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DEMILITARIZATION OF MUNITIONS

January 7, 1987

M. J. Carricato, CAPT. CPC, USN
Acting Director
Environmental Policy
Office of the Assistant Secretary of Defense
Department of Defense
Washington, DC 20301-8000

Dear Captain Carricato:

We have reviewed the final draft DOD Instruction on the Applicability of RCRA to demilitarization of munitions. Agreement between EPA and DOD on this issue is being achieved at a critical time. Review of RCRA Part B permit applications for the proposed incinerators to destroy munitions containing chemical agents would have been delayed if the demilitarization issue had been left pending.

As you know, due to recent developments at Camp Edwards, Maine, open detonation of discard munitions on training grounds and impact ranges continues to be a subject of discussion between DOD and EPA. Until issue posed by some of the military's open detonation activities are analyzed and resolved to our mutual satisfaction, we recommend deleting paragraphs 6 and 7 from the final Instruction. Deletion of these two sections does not appear to jeopardize the value of the rest of this Instruction. If you consider it advisable to modify the references to open burning or detonation made elsewhere in the Instruction, we would be happy to review any revisions DOD proposes. Paul Connor (475-7066) is available to assist your staff, as necessary, in this regard.

We have noted a minor inaccuracy regarding RCRA coverage in the draft Instruction. The exclusion referred to in paragraph 8 is only for off-specification small arms ball ammunition. There are other ammunition types of similar caliber that are subject to RCRA.

We also want to offer some comments that would ease implementation of this Instruction, both by DOD personnel and by

EPA and State RCRA staffs:

- There should be a clear identification of munitions that have already been declared a waste by the various DOD branches. For example, EPA understands the M55 rockets are not affected by this Instruction. For administrative ease, a list of all such munitions already designated as wastes (not only those containing chemical agents) should be attached to the final Instruction.

- An indication of how the Instruction applies to "leakers" should also be included in the final version. The text

(or, alternatively, accompanying guidance) should clarify whether leakers--which are not commonly thought of as being amenable to further use--are covered by this instruction to the same extent as all other munitions.

- All DOD field personnel must clearly understand that as soon as munitions are declared to be hazardous waste, it is important to clearly distinguish them from other items also scheduled for demilitarization. The RCRA requirements apply to the hazardous wastes even when they are co-mingled with other munitions. The designated wastes must, for instance, be accompanied by the Uniform National Manifest if shipped to a demilitarization site together with other munitions.

My staff is willing to assist DOD to prepare guidance on interpretation of the final Instruction, especially concerning "leakers" and situations where hazardous wastes and other munitions are co-located or mixed in the same shipment. Please contact Paul Connor to arrange for prompt review of any DOD implementation guidance.

I hope our comments are useful in finalizing the DOD Instruction.

Sincerely,

Marcia Williams
Director