnerships between EPA, DoD, and state regulators. The programs demonstrate that agencies can work together to produce significant environmental change.

Individual break-out sessions for each state and military branch focused on exchanging information pertinent to that state or military branch. These individual sessions were well received and informative.

Information on the conference, including an attendee list and speakers' notes, is available on Region III's web site at <http://www.epa.gov/reg3esd1/fedfac/index.html> or by calling Bill Arguto at (215) 814-3367.

## Upcoming Events

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**December 13-15, 2000**

### Workshop to Address Management of Contaminated Federal Facilities

*San Francisco, CA*

[www.pacific-rim.org/calconf](http://www.pacific-rim.org/calconf)

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**April 23-26, 2001**

### A New Era for Federal Environmental Leadership, Management and Technology

*Austin, TX*

<http://register.ndia.org/interview/register.ndia?~Brochure~144>

United States Environmental  
Protection Agency (2261A)  
Washington, DC 20460

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## LIST OF ACRONYMS

AFB	Air Force Base	METD	Manufacturing, Energy, and Transportation Division
ALJ	Administrative Law Judge	NASA	National Aeronautics and Space Administration
BCT	BRAC Cleanup Team	NEIC	National Enforcement Investigation Center
BRAC	Base Closure and Realignment Act	NEPA	National Environmental Policy Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act	NMED	New Mexico Environmental Department
CFA	Civilian Federal Agency	NPS	National Park Service
DoD	Department of Defense	OC	Office of Compliance
DOE	Department of Energy	OECA	Office of Enforcement and Compliance Assurance
DOJ	Department of Justice	OLC	Office of Legal Counsel
EAB	Environmental Appeals Board	ORE	Office of Regulatory Enforcement
EPCRA	Emergency Planning and Community Right-to-Know Act	OSW	Office of Solid Waste
EPIC	Environmental Photographic Interpretations Center	P2	Pollution Prevention
EMR	Environmental Management Review	P2RT	Pollution Prevention Roundtable
EPA	Environmental Protection Agency	RADM	Rear Admiral
FFEO	Federal Facilities Enforcement Office	RCRA	Resource Conservation and Recovery Act
FFRRO	Federal Facilities Restoration and Reuse Office	SPR	Strategic Petroleum Reserve
GIS	Geographic Information System	TCE	Trichloroethylene
ISO	International Organization for Standardization	TNRCC	Texas Natural Resource Conservation Commission
LRRRA	Lubbock-Reese Redevelopment Authority	UST	Underground Storage Tank
		WSTF	White Sands Test Facility