

PPC 9502.1986(17)

DOD'S IRP PROGRAM AND RCRA CORRECTIVE ACTION

September 29, 1986

Captain Michael Carricato  
Deputy Assistant Secretary  
of Defense (Environment)  
Room 3D833  
The Pentagon  
Washington, D.C. 20301-8000

Subject: Summary of the September 17, 1986 Meeting

Dear Captain Carricato:

Thank you for coming here to discuss the applicability of RCRA to DOD's installations. I was encouraged by our meeting, and I was pleased with our progress in identifying RCRA issues that arise at your facilities. This letter summarizes my understanding of the issues we discussed at the September 17 meeting. Please contact me if your understanding of our meeting differs from the following.

We discussed three issues that often arise when EPA is preparing a RCRA permit for a DOD facility. These issues arose recently in two letters from DOD to EPA Region III. These letters addressed RCRA permits at DGSC in Richmond, and Aberdeen Proving Ground. We are anxious to resolve these issues and I hope that our recent discussions more accurately reflect DOD policy than do the two letters. The three issues are:

1. Will EPA's RCRA permits incorporate the IRP cleanup schedule for "IRP units"?
2. Does EPA's RCRA program have oversight over the IRP?
3. Does RCRA apply to "non-IRP units"?

We agreed that EPA's schedule of compliance under §3004(u) could incorporate, to the extent practicable, the IRP cleanup schedule. We further agreed that EPA's RCRA program included oversight over the IRP cleanup when included in the permit. Finally, we agreed to further discuss the applicability of RCRA to "non-IRP units."

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We discussed EPA's definition of "facility." I reiterated EPA's position that is discussed in the March 5, 1986 FR Notice. We agreed that if DOD wishes to pursue this issue, you will discuss this with me, and I will schedule a meeting with Marcia Williams, if necessary.

We agreed on the need for policy development between our offices and for dispute resolution procedures. I suggested two possible mechanisms:

- a headquarters-level task force that would meet regularly to discuss issues and resolve policy questions for DOD facilities;

- a process for resolving disputes between DOD and authorized States or EPA Regional offices. We agreed to address these proposals in more detail during subsequent meetings between our two offices.

I mentioned a meeting between our two Offices of General Counsel on the issue of DLA ownership. You agreed to look into ways of expediting the transfer of information to us about DLA's property management authority. This information will assist our General Counsel's office in resolving this issue.

We will contact you shortly to set up another meeting. Please let me know if you have anything to add to this summary.

Sincerely yours,

Bruce R. Weddle, Director  
Permits and State Programs Division  
Office of Solid Waste

cc: Paul Connor  
Mike Heeb  
Warren Hull  
Marcia Williams

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