

# *Superfund Report*

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*Exclusive coverage of waste management and cleanup regulation, legislation and policies*

02/29/2016

## **COALITION PUSHES TO END EPA POLICY ALLOWING OPEN BURNING OF MUNITIONS**

A coalition of environmental, citizens and environmental justice (EJ) groups is building a national campaign to urge EPA to require the use of alternative destruction technologies instead of open air burning and detonation (OB/OD) when disposing of military munitions, following success in getting the agency to allow alternative methods at a Louisiana site.

The campaign -- dubbed the Cease Fire campaign -- argues that EPA should end reliance on a 1980 regulatory exclusion that allows for OB/OD of waste explosives, which are defined as waste that could detonate or military propellants that cannot safely be disposed of through other treatment methods.

The coalition says that the exclusion for munitions lacks relevancy, as a number of technologies other than OB/OD have been certified by the Defense Department's (DOD) Explosives Safety Board in the past 15 years for safely destroying explosives that are hazardous waste.

EPA is examining the open burning of explosives, the resulting contamination and difficulties in cleanup as well as costs, and is engaged with DOD and other federal agencies to discuss a path forward on how they will address the growing body of information indicating OB/OD is a problem, an EPA source says. "EPA management has decided it is a priority to get our arms around it," the source says.

Among the newer technologies the coalition highlights is supercritical water oxidation, which DOD is using to destroy part of its chemical weapons stockpile under the Assembled Chemical Weapons Alternatives (ACWA) program. The program applies non-incineration destruction methods. Congress created ACWA following years of pressure from citizen advocates opposed to incinerating stockpiled U.S. chemical weapons.

The Cease Fire group points to a 2000 EPA report that reviewed seven alternative technologies evaluated under the ACWA program, with EPA saying all of them had the potential to treat a wide range of waste streams, including energetics. "Unlike incinerators, these alternatives are designed and operated so that they will not produce dioxin or dibenzofurans, technology providers said," the coalition says on its website.

The group also says that while the alternatives have been evaluated for chemical weapons destruction, many of them are applicable to conventional weapons as well. In addition to supercritical water oxidation, other potential technologies are DAVINCH (detonation of ammunition in a vacuum-integrated chamber), hot detonation chambers, and detonation chambers, the group says. It also touts resource recovery as a cheaper option than incineration.

The coalition is being coordinated by Citizens for Safe Water Around Badger, a citizens group that has long been a watchdog over the cleanup of the Army's Badger Army Ammunition Plant, WI.

The coalition in a goal statement on its website endorsed by dozens of grassroots groups says there are safer alternatives to OB/OD and non-closed loop incineration or combustion of military munitions. These alternatives must provide an incentive for waste prevention and recycling, and "prevent, to the greatest possible extent the release of toxic emissions and pollutants; and advance the principles of environmental

justice by assuring that all people enjoy the same degree of protection and access to the decision-making process," the coalition says in the statement.

A source with the coalition says the group intends to ask for a formal review of alternative technologies to confirm their suitability for military munitions destruction. But the source did not yet know who the group will ask to do the review.

In addition, the source says about 550 people have signed a petition on the Cease Fire website to EPA Administrator Gina McCarthy that urges her to immediately implement the use of safer alternatives to OB/OD or non-closed loop incineration of military munitions.

The source says momentum for the coalition's push stems from grassroots efforts at Camp Minden, LA, where EPA backed off from its original plan to require open burning of unstable propellant and explosives after a large number of citizens in northern Louisiana raised concerns over impacts to the community from open burning and sought an alternative method.

In response to pressure from citizens, Louisiana officials and U.S. lawmakers, the agency agreed to allow the destruction of the materials through an alternative burn method in a contained disposal chamber. The situation involved more than 15 million pounds of explosives and propellant abandoned by a demilitarization contractor at a National Guard facility, with EPA seeking quick disposal due to the substantial risk that the propellant would auto-ignite and cause a large explosion.

One environmentalist source believes regulators have gradually been forcing a reduction in the use of OB/OD. While it is not banned, Clean Air Act and Resource Conservation & Recovery Act permits are required, the source notes. DOD at times pushes back against alternatives, but in other places, it has implemented them, the source says.

The Cease Fire coalition recently finished an inventory of sites that are permitted for OB/OD and their annual limits on amounts that can be burned. In the cataloguing, the coalition found at the upper limit Crane Naval Surface Warfare Center, IN, whose permit allows an annual hazardous waste OB/OD limit of 109.4 million pounds to be burned or detonated as net explosive weight.

The coalition also found that at least seven Army facilities and the Energy Department's Los Alamos National Laboratory, NM, have been operating under interim permit status for decades.

On its website, the coalition points out that if two pending treaties are ratified by the United States, DOD will also need to dispose of stockpiles of cluster munitions and anti-personnel landmines. The United States is currently considering two treaties related to demilitarization. These are the Convention on Cluster Munitions and the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and Their Destruction, the coalition says. DOD's inventories of 471,726 tons of cluster munitions and more than 23,000 tons of anti-personnel landmines will have to be disposed of if the United States ratifies the treaties, the group says. -- *Suzanne Yohannan*

Superfund Report - 02/29/2016, Vol. 30, No. 5

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