

STEVEN A, THOMPSON Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN Governor

June 28, 2013

Darrell Elliott, Director Environmental Management Office McAlester Army Ammunition Plant McAlester, Oklahoma 74501-5000

Re:

Issuance of McAlester Army Ammunition Plant (McAAP) Operations Permit #6213822798-2013

(Permit) for Hazardous Waste Management

Dear Mr. Elliott:

Enclosed is the Oklahoma Department of Environmental Quality (Department) Operations Permit for hazardous waste management including conditions for the operation of the AP1236M2 deactivation furnace and the open burning/open detonation areas at McAAP. The Permit has been approved by the Department as indicated by the enclosed executed permit signature sheets.

The Department received your letter of June 3, 2013 that attached a Proof of Publication from the McAlester News-Capital documenting the publication on May 3, 2013 of a Notice of Draft Permit. A local-station radio broadcast announcing the draft permit was also made three times on May 3, 2103. You informed the Department that no comments on the draft permit were received at McAAP. Also, no comments relevant to permit conditions were received by the Department.

The Department's previous letter to McAAP dated February 25, 2013 transmitted a draft of the Permit. The Permit is this draft after exchanging the enclosed title page and enclosing the signature pages.

All operations for the hazardous waste management units including deactivation furnace and open burning/open detonation areas shall be conducted in accordance with the plans and specifications approved by the Department, and all standards and rules promulgated pursuant to the Oklahoma Hazardous Waste Management Act, the Rules and Regulations for Hazardous Waste Management as they exist or may be amended, and the federal Resource Conservation and Recovery Act as amended. This permit will expire on June 27, 2023.

Please refer questions to Dr. J. David Lawson of my staff at (405) 702-5104.

Sincerely,

Saba Tahmassebi, Ph. D., P. E.

Chief Engineer

Land Protection Division

ST/jdl

Enclosures

Copy to: Laurie King (6PD-O) EPA Region 6 with enclosures

Mailed JUN **2 7 2013**







STEVEN A. THOMPSON Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN Governor

February 25, 2013

Darrell Elliott, Director Environmental Management Office McAlester Army Ammunition Plant McAlester, Oklahoma 74501-5000

Re: Notice of Determination of Technical and Administrative Completeness of Hazardous Waste Management Operations Permit Application (Application) for Ammunition Peculiar Equipment (APE) 1236M2 Deactivation Furnace and Open Burning/Open Detonation (OB/OD), Hazardous Waste Management Operations Permit #6213822798-2013(Permit), McAlester Army Ammunition Plant (McAAP)

Dear Mr. Elliott:

The Land Protection Division of the Oklahoma Department of Environmental Quality (Department) received application submissions which make up your Part B permit application for the hazardous waste operations of McAAP. These submissions are incorporated into the administrative record for this permit application and are listed below.

- 1. McAAP's letter of January 22, 2002 that transmitted three copies of "McAAP Part B Permit Application, Volume I and II" prepared by the U. S. Army Center for Health Promotion and Preventive Medicine (USCHPPM), Aberdeen Proving Ground, Maryland dated October 2001. The subject of this document is the hazardous waste storage building.
- 2. McAAP's letter of July 30, 2002 that furnished McAAP's assessment of the status of Solid Waste Management Units (SWMUs) at McAAP.
- 3. McAAP's letter of September 4, 2003 that furnished McAAP's Part B permit application for Open Burning/Open Detonation (OB/OD) in the form of five compact disks. These compact disks are each dated July 2003 and are labeled "Section A-L," "Appendices A-H," "Attachment A, B, C, E," "Attachment D-1" and "Attachment D-2."
- 4. McAAP's letter of October 2, 2003 that furnished additional analytical data for the Part B permit application for OB/OD in the form of one compact disk.
- 5. McAAP's letter of January 21, 2004 that amended McAAP's Part B permit application for storage by requesting higher permitted storage limits on D003 waste.
- 6. McAAP's letter of February 18, 2004 that transmitted "McAAP Incinerator Part B Permit Application Volume I." The document was prepared for McAAP by USCHPPM but is not dated and contains only one volume. The submission contained one hard copy and two duplicate compact disks.

