

Boeing Aircraft
(File)
1/10/86

BEFORE THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

cc. O'Connor
1-24-86

In the Matter of the Environmental
and Public Health Concerns at the
Boeing Military Airplane Company Site
and Surrounding Area

Case No. 86-E-3

ORDER

Now on this 10th day of January, 1986, the matter of the environmental and public health concerns at the Boeing Military Airplane Company site and surrounding area comes on for review by the Secretary of Health and Environment.

The Secretary, after having been advised by her staff and having before her the contents of the administrative file, makes the following:

FINDINGS OF FACT

1. The Boeing Military Airplane Company, a Division of The Boeing Company (hereinafter "Boeing"), has brought to the attention of the Kansas Department of Health and Environment (KDHE) information showing the existence of groundwater contamination from volatile organic chemicals under the Boeing and Cessna Company sites. Said contamination may extend beyond these properties. This information was provided KDHE during a meeting with Boeing on January 8, 1986, through the delivery of a January 6, 1986, letter addressed to Dennis Murphey of KDHE and subsequent presentations made during the January 8, 1986, meeting. Preliminary information had also been provided in a telephone conversation on January 3, 1986.
2. The contaminated groundwater beneath the Boeing and Cessna Company sites is or threatens to cause pollution of the waters of the state or is or threatens to become a hazard to persons, public health or safety.
3. In the January 6, 1986, letter to Dennis Murphey from R. C. Brunton, Boeing indicates the groundwater contamination "may have originated from spills on Boeing property."
4. K.S.A. 1984 Supp. 65-3443, as amended, set forth the Secretary's authority, upon making a finding that the generation, accumulation or management of hazardous wastes is or threatens to cause pollution to the air, land or waters of the state or is or threatens to become a hazard to persons, public health or safety, to order that person as defined in K.S.A. 1984 Supp. 65-3430(o), as amended, to provide and implement such hazardous waste management procedures as will prevent or remove the pollution or hazard.
5. K.S.A. 1984 Supp. 65-161 defines "waters of the state" to include all streams and springs, and all bodies or surface and subsurface waters within the boundaries of the state.
6. K.S.A. 65-164 states in pertinent part ". . . (n)o person, company, [or] corporation. . . shall place or permit to be placed or discharge or permit to flow into any of the waters of the state any sewage. . .". "Sewage" is defined as "any substance that contains any . . . chemical or other wastes from domestic, manufacturing or other forms of industry."

Pursuant to K.S.A. 65-164, if the Secretary of Health and Environment finds that any of the waters of the state have been or are being polluted in a manner prejudicial to the health of any of the inhabitants of the state, an Order can be issued requiring the pollution to cease within a reasonable period of time and require such manner of treatment or disposition of the sewage or other polluting materials as may be necessary to prevent future pollution.

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JAN 10 1986

BUREAU OF OIL FIELD &
ENVIRONMENTAL GEOLOGY

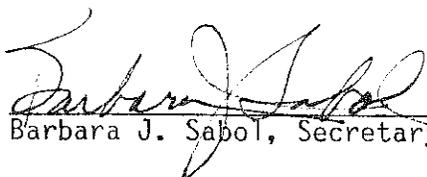
ORDER

Boeing is hereby ordered to:

1. Prepare an inventory of all chemical substances which have a potential to be released into the soil and/or groundwater from the Boeing Military Airplane Company facility. Boeing shall also address as a part of the inventory the handling, storage, use and disposal of these chemicals within and adjacent to the Boeing site. Further, Boeing shall conduct a review of the facility files to determine if chemical spills have occurred at the facility. A summary of the spill incidents shall be provided which includes the date of the spill, material, estimated amount lost, and final disposition of the spill cleanup, if the information is available. Both the inventory and spill summary shall be submitted to KDHE within thirty (30) days of the date of this Order. *Feb 10/86*
2. Identify the presence of existing water wells in the area of the facility. Samples shall be collected and analyzed for volatile organic compounds in an attempt to initially define the extent of contamination. The identification of well locations, sampling, and analysis shall be initiated immediately upon receipt of this Order. Within ten (10) days of the receipt of this order, Boeing shall supply KDHE with a map showing the locations of the wells sampled and provide the analytical results. The well depth, static water level and location(s) of the screens shall also be provided if this information is available. *Jan 20/86 016*
3. No later than ten (10) days from the date of issuance of this Order, prepare and submit for KDHE review and approval an investigation plan to determine the extent and degree of groundwater contamination both on an off-site and to identify the source(s) of contamination. Said plan shall designate the groundwater monitoring well locations and methods of construction and shall include a detailed implementation schedule. *Jan 20/86 016*
4. No later than sixty (60) days from the date of issuance of this Order, prepare and submit for KDHE review and approval a groundwater cleanup plan with a detailed implementation schedule and identification of the treatment technology to be employed. *March 10/86*
5. Prepare and submit a long-term groundwater monitoring plan and implementation schedule for KDHE approval. The monitoring plan shall be designed to adequately detect the further spread, if any, of contamination and to adequately monitor the effectiveness of the groundwater cleanup program. The monitoring plan shall address both on-site and off-site locations, as required. This plan shall be submitted to KDHE within sixty (60) days of the date of this Order. *March 10/86*
6. The dates for the submission of the data required by this order represent the best professional judgement at this time and are based upon available information. If circumstances change or new data presents itself which indicates the threat of danger to public health or a different threat or pollution than contemplated herein, KDHE maintains the right to modify all dates and requirements or add additional requirements to this Order as it deems necessary.

RIGHT TO APPEAL

If Boeing is of the opinion that this Order is unlawful or unreasonable, it may appeal by stating specifically in what way the order is unlawful or unreasonable and sending written Notice of Appeal pursuant to K.S.A. 1984 Supp. 65-3440 to Barbara J. Sabol, Secretary, Kansas Department of Health and Environment, Forbes Field, Building 740, Topeka, Kansas 66620. In accordance with K.S.A. 1984 Supp. 65-3440, such notice of appeal shall be made within ten (10) days from the date this Order is received.


Barbara J. Sabol, Secretary

CERTIFICATION OF MAILING

I hereby certify that on this 10th day of January, 1986, a true and correct copy of the above and foregoing order was deposited in the U.S. Mail, certified, postage prepared, return receipt requested, and addressed to: R. C. Brunton, Boeing Military Airplane Company, P. O. Box 7730, Wichita, Kansas 67277-7730.

Carlynn A. Houghton
Staff Member

PO 1 2807069
Certified Mail Number