

The Kansas Department of Health and Environment



FACT SHEET
FORT RILEY MILITARY INSTALLATION
FORT RILEY, KANSAS
DRAFT PERMIT DETERMINATION
August 11, 2011

This fact sheet, in accordance with the requirements of 40 CFR 124.8, has been prepared for the draft Resource Conservation and Recovery Act (RCRA) permit that the Kansas Department of Health and Environment (KDHE) and the U.S. Environmental Protection Agency (EPA) are issuing jointly to the United States Department of the Army, Fort Riley Military Reservation (Fort Riley), the owner, the Defense Logistics Agency Disposition Services (DLA), operator, and the U.S. Army Garrison, Fort Riley 84th Explosive Ordnance Detachment (EOD), operator, for its hazardous waste management storage facility (HWSF) and Open Burning Open Detonation Area (OB/OD). Fort Riley submitted a RCRA Part A and Part B permit renewal application to continue operating the HWSF located near the intersection of Fifth and L streets in the Camp Funston area of the Fort Riley military installation, which has since began closing. In addition to the HWSF, the permit application also includes provisions to permit, for closure, an interim status OB/OD area. All waste management activities at the HWSF have been and are currently taking place under the authority of the facility's expired permit, while the interim status OB/OD area has not managed RCRA waste since 2000, and since then has only conducted RCRA exempt range management activities. The proposed permit for these two units is for closure only and does not authorize Fort Riley to manage hazardous waste at these units. Fort Riley does manage hazardous waste at other location around the military installation; however, those activities are conducted under the regulations for generators that do not require a permit.

I. Facility Permit Overview

In 1980 Fort Riley received interim status with the submission of their initial RCRA Part A application that included a Hazardous Waste Storage Facility (HWSF) and an Open Burning /Open Detonation (OB/OD) thermal treatment area. Both the HWSF and OB/OD area remained interim status units until the HWSF was permitted in 1998 for the storage of 11,265 gallons of containerized hazardous waste; however, the OB/OD unit remained an interim status unit where unexploded military munitions and ordnances were thermally treated, and since 2000 the OB/OD unit has only been used to conduct RCRA exempt range management activities under the Military Munitions Rule (MMR) of 40 CFR 266 Subpart M.

Fort Riley has decided to close the HWSF and will continue to operate the OB/OD unit in accordance with the MMR. Although Fort Riley is no longer conducting RCRA regulated activities at the OB/OD unit, the area is still subject to RCRA closure requirements for past hazardous waste management and treatment. The permit being proposed is for closure only and does not authorize any treatment, storage, or disposal of hazardous waste that requires a RCRA permit. The proposed permit will ensure that the HWSF is closed in accordance with the approved closure plan and that the OB/OD unit will be closed in accordance with the closure performance standards of 40 CFR 264.111 when the area is no longer necessary to the mission of Fort Riley.

II. Permitting Regulatory Authority

In October 1985, the State of Kansas received final authorization from the Environmental Protection Agency (EPA) to implement its own hazardous waste management program in lieu of the federal program, except for those portions covered by the 1984 Hazardous and Solid Waste Amendments (HSWA). Authority for the corrective action portion of the RCRA program has not been delegated to the State of Kansas and is currently administered by the EPA.

The draft permit sets forth in a concise document all of the applicable requirements that KDHE and EPA will require the Permittee to comply with during the 10-year duration of the permit. The final hazardous waste permit consists of two parts: Part I (KDHE) - hazardous waste management units, and Part II (EPA) - Hazardous and Solid Waste Amendments (HSWA) requirements. The agencies have made an ultimate determination that the finalized permits will comply with the applicable state and federal regulations.

The KDHE portion of the final permit is being issued under authority of the Kansas Statutes Annotated (KSA) 65-3430 et seq. and the Kansas Administrative Regulation K.A.R. 28-31-4 through 28-31-279a. Part I includes standard permit conditions, general facility conditions, and regulatory provisions for storage in containers and air emission standards.