707 NORTH ROBINSON, P.O. BOX 1677, OKLAHOMA CITY, OKLAHOMA 73101-1677

- 7. McAAP's letter of March 22, 2004 that transmitted one compact disk titled "Attachments 1-9 McAAP Permit Application. The attachments are Waste Analysis Plan, Security, Closure, Process, Contingency, Training, and three separate SOPs for incineration, open burning and open detonation.
- 8. McAAP's letter of March 31, 2004 that transmitted "McAAP APE 1236M2 Deactivation Furnace Resource Conservation and Recovery Act Trial Burn Test Plan February 27, 2004."
- 9. McAAP's letter of July 27, 2004 that transmitted one compact disk entitled "McAAP Environmental Management Office Health Risk Assessment Protocol No. 39-DA-01K2-04 for Comprehensive Test Performance, APE 1236 Deactivation Furnace Draft July 2004 prepared by USCHHPM."
- 10. McAAP's letter of September 28, 2004 that transmitted "Revision A of the Trial Burn Test Plan for the APE 1236M2 Deactivation Furnace."
- 11. McAAP's letter of December 27, 2004 that transmitted two copies of four documents requested by the Department on the October 20, 2004 conference call with McAAP and USCHPPM. The documents are (1) EPA/600/P 96/001F September 1996 PCBs: Cancer Dose-Response Assessment and Application to Environmental Mixtures, (2) Temporary Emergency Exposure Limit (TEEL) development for Anniston Chemical Agent Disposal Facility RCRA Risk Assessment, (3) EPA/600/R-98/103 Emission Factors for the Disposal of Energetic Materials by Open Burning and Open Detonation by William J. Mitchell and Jack C. Suggs, U. S. EPA, Research Triangle Park, NC, August 1998 and (4) Air Pathway Screening Assessments for RCRA Subpart X Permitting, US Army Environmental Center, May 1995, Revision 0, prepared by Halliburton NUS Corporation. McAAP also supplied a related document in 1995 entitled "Development of Methodology and Technology for Identifying and Quantifying Emission Products from Open Burning and Open Detonation Thermal Treatment Methods, Headquarters U.S. Army Armament, Munitions and Chemical Command, January 1992."
- 12. McAAP's letter of February 14, 2005 that transmitted one compact disk and two paper copies of the report entitled "Protocol Resource Conservation and Recovery Act Part B Risk Assessment No. 39-DA-01K2-05 Ammunition Peculiar Equipment 1236 Deactivation Furnace and Open Burn and Open Detonation Area McAAP, McAlester, Oklahoma, January, 2005" submitted by USCHPPM.
- 13. McAAP's letter of May 11, 2005 that transmitted "Air Pollution Emission Assessment No. 43-EL-01LW-05, RCRA Trial Burn and Health Risk Assessment Test, APE 1236M2 Deactivation Furnace, Building 452, McAAP 3-13 November 2004."

