

US EPA ARCHIVE DOCUMENT

EMERGENCY PERMIT

Effective Date: April 14, 2000

Expiration Date: May 1, 2000

Under the provisions of 40 C.F.R. § 270.61, this emergency permit is issued to:

**U. S. Naval Station Roosevelt Roads
Ceiba, Puerto Rico**

(hereinafter referred to as the Permittee)

for the thermal treatment by open detonation of a maximum of 3 pounds net explosive weight (NEW) of waste explosives consisting of 6 sticks of nitroglycerin based military dynamite with an identification DODIC/NALC M585 (hereinafter referred to as deteriorated military munitions) at the Small Arms Range at the U.S. Naval Station Roosevelt Roads facility, in Ceiba, PR (Roosevelt Roads). The permit is subject to compliance with all conditions specified by 40 Code of Federal Regulations (C.F.R.) Parts 264, 266 Subpart M, and 270 to the extent possible and not inconsistent with the emergency situation and all other applicable regulations promulgated by the United States Environmental Protection Agency (EPA). The issuance of this emergency permit does not supersede the requirements to obtain any other permits normally required for such an activity.

The permittee must comply with the conditions incorporated within this document in order for this permit to remain valid. The EPA will consider amendment or modification of the specific terms of the conditions if the applicant submits a written request within five (5) calendar days of receipt of the permit.

Date

Kathleen C. Callahan
Director
Division of Environmental Protection & Planning

GENERAL CONDITIONS

1. This emergency permit for open detonation of 3 pounds net explosive weight (NEW) of waste explosives consisting of 6 sticks of nitroglycerin based military dynamite with an identification DODIC/NALC M585 at the Small Arms Range at the U.S. Naval Station Roosevelt Roads facility, in Ceiba, PR is issued because the above material can not be

safely treated by open burning/open detonation at the interim status unit on the Atlantic Fleet Weapons Training facility in Vieques, Puerto Rico. This emergency permit will expire upon completion of the open detonation of the 6 sticks of nitroglycerin based military dynamite with an identification DODIC/NALC M585 at the Small Arms Range at the U.S. Naval Station Roosevelt Roads facility, in Ceiba, PR, or the expiration date of this permit, whichever period is shorter.

2. Should extenuating circumstances prevent completion of the open detonation of 6 sticks of nitroglycerin based military dynamite with an identification DODIC/NALC M585 at the Small Arms Range at the U.S. Naval Station Roosevelt Roads facility, in Ceiba, PR within the allotted time, this permit may be extended one time only (but in no event shall the total duration of the permit exceed ninety (90) days). Any such request must be provided in written form to the EPA with full explanation of the delays encountered and justification for the additional time proposed. The extension shall not become valid until and unless written confirmation has been issued by the EPA.
3. Minor modifications to the open detonation plan may be requested by the Permittee during the valid period of this permit, but must be fully justified by the Permittee and granted by the EPA prior to commencement of modified operations.
4. The open detonation shall be conducted during daylight hours only. The open detonation shall not be conducted during heavy precipitation, excessive wind speed or other adverse weather conditions which pose a safety hazard to operating or off-site personnel, or when mechanical malfunctions occur which prevent conformance with any operating conditions.
5. This emergency permit may be terminated by the Director, Division of Environmental Protection & Planning at any time without process if she determines that termination is appropriate to protect human health and the environment.
6. To enable local and Commonwealth authorities to provide information to the public concerning activities authorized by this permit, the Permittee shall notify local and Commonwealth authorities prior to and upon completion of open detonation activities.
7. The Permittee shall submit to the EPA, at the address listed in Condition 9 of General Conditions section of this permit, a certification that the open detonation has been carried

out in accordance with the approved open detonation plan within twenty (20) days of completion of the open detonation. The certification shall be signed and sealed in accordance with 40 C.F.R. §270.30(k).

8. The Permittee shall comply with all applicable requirements of 40 C.F.R. Parts 264, 266 Subpart M, and 270 not specifically referenced within this document to the extent possible and not inconsistent with the emergency situation. Failure to comply with any or all conditions specified within this permit or EPA's discovery that any material facts have been misrepresented by the permittee may result in the termination of this permit by the Director, Division of Environmental Protection & Planning and/or EPA pursuing an enforcement action for the Permittee's failure to comply with the conditions of this emergency permit or for the Permittee's misrepresentation.
9. All documents required by this Emergency Permit shall be submitted to:

United States Environmental Protection Agency
Division of Environmental Protection & Planning
RCRA Programs Branch
290 Broadway, 22nd floor
New York, New York 10007-1866
10. Detailed requirements for the open detonation are specified in the attached Specific Conditions Section. The conditions set forth therein supersede any proposals submitted by the Permittee.

SPECIFIC CONDITIONS

1. The Permittee shall conduct the thermal treatment of the waste explosives by open detonation in accordance with the letter of April 10, 2000, and its attachments, from W. N. Hughes, Commander, U.S. Navy, Naval Station Roosevelt Roads, to Ms. Kathleen C. Callahan, Director, Division of Environmental Planning and Protection, United States Environmental Protection Agency (EPA) Region 2 (hereinafter referred to as the "Application", and incorporated into this permit) unless superseded below.
2. The Permittee is authorized to thermally treat by open detonation a maximum of 3 pounds net explosive weight (NEW) of waste explosives consisting of 6 sticks of nitroglycerin based military dynamite with an identification DODIC/NALC M585 and a weight of 3 lbs NEW.

The Permittee shall conduct the open detonation inside the Small Arms Range at Roosevelt Roads as shown on attached figures 1 and 2. Detonation of deteriorated military munitions outside of this area shall be prohibited.

3. The Permittee shall use authorized explosive ordnance detonation (EOD) personnel to detonate all explosives wastes. The EOD personnel shall comply with all requirements for safe detonation practices and procedures given in the Application.
4. The Permittee shall adhere to all security and safety procedures given in the Application.
5. The Permittee shall immediately carry out the provisions of the Contingency Plan referenced in the Permittee's RCRA permit number PR2170027203, if there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.
6. The Permittee shall record the amount, type of material, date and time of detonation and document how the procedures set forth in the application were conducted. These records shall be forwarded to the EPA at the address listed under Condition 9 of General Conditions section of this permit within twenty (20) days of completion of the detonation authorized by this permit.