

Georgia Department of Natural Resources

205 Butler Street, S.E., Suite 1154 Atlanta, Georgia 30334

Joe D. Tanner, Commissioner
Harold F. Reheis, Director
Environmental Protection Division



HAAF
Act Enforcement #2
Inspection #7
Fines #1

July 30, 1993

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Lieutenant Colonel David A. Fagan
Director, Engineering & Housing
Hqtrs., 24th Inf. Div. (Mech.) and Fort Stewart
Fort Stewart, Georgia 31314-5000

RE: Notice of Violation

Dear Colonel Fagan:

This correspondence confirms an inspection of Hunter Army Airfield (HAAF) on April 21, 1993 by the Georgia Environmental Protection Division (EPD) performed by Derrick Williams, Bruce Khaleghi, and Edwin Williams. The purpose of the inspection was to evaluate HAAF compliance with provisions of the Georgia Hazardous Waste Management Act (GHWMA) and the Rules of the Georgia Department of Natural Resources Environmental Protection Division Chapter 391-3-11 (Rules). Below are EPD's findings.

A. 40 CFR 262.34 (a)(3): "Accumulation Time":

(a) Except as provided in paragraphs (d), (e), and (f) of this section, a generator may accumulate hazardous waste on-site for 90-days or less without a permit or without having interim status, provided that:

(3) While being accumulated on-site, each container and tank is labelled or marked clearly with the words, "Hazardous Waste".

HAAF is in violation of Chapter 391-3-11 Section .08 of the Rules which incorporates by reference 40 CFR 262.34 (a)(3) for the following:

1. For failure to mark one 55-gallon container of antifreeze in the PDO Yard DRMO storage area with the words "Hazardous Waste". This container was identified by Ms. Eason as hazardous waste.
2. For failure to mark eight 55-gallon containers of paint waste in the PDO Yard DRMO storage area with the words "Hazardous Waste".

3. For failure to mark one 55-gallon container labelled JP4 pads in the PDO Yard DRMO storage area with the words "Hazardous Waste". This container was identified by Ms. Eason as containing hazardous waste.

Documentation of the correction of these violations should be provided to this office within thirty (30) days of receipt of this notice.

B. 40 CFR §262.11: Hazardous Waste Determination:

A person who generates a solid waste as defined in 40 CFR 261.2 must determine if that waste is a hazardous waste. He should first determine if the waste is excluded from regulation under 40 CFR 261.4 and he must then determine if the waste is listed as a hazardous waste in Subpart D of 40 CFR 261. For purposes of compliance with 40 CFR 268, or if the waste is not listed in Subpart C of 40 CFR 261, the generator must then determine whether the waste is identified in Subpart C of 40 CFR Part 261 by testing the waste according to the methods set forth in Subpart C of 40 CFR Part 261, or according to an equivalent method approved by the Administrator under 40 CFR 260.21, or applying knowledge of the hazard characteristic of the waste in light of the materials or the processes used.

HAAF is in violation of the Rules of Georgia Department of Natural Resources Environmental Protection Division Chapter 391-3-11 Section .08 which incorporates by reference 40 CFR 262.11 for the following:

1. For failure to determine whether the contents of sixty-nine 55-gallon containers stored in or around the PDO Yard were hazardous waste.
2. For failure to determine whether the contents of two above ground storage tanks containing used oil and fuel inside the PDO Yard were hazardous waste.
3. For failure to determine whether the contents of one tank holding used oil outside Hanger 850 was a hazardous waste.

4. For failure to determine whether the contents of two tanks containing waste fuel and oil outside Hanger 860 were hazardous waste.
5. For failure to determine whether the contents of one 55-gallon container labelled "Antifreeze" inside Building 1336 was a hazardous waste.
6. For failure to determine whether the contents of two 55-gallon containers located northwest of Building 1336 were hazardous waste.
7. For failure to determine whether the contents of one tank labelled contaminated fuel located northwest of Building 1336 was a hazardous waste.
8. For failure to determine whether the contents of six 55-gallon containers located southeast of Building 1336 were hazardous waste.
9. For failure to determine whether waste oil collected at the oil water separator located southeast of Building 1336 was a hazardous waste.
10. For failure to determine whether the contents of twenty five 55-gallon containers outside Building 1310 in the waste storage area were hazardous waste.
11. For failure to determine whether the contents of two tanks in Building 811 containing waste oil and fuel were hazardous waste.
12. For failure to determine whether the contents of two 55-gallon containers in Building 811 were hazardous waste.
13. For failure to determine whether the contents of four tanks containing off-specification oil and fuel in Building 838 were hazardous waste.
14. For failure to determine whether the contents of one 55-gallon container labelled "Antifreeze" in Building 838 was a hazardous waste.