- 14. McAAP's letter of June 22, 2006 that transmitting two hard copies and one compact disk of "Protocol, RCRA Part B Risk Assessment No. 39-DA-01K-05, Ammunition Peculiar Equipment 1236 Deactivation Furnace and Open Burn and Open Detonation Area, McAAP, June 2006."
- 15. McAAP's letter of May 9, 2007 that transmitted one hard copy and two compact disks of "Draft Health Risk Assessment Report RCRA Part B Health Risk Assessment No. 39-DA-01K2-05 Ammunition Peculiar Equipment 1236 Deactivation Furnace and Open Burn and Open Detonation Areas, McAAP" prepared by USCHPPM and dated April 2007.
- 16. McAAP's letter of May 10, 2007 that requested a transition of RCRA permit standards at Subpart O of 40 CFR Part 264 to the Clean Air Act Title V Operating Permit No. 2005-301-TV for the Deactivation Furnace at McAAP.
- 17. McAAP's letter of September 13, 2007 that transmitted a closure and post-closure plan and a waste analysis plan in support of the operations permit for the deactivation furnace.
- 18. McAAP's letter of November 27, 2007 that transmitted a revised Closure Plan and Waste Analysis Plan in response to the Department's NOD of October 26, 2007.
- 19. McAAP's letter of February 27, 2008 that transmitted one compact disk entitled "McAlester Army Ammunition Plant Part B Permit Application" dated February 2008. This submittal was described as a revision of the Part B permit application to include the revised Closure Plan and Waste Analysis Plan.
- 20. McAAP's letter dated September 30, 2009 that transmitted a closure plan for Conforming Storage Unit and two 90-day accumulation areas for hazardous waste.
- 21. McAAP's letter of April 28, 2011 that transmitted duplicate compact disks entitled McAlester Army Ammunition Plant RCRA Permit Application March 2011 prepared by the U. S. Army Public Health Command. This submittal replaces previous submittals of the same subject matter and recognizes the closure of the permitted hazardous waste storage building.

The Department will incorporate the following McAAP submittals into the administrative record for this permit application. These items were submitted to the Department in support of a permit modification of the previous hazardous waste management permit (as last modified to include OB/OD in August 1999) for the addition of a cryofracture process to the deactivation furnace to incinerate Area Denial Artillery Munition (ADAM) mines.

22. McAAP's letter of January 12, 2000 that submitted (1) A Memorandum for Commander, McAAP from USCHPPM, Subject: Update of the Human Health Risk Assessment of the Demilitarization Operations at the McAAP, McAlester, Oklahoma signed by Dennis E.

- Druck, Acting Program Manager, Environmental Risk Assessment and Risk Communication USCHPPM, and (2) Second Draft Industrial and Environmental Radiation Study No. 26-MF-3207-00-02, RCRA Part B, APE 1236 Deactivation Furnace, McAAP, 25 October 30 December 1999 prepared by USCHPPM.
- 23. McAAP's letter of February 26, 2001 requesting a Class 2 permit modification to include the cryofracture process to operate with the permitted deactivation furnace. This submittal included new sections for the previous Part B permit application for the furnace and several drawings of the furnace and the cryofracture unit.
- 24. McAAP's letter of August 28, 2001 that responded to the Department's NOD of May 21, 2001. This submittal contained replacement pages for the permit modification application for the cryofracture process.
- 25. McAAP's letter of December 18, 2001 that responded to the Department's NOD of October 3, 2001. This submittal transmitted a Memorandum for Commander, McAAP from USCHPPM that presented a general outline of stack testing procedures for depleted uranium and contained a statement that a radiation study would be completed after stack test results were available.
- 26. McAAP's letter of October 2, 2003 that transmitted Memorandum for Commander, McAAP Subject: Test Protocol, Air Pollution Emission Assessment No. 43-EL-01HL-04, ADAM Mine/APE 1236M2 Deactivation Furnace, McAAP. This memorandum specified a stack test protocol for depleted uranium.

The Department will incorporate the following McAAP submittals into the administrative record for this permit application. These items concern groundwater monitoring of the OB/OD areas.

- 27. McAAP's letter of April 21, 2003 that transmitted "Groundwater Re-evaluation Report of Open Burning Grounds, New Demolition Grounds and Old Demolition Grounds McAAP" prepared by the U. S. Army Corps of Engineers, Tulsa District, April 2003.
- 28. McAAP's letter of October 21, 2003 that transmitted "Groundwater Report Open Burning Grounds New Demolition Grounds Old Demolition Grounds, McAAP" prepared by the U. S. Army Corps of Engineers, Tulsa District, October 2003.
- 29. McAAP's letter of January 31, 2005 that transmitted "Hydrogeologic Study and Groundwater Assessment Workplan SWMUs McAAP-25 (Open Burning Grounds), McAAP-27 (Old Demolition Area) and McAAP-28 (New Demolition Area) McAAP 15 February through 1 March 2005" prepared by USCHPPM.
- 30. McAAP's letter of July 6, 2005 that transmitted a response letter from USCHPPM to comments of the Department on the above-listed workplan.

