



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200

DALLAS, TX 75202-2733

SEP 23 2015

Darrell L. Elliott
Director, Environment Management Office
US Army McAlester Army Ammunition Plant
1 C Tree Road
McAlester, OK 74501

Re: In the Matter of US Army Ammunitions Plant
Docket Number EPCRA-06-2015-00513

Dear Mr. Elliott:

Enclosed is the fully executed Notice Of Noncompliance (NON) for the US Army Ammunitions Plant located in McAlester, Oklahoma. The NON contains violations that were discovered during the EPCRA Section 313 inspection that was conducted at your facility on November 4-5, 2014. The violations contained in the enclosed NON have been corrected since the time of inspection and therefore no further action is required by your facility at this time.

If you have any questions, or concerns regarding this matter, please contact Stan Lancaster at (214) 665-8034. Your cooperation in the settlement of this case is most appreciated.

Sincerely yours,

A handwritten signature in black ink that reads "Wren Stenger". The signature is fluid and cursive, with the first name "Wren" and last name "Stenger" clearly distinguishable.

Wren Stenger
Director
Multimedia Planning and
Permitting Division

Enclosure (1)

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE
DALLAS, TX 75202

FILED
2015 SEP 23 PM 2:11
REGIONAL HEARING CLERK
EPA REGION VI

IN THE MATTER OF:)

THE UNITED STATES DEPARTMENT)
OF THE ARMY, McALESTER)
ARMY AMMUNITION PLANT (MCAAP))

McALESTER, OKLAHOMA)
_____)

DOCKET NO. EPCRA-06-2015-0513

NOTICE OF NONCOMPLIANCE

Notice is hereby given through this Notice of Noncompliance (NON) that the United States Department of the Army, the owner/operator of the McAlester Army Ammunition Plant, McAlester, Oklahoma (MCAAP) has violated Section 313(a) of the Emergency Planning and Community Right-to-Know Act (EPCRA), 42 U.S.C. § 11023(c), and 40 C.F.R. § 372.30 by failing to timely submit complete and accurate Form Rs to the United States Environmental Protection Agency (EPA) and to the State of Oklahoma.

On or about November 4 - 5, 2014, an EPA inspector from Region 6 conducted an EPCRA Section 313 inspection at your facility. This inspection was carried out to determine your facility's compliance with Section 313 of EPCRA, 42 U.S.C. § 11023, and 40 C.F.R. Part 372.

Based on Executive Order 13423, each agency is required to comply with the provisions set forth in Section 313 of EPCRA, 42 U.S.C. § 11023, and 40 C.F.R. Part 372 without regard to North American Industrial Classification System (NAICS) delineations. Therefore, MCAAP

was a covered facility at the time of the inspection for reporting under Section 313 of EPCRA, 42 U.S.C. § 11023 and 40 C.F.R. Part 372.

MCAAP “processed, manufactured or otherwise used ” aluminum (fume or dust), chromium, copper, nickel, diisocyanates, zinc (fume or dust) and lead compounds, listed EPCRA Section 313 toxic chemicals, in excess of an applicable threshold quantity as set forth in 40 C.F.R. 372.25(a).

EPA determined that MCAAP committed the following violations:

1. MCAAP violated Section 313(a) of EPCRA, 42 U.S.C. § 11023(c), and 40 C.F.R. § 372.30 by failing to timely submit complete and accurate Form Rs for aluminum (fume or dust), lead compounds and zinc (fume or dust) for Reporting Year (RY) 2011 to EPA and the State of Oklahoma by July 2, 2012.

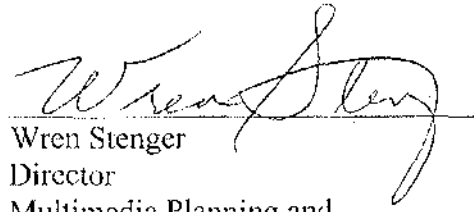
2. MCAAP violated Section 313(a) of EPCRA, 42 U.S.C. § 11023(c), and 40 C.F.R. § 372.30 by failing to timely submit complete and accurate Form Rs for aluminum (fume or dust) and diisocyanates for RY 2012 to the EPA and the State of Oklahoma by July 1, 2013.

3. MCAAP violated Section 313(a) of EPCRA, 42 U.S.C. § 11023(c), and 40 C.F.R. § 372.30 by failing to timely submit complete and accurate Form Rs for aluminum (fume or dust), chromium, copper and nickel for RY 2013 to the EPA and the State of Oklahoma by July 1, 2014.

This Notice of Noncompliance is issued by the EPA in lieu of any further action at this time. Since the time of inspection, MCAAP has corrected the violations listed above. MCAAP must continue to report in the future for all Section 313 EPCRA toxic chemicals which are utilized at the facility above their applicable threshold amounts. This matter is considered closed at this time. Should you have any questions concerning this NON, you may contact Stan

Lancaster of my staff at 214.665.8034, or email at lancaster.stan@epa.gov, or in writing to the address provided at the beginning of this document.

Dated: 9/23, 2015



Wren Stenger
Director
Multimedia Planning and
Permitting Division
U.S. EPA, Region 6
Dallas, TX

Sent to:

Darrell L. Elliott
Director, Environment Management Office
US Army McAlester Army Ammunition Plant
1 C Tree Road
McAlester, OK 74501

Certified Mail Return Receipt Requested # 7012 3050 0001 6500 2765