Actions to correct the above violations should be commenced immediately, and a report stating the findings and providing analytical results of the required determination must be submitted to the EPD within forty-five days. Please provide a one week notice before sample collection in order to split samples and provide overview on procedures used to collect samples.

C. 40 CFR 262.34(a)(2): Date of Accumulation Marked:

(a) Except as provided in paragraphs (d), (e), and (f) of this section, a generator may accumulate hazardous waste on-site for 90-days or less without a permit or without having interim status, provided that:

(2) The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container.

HAAF is in violation of the Rules of Georgia Department of Natural Resources Environmental Protection Division Chapter 391-3-11 Section .08 which incorporates by reference 40 CFR 262.34 (a)(2) for the following:

1. For failure to date one container marked "Hazardous Waste" containing paint waste in Building 838.

D. 40 CFR 265.15 (a) & (c): General Inspection Requirements:

(a) The owner or operator must inspect his facility for malfunctions and deterioration, operator errors, and discharges which may be **causing** - or may **lead** to: (1) Release of hazardous waste constituents to the environment or (2) a threat to human health.

(c) The owner or operator must remedy any deterioration or malfunction of equipment or structures which the inspection reveals on a schedule which ensures that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or has already occurred, remedial action must be taken immediately.

HAAF is in violation of Chapter 391-3-11 Section .08 of the Rules (which incorporates by reference 40 CFR which the Georgia Rules adopt by reference 265.15 (a) & (c).

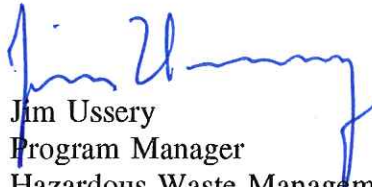
1. At the time of the inspection, signs of releases of hazardous waste constituents were observed throughout the facility (stained soil, stressed vegetation, etc.).

The preceding 131 violations indicate that the HAAF waste management plan is inadequate. EPD representatives provided verbal notice and instruction to the Facility escorts regarding observed violations as these were discovered. Area supervisors responsible for the management of waste were unfamiliar with the rules governing the management of hazardous waste containers and tanks. A hazardous waste determination for waste streams generated as a result of maintenance of equipment and training of personnel has not been performed. Knowing the hazard characteristic of a waste stream is crucial to the management of that waste stream, and failure to perform a hazardous waste determination is a high priority violation. Because hazardous waste determinations have not been performed and supported by analytical sample results, the possibility exists that hazardous waste has been stored, treated, transported, and disposed of at non-permitted areas and facilities. Some wastes required to undergo a hazardous waste determination by this notice were stored and accumulated in tanks and containers which were observed to be open, unlabelled, dented, corroding, overfilled, and leaking. In many cases, the contents and origin of a container could not be identified by the person charged with the responsibility of managing the waste area. Mismanagement of containers was observed at almost every area of the HAAF. Waste streams were also inconsistently managed. Some waste antifreeze in the DRMO storage area at HAAF and all waste antifreeze at Fort Stewart were identified as hazardous waste but containers of waste antifreeze at other points of generation and storage at HAAF were handled as a solid waste without analytical results to support that determination. Further, some waste antifreeze is mixed with waste oil which may make the waste oil stream a hazardous waste under the mixture rule. Stained soil was observed at waste fuel and oil accumulation points and storage areas which, at a minimum, indicates the unpermitted release of hazardous constituents and requires remediation. Numerous violations noted in this NOV are of the same type and in the same areas reported in the Federal Facilities Multi-Media Inspection Report for Fort Stewart and Hunter Army Airfield dated May 5-6, 1992. Recommendations made in the Multi-Media Report for increased training of installation personnel, increased internal and external inspection activity, review and revision of the facility waste management plans, review of hazardous wastes generated, proper waste determinations on all waste streams, and additional command emphasis on compliance with waste management regulations have not been implemented or are still inadequate.

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A copy of the trip report is enclosed to provide additional information. Pictures taken with the polaroid camera did not have duplicates; however, a xerox copy has been provided, and the originals can be viewed in the administrative file kept at our office. Should you have any questions, please call Bruce Khaleghi at (404) 656-2833.

Sincerely,



Jim Ussery
Program Manager
Hazardous Waste Management Branch

JU:bk

File: Hunter Army Airfield (R)
Enclosures: Trip Report