- 31. McAAP's letter of May 15, 2006 that transmitted "Hydrogeologic Study and Ground Water Assessment SWMUs McAAP-25 (Open Burning Grounds), McAAP-27 (Old Demolition Area) and McAAP-28 (New Demolition Area) McAAP 15-24 February 2005, 11-16 July 2005 and 15-17 September 2005" prepared by USCHPPM.
- 32. McAAP's letter of September 21, 2006 that responded to the Department's letter of August 31, 2006 requesting supplemental information and materials to the above-listed report.
- 33. McAAP's letter of July 19, 2007 that transmitted "Draft Ground Water Monitoring Work Plan Solid Waste Management Units McAAP-025 (Open Burning Grounds), McAAP-027 (Old Demolition Area) and McAAP-028 (New Demolition Area), McAAP" prepared by USCHPPM.
- 34. McAAP's letter of November 20, 2007 responding to Departmental letter of August 14, 2007 that transmitted "Ground Water Monitoring Plan No. 38-EH-0600-07" for OB/OD areas at McAAP.
- 35. McAAP's letter of April 22, 2008 transmitting "Ground-Water Consultation No. 38-EH-0600-07 SWMUs 25 (Open Burning Grounds), 27 (Old Demolition Area), and 28 (New Demolition Area) McAAP 13-24 August 2007."
- 36. McAAP's letter of December 23, 2008 transmitting "Ground Water Consultation No. 38-EH-09YH-08 SWMUs MCAAP-25 (Open Burning Grounds), MCAAP-27 (Old Demolition Area), and MCAAP-28 (New Demolition Area), McAlester Army Ammunition Plant (McAAP), 6-19 August 2008."
- 37. McAAP's letter of August 13, 2009 transmitting "Ground Water Consultation No. 38-EH-09YH-09 SWMUs MCAAP-25 (Open Burning Grounds), MCAAP-27 (Old Demolition Area), and MCAAP-28 (New Demolition Area), McAlester Army Ammunition Plant (McAAP), 2-12 February 2009."
- 38. McAAP's letter of July 1, 2010 transmitting "Ground Water Consultation No. 38-EH-09YH-10, SWMUs MCAAP-25 (Open Burning Grounds), MCAAP-27 (Old Demolition Area), and MCAAP-28 (New Demolition Area), McAlester Army Ammunition Plant (McAAP), 12-16 February 2010."

- 39. McAAP's letter of February 16, 2011 transmitting "Ground Water Consultation No. 38-EH-09YH-10, SWMUs MCAAP-25 (Open Burning Grounds), MCAAP-27 (Old Demolition Area), and MCAAP-28 (New Demolition Area), McAlester Army Ammunition Plant (McAAP), 9-20 August 2010."
- 40. McAAP's email of March 22, 2011 that transmitted two topographical maps of McAAP.

Also, the Department received McAAP's letter dated November 26, 2012 that transmitted comments on the pre-draft RCRA permit furnished to McAAP by the Department's letter dated May 29, 2012 and a DVD prepared by McAAP containing the RCRA Part B permit application administrative record.

The Department received on April 29, 2002 the \$5000 permit application fee from McAAP. The above-referenced submissions by McAAP comprise the Application.