The EPA portion of the final permit is being issued under Section 3004(u) of RCRA, 42 U.S.C. §6924, and 40 CFR §264.101, which requires that all Permits issued after November 8, 1984, address corrective action for all releases of hazardous waste or hazardous constituents from any solid waste management unit (SWMU) at a treatment, storage, or disposal facility. Part II includes general conditions, Corrective Action requirements, and a facility submission summary.

Documents that support the permit conditions specified in Part I and Part II are part of the administrative record.

III. Summary of the RCRA Permitting Process

State and federal hazardous waste laws require that the public be given at least 45 days to review the administrative record for the draft permit (Part I and Part II) prior to the regulatory agencies taking a final action. The purpose of having a public comment period is to ensure that interested parties has the opportunity to evaluate the conditions specified in the final permit and to provide their input into the permit decision-making process. The permit public comment period will begin on August 11, 2011 and end on September 25, 2011. The administrative record, which includes the draft permit, permit application, and other relevant permitting correspondence, will be available for public review at the following locations:

Kansas Department of Health and Environment
Hazardous Waste Permits Section
1000 SW Jackson Street, Suite 320
Topeka, Kansas 66612-1366
Contact: Mostafa Kamal
Tel: (785) 296-1609

Manhattan Public Library
629 Poyntz Ave.
Manhattan, KS 66502
Contact: Reference Desk
(785) 776-4741 ext. 141

U.S. Environmental Protection Agency
Region 7 Library
901 North 5th Street
Kansas City, Kansas 66101
Contact: Chris Jump
Tel: (913) 551- 7141

As specified in 40 CFR 124.11, during the public comment period any interested person may request a public hearing in writing which states the nature of the issues proposed to be raised in a public hearing. At this time a public hearing has not been scheduled; however, if written requests are received which indicate a significant degree of public interest in the draft permit, a public hearing will be scheduled and advance notice regarding the location and time of the hearing will be given to the public. In accordance with 40 CFR 124.12, if a public hearing is held, any person may submit oral or written statements and data concerning the draft permit or Part B Permit application.

Comments on the draft permit or requests for a public hearing may be submitted in writing by September 25, 2011 to:

Part I

Kansas Department of Health and Environment
Hazardous Waste Permits Section
1000 SW Jackson Street, Suite 320
Topeka, Kansas 66612-1366
Contact: Mostafa Kamal

Part II

U.S. Environmental Protection Agency
Region 7 AWMD/RCAP
901 North 5th Street
Kansas City, Kansas 66101
Contact: Chris Jump

IV. Procedures for Reaching a Final Decision

The Secretary of KDHE and the EPA Region 7 Director of the Air and Waste Management Division (AWMD) will make the final decision regarding the issuance of a joint permit after the close of the public comment period. The Secretary and AWMD Director will consider all comments received during the public hearing and the comment period.

When the final decision to issue the permit is made, notice will be given to the applicant, all persons who submitted written comments, those who commented at the public hearing, and those who requested notice of the final permit decision. If none of the comments received during the public comment period result in revision(s) to the draft permit, the permit will become effective immediately upon issuance of the final permit decision. If comments received during the public comment period result in revision(s), the permit will become effective 30 days after service of notice of the final decision or at a later date, if a review is requested under 40 CFR 124.19.

V. Permit Organization

The permit is organized in the following manner:

Part I (KDHE)	Description
Cover Sheet	Sets forth basic legal authority.
Section I Standard Permit Conditions	General permit conditions which are the regulatory requirements specified in 40 CFR 270.
Section II General Facility Conditions	General facility permit conditions which are the regulatory requirements specified in 40 CFR 264.

Section III
Container Storage Facility
Closure

Specific procedures, container limitations, and requirements which implement the regulatory requirements of 40 CFR 264 Subparts I and G

Section IV
Open Burning / Open
Detonation Area

Specific closure requirements which implement the regulatory requirements of 40 CFR 264 Subparts G.

Part II (EPA)
Hazardous and Solid Waste
Amendments (HSWA) Permit

Specific conditions requiring evaluation of releases of hazardous waste and hazardous constituents from solid waste management units, areas of concern and releases, and corrective action as appropriate.