The Department has examined this Application and has determined that it meets the requirements of the Oklahoma Hazardous Waste Management Act and the Hazardous Waste Management Rules (Oklahoma Administrative Code [OAC] 252:205). Consequently, the Department has issued the enclosed draft of a Hazardous Waste Management Operations Permit #6213822798-2013 that includes conditions for continued operation of McAAP's permitted hazardous waste operations. These operations are the Ammunition Peculiar Equipment (APE) 1236M2 Deactivation Furnace and Open Burning/Open Detonation (OB/OD) areas. The referenced attachments to the draft permit are those currently on file as part of the administrative record. Specifically, Attachment 1. Waste Analysis Plan is Section C of the above-mentioned submittal No. 21 entitled McAAP RCRA Permit Application March 2011. Likewise, Attachment 2. Procedures to Prevent Hazards is Section F, Attachment 3. Personnel Training is Section H, Attachment 4. Hazardous Waste Contingency Plan is Section G, Attachment 5. Closure and Post-Closure Plans is Section I, and Attachment 6. Process Information is Section D. The subject attachments are enclosed.

Prior to issuance of this operations permit, McAAP is required to publish notice of opportunity to comment on the tentatively approved permit conditions in a daily or weekly major newspaper of general circulation local to the site. Concurrently, a notice should be broadcast over local radio stations pursuant to 40 CFR 124.10(c)(2)(ii). The "Notice of Draft Permit" and "Radio Broadcast Text" accompanying the draft documents provide some suggested language that may be used for the public notices. These notices announce the opening of a 45-day comment period during which the public may comment on the permit language or the McAAP submissions. Provide your final draft notices for approval prior to publication as required by OAC 252:4-7-13 (c). Direct any questions to J. David Lawson at (405) 702-5104.

Sincerely,

Saba Tahmassebi, Ph. D., P. E.

Chief Engineer

Land Protection Division

ST/idl

Enclosure

Copy to: Laurie King (6PD-O) EPA Region 6 with enclosure

Oklahoma Department of Environmental Quality

Notice of Draft Permit

The Oklahoma Department of Environmental Quality (DEQ) hereby gives notice of the opportunity for public comment on a Draft Operations Permit Renewal it has prepared after its review of an application filed by the McAlester Army Ammunition Plant for the continued operation of an ammunition deactivation furnace and open burning/open detonation areas. The draft permit also contains corrective action provisions for Solid Waste Management Units. The facility is located in parts of Range 12 East and Townships 3 North, 4 North and 5 North; Range 13 East and Townships 3 North, 4 North and 5 North; and Range 14 East and Townships 4 North and 5 North in Pittsburg County, Oklahoma.

The Oklahoma DEQ has tentatively found that the application meets the requirements of the Oklahoma Hazardous Waste Management Act and the Hazardous Waste Management Rules (OAC 252:205) and the United States Resource Conservation and Recovery Act (RCRA) as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA).

The application and draft permit may be reviewed during normal business hours at the following locations:

McAlester Public Library, 401 N. Second Street, McAlester, Oklahoma, telephone number 918-426-0930

Land Protection Division, Oklahoma Department of Environmental Quality, Central Records, Land Protection Division, 707 N. Robinson Avenue, Second Floor, P. O. Box 1677, Oklahoma City, Oklahoma 73101-1677, telephone number 405-702-1188;

No later than 45 days after the date of this notice, any person may submit written comments on the draft permit to the Oklahoma DEQ at the above Oklahoma City address. Also, persons residing or doing business in Oklahoma, may request the Oklahoma DEQ to schedule and conduct a formal public meeting to receive oral and written comments on the draft permit. A request for a public meeting shall be in writing and shall state the nature of the issues proposed to be raised in the meeting.

More specific information may be obtained by contacting Darrell Elliott, Environmental Management Office, McAlester Army Ammunition Plant, telephone 918-420-6551 or Saba Tahmassebi at the Oklahoma DEQ telephone 405-702-5100.

Radio Broadcast Text

Oklahoma Department of Environmental Quality

Notice of Potential Permit Conditions For a Hazardous Waste Management Facility

The Oklahoma Department of Environmental Quality (DEQ) hereby gives notice of the opportunity for public comment on a draft operations permit renewal it has prepared after its review of an application filed by the McAlester Army Ammunition Plant (McAAP) for the continuation of two hazardous waste operations. These operations are (1) operation of a deactivation furnace and (2) operation of open burning and open detonation areas at McAAP.

The Oklahoma DEQ has tentatively found that the application meets the requirements of the Oklahoma Hazardous Waste Management Act and the Hazardous Waste Management Rules (OAC 252:205) and the United States Resource Conservation and Recovery Act (RCRA) as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA).

Further information, including the application, the potential permit conditions, and a fact sheet may be reviewed during normal business hours at the Oklahoma Department of Environmental Quality building, 707 North Robinson Avenue, Oklahoma City, Oklahoma and the McAlester Public Library, 401 N. Second Street.

Persons wishing to comment on the proposed permit conditions or to request a public meeting should submit their comments or requests in writing to the DEQ no later than forty five (45) days from the date of this broadcast. The DEQ mailing address is P. O. Box 1677, Oklahoma City, Oklahoma, 73101-1677.

For further information about this notice, call the Land Protection Division of the DEQ at 405-702-5100. That number again is 405-702-5100.

McAlester Army Ammunition Plant (McAAP) McAlester, Oklahoma

FACT SHEET

Potential Conditions for a Resource Conservation and Recovery Act (RCRA) Permit

Proposed Action:

Oklahoma Department of Environmental Quality Hazardous Waste

Operations Permit Renewal

Type of Facility:

Hazardous Waste Treatment Facility including Operation of a

Deactivation Furnace and Operation of Open Burning and Open

Detonation Units (OB/OD)

EPA ID Number:

OK6213822798

Location:

Hwy 69 South of McAlester, Oklahoma

Legal Description:

Sections 14 and 23 of T4N and R13E of Pittsburg County, Oklahoma

Geographic Location:

All hazardous waste operating units are located within the boundary of

the 44,965 acre McAAP at the following locations:

Deactivation Furnace: 34° 49' 52" North 95° 55' 1" West

Open Burning Area: 34° 48' 50" North 95° 54' 30" West

New Open Detonation Area: 34° 48' 17" North 95° 54' 46" West Old Open Detonation Area: 34° 47' 52" North 95° 53' 37" West

Landowner:

Department of Defense, U. S. Army

Facility Operator:

Commander, McAAP

Comment Period:

Public Meeting Dates:

Basis of Draft Permit:

McAAP submitted to the Land Protection Division of the Oklahoma Department of Environmental Quality (DEQ) an application for renewal of a permit to operate the following hazardous waste management units: a deactivation furnace and open burning and open detonation areas. McAAP has operated under Permit #OK6213822798 which was issued on September 2, 1992 for a 2400 square-foot hazardous waste storage facility. The permit was modified on January 29, 1996 to include conditions for operation of a hazardous waste incinerator, the Ammunition Peculiar 1236 Deactivation Furnace. The permit was again modified on August 6, 1999 to include the continued operation of an open burning area and two separate open detonation areas. The hazardous waste storage facility was closed in 2010 and no

longer operates.

The basic requirements of the Oklahoma Hazardous Waste Disposal Act (OHWDA), the Hazardous Waste Management Regulations (Rules) as amended, the federal Resource Conservation and Recovery Act (RCRA), and the Hazardous and Solid Waste Amendments of 1984 (HSWA) having been met, the DEQ has prepared potential permit conditions. The Department has the authority to issue permits for and enforce compliance with RCRA and HSWA programs.

The potential permit conditions were developed by the DEQ and incorporate applicable conditions from Oklahoma Administrative Code (OAC) 252:205 and 40 CFR 270, additional conditions to enhance compliance with OAC 252:205 and 40 CFR 264, and such other conditions as are required to achieve environmentally sound hazardous waste management.

The administrative record supporting the potential permit conditions consists of the Part B application, additional supporting documentation, the draft permit, and this Fact Sheet.

Other Environmental Permits

McAAP is currently operating under the following Environmental Protection Agency and/or State of Oklahoma permits:-

Resource Conservation Recovery Act Permit OK6213822798
National Pollution Discharge Elimination System permit #OK0000523
Oklahoma State Landfill Permit 3561014
Air Quality Permit No. 2005-301-TV

Hazardous and Solid Waste Amendments (HSWA)

HSWA provided the new requirement for corrective action for continuing releases. This provision is established in Section 3004(u) of RCRA, promulgated as regulation at 40 CFR 264.101.

All permit applicants must now: (a) identify all solid waste management units (SWMUs) at the facility, (b) identify any releases that have occurred or are occurring from those units, (c) take appropriate corrective action to clean up those releases, and (d) demonstrate financial assurance for those corrective actions. The provision on continuing releases was effective on the date of enactment of HSWA (November 8, 1984). Thus, a permit issued after that date must address this provision.

Other HSWA provisions are incorporated as conditions of the proposed permit, and include certain minimum technological design requirements, a requirement to certify that waste generation by the facility is continually minimized, and restrictions on the management of wastes that are banned from land disposal unless treated.

Information Resources

Copies of the proposed permit conditions, this Fact Sheet, and the Part B application are available for review during normal business hours at the locations listed below:

McAlester Public Library 401 N. Second Street, McAlester, Oklahoma

Oklahoma Department of Environmental Quality 707 N. Robinson, P. O. Box 1677 Oklahoma City, Oklahoma 73101-1677

Telephone inquiries may be directed to:

Oklahoma Department of Environmental Quality Saba Tahmassibi, Chief Engineer Land Protection Division Telephone No. 405-702-5100

Comment Period and Procedures

Persons wishing to comment on the proposed permit conditions or the operating conditions of the permit, which will continue for the term of the permit, may submit their comments, in writing, to the Oklahoma DEQ Office at the addresses listed below. Comments should be directed to the appropriateness of the permit decision and the permit conditions and should be factual in nature. All comments must be received at the Oklahoma DEQ no later than forty-five (45) days after the public notice of this Draft Permit.

Land Protection Division Oklahoma Department of Environmental Quality 707 North Robinson, P. O. Box 1677 Oklahoma City, Oklahoma 73101-1677

Public comment and hearing procedures may be found at 40 CFR 124.10 and 124.12. The comment period during which written comments on the draft permit may be submitted extends for 45 days from the date of Notice. A public meeting will be held by the Oklahoma DEQ upon written request when there is a significant degree of public interest. Public notice of a public meeting will be given at least 30 days before the meeting.

Public Meeting

The purpose of any public meeting is to clarify issues involved in the permit decision and receive comments from the public. Any person may submit oral or written statements and data concerning the proposed permit conditions. The public is urged to address the issues set forth in the Notice of Potential Permit Conditions and this Fact Sheet and to present factual, relevant statements on these issues. All such pertinent and material testimony will be considered in reaching a final determination on the permit. A reasonable limit may be set upon the time allowed for oral statements, and the submission of statements in writing may be required.

Notice of Final Determination

The Oklahoma DEQ will notify the applicant and each person who has submitted written comments or requested notice of the final permit decision. Within thirty (30) days after a RCRA permit decision has been issued, any person who filed comments on the proposed permit or participated in the public meeting/hearing may petition the Executive Director of the Oklahoma DEQ to review any condition of the permit decision. The petition shall include a statement of the reasons supporting that review, including a demonstration that any issues being raised were raised during the public comment period, and when appropriate, a showing that the condition in question is based on a finding of fact or conclusion of law which is clearly erroneous, or an exercise of discretion or important policy consideration which the Executive Director should review. A petition to the Executive Director is, under 75 O. S. §319, OAC 252:205-3-2 and 40 CFR 124.19, a prerequisite to judicial review.

A petition to the Executive Director of the Oklahoma DEQ is to be provided by following the procedures described in OAC 252:205-3-2 and 40 CFR 124.19. The petition to the Executive Director should be directed to the address below:

Steve Thompson, Executive Director Department of Environmental Quality 707 N. Robinson, P. O. Box 1677 Oklahoma City, Oklahoma 73101-1677

If no comments are received during the comment period, the permit will become final and effective immediately upon issuance.



O K L A H O M A DEPARTMENT OF ENVIRONMENTAL QUALITY

MCALESTER ARMY AMMUNTION PLANT

OPERATIONS PERMIT

#6213822798-2013

Hazardous Waste Management

Effective Date: June 28, 2013

Expiration Date: June 27, 2023

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY LAND PROTECTION DIVISION

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY OPERATIONS PERMIT FOR A HAZARDOUS WASTE MANAGEMENT FACILITY

EPA ID#:

OK6213822798

Permit Number #6213822798-2013

Permittee:

McAlester Army Ammunition Plant

Highway 69 South

Effective Date: June 28, 2013

McAlester, Oklahoma

Expiration Date: June 27, 2023

Pursuant to the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 USC 6901 et seq., commonly known as RCRA), including the Hazardous and Solid Waste Amendments of 1984 (HSWA), and regulations promulgated thereunder by the U.S. Environmental Protection Agency (EPA) (codified and to be codified in Title 40 of the Code of Federal Regulations) and the Oklahoma Hazardous Waste Management Act (27A O.S. Supp. 2000 § 2-7-101, as amended) and regulations promulgated thereunder, a permit to operate an ammunition deactivation furnace and open burning/open detonation (OB/OD) areas is issued by the Land Protection Division of the Oklahoma Department of Environmental Quality (Department) to McAlester Army Ammunition Plant (hereafter called the Permittee or McAAP). The facility is located southwest of McAlester, Oklahoma, on Highway 69 South. More specifically, the facility is located in all or portions of the following Sections in the Indian Base and Meridian in Pittsburg County, Oklahoma:

Range 12E, Township 3N, Sections 1 and 2; Range 12E, Township 4N, Sections 1, 12, 13, 24, 25 26, 35 and 36 and part of Sections 2, 11, 14 and 23; Range 12E, Township 5N Section 36; Range 13E, Township 3N, Sections 5 and 6 and parts of Sections 3 and 4; Range 13E, Township 4N, Sections 1 to 33 and parts of Sections 34 and 35; Range 13E, Township 5N, Sections 25 to 36 and parts of Section 21; Range 14E, Township 4N, Sections 5, 6, 7 and 18 and parts of Sections 3, 4, 8, 9, 17, 19, 20 and 30; and Range 14E, Township 5N, Section 31.

This section sets permit conditions for the continued operation of McAAP's Ammunition Peculiar Equipment(APE) 1236M2 deactivation furnace and open burning/open detonation areas.

The Permittee must comply with all terms and conditions of this permit. This permit consists of the conditions contained herein (including those in any attachments), and the applicable regulations contained in 40 CFR Parts 124, 260 through 264, 266, 268, and 270, as specified in the Permit.

This permit is based on the assumption that all the information submitted in the permit modification application is accurate. Any inaccuracies found in the submitted information may be grounds for the termination, revocation and reissuance, or modification of this permit in accordance with 40 CFR 270.41, 270.42, and 270.43 and for enforcement action.

This permit is effective as of June 28, 2013 and shall remain in effect until June 27, 2023 unless revoked and reissued under 40 CFR 270.41, terminated under 40 CFR 270.43, or continued in accordance with 40 CFR 270.51(a), and the Oklahoma Hazardous Waste Management Regulations (Oklahoma Administrative Code 252:205) and the Oklahoma Administrative Procedures Act 75 O. S. §§ 250 et seq.

Issued this 28th day of June, 2013.

Saba Tahmassebi, Ph. D., P. E.

Chief Engineer, Land Protection Division

Oklahoma Department of Environmental Quality

(Date)

6/28/2013

Scott Thompson

Division Director

Land Protection Division

Department of Environmental Quality

(Date)

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