

CSWAB

Citizens for Safe Water Around Badger
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SENT BY ELECTRONIC MAIL

RE: Cease and Desist Request Pending Regulatory Review and Public Participation

April 29, 2008

Dear Joan,

Based on recent conversations with officials at WDNR and EPA Region V, we are very concerned about the potential exposures to neighbors of Badger Army Ammunition Plant from uncontrolled air emissions from the decontamination oven.

It is apparent to us that there are serious questions and concerns on the part of both agencies relative to painted items that are being placed in this unit and the potential resulting emissions.

We are, therefore, writing to request that the Army at Badger Army Ammunition Plant voluntarily "cease and desist" the treatment of painted objects at the decontamination oven until all questions on the part of both EPA and WDNR are fully resolved AND the public, especially nearby residents, are fully informed as to both the required operating protocol and potential environmental health implications and protections of current and future operations.

In a separate communication this week to Anton Martig, PCB Coordinator for USEPA Region 5, CSWAB has asked the agency to determine if federal regulations, such as RCRA and TSCA, apply to the thermal treatment and storage of wastes containing lead paint (defined as greater than 5,000 ppm) at Badger. If this is the case, we are seeking the active participation of these additional EPA departments.

Background/Rationale:

Plexus Scientific, as part of the documentation provided to the WDNR for proposed thermal decontamination of buildings and equipment at Badger, took representative paint samples from various surfaces in buildings at Badger including wood walls, flanges, pipes, and other surfaces. PCBs in paint were detected at concentrations as high as 22,000 ppm – levels far above the regulatory limit of 50 ppm. Lead was detected in various paint samples at

concentrations as high as 170,000 ppm – again, far above applicable hazardous waste standards. Lead paint is defined as having concentrations greater than 5,000 ppm.

On July 25, 2003, the WDNR responded to CSWAB's inquiry concerning the fate and transport of PCB-contaminated paints in the decontamination oven. The WDNR determined that the forms of PCB expected to be in paint at Badger would likely volatilize out of paint and be released to the environment.

On September 24, 2003, CSWAB sent a formal letter asking the Army to voluntarily prohibit ("set aside") thermal treatment of painted objects in the decontamination oven that exceed applicable standards in order to prevent the uncontrolled release of dioxins, lead, PCBs, and other bioaccumulative toxins to the environment.

The Army denied the group's request and CSWAB approached the WDNR for assistance.

The WDNR's Air Management program subsequently asked that PCB containing materials not be introduced into the decontamination oven "until such time as information is gathered to qualify what happens to any PCB-contaminated paint when exposed to the elevated temperatures in the oven." It is our understanding that the WDNR did not make the same request for lead-contaminated paint.

The December 2004 Final Environmental Assessment for Badger describes the environmental impacts of the previous decontamination oven which was located near the southern edge of the Contaminated Waste Pits Area and operated from 1972 until October 2003. The Army tested two surface soil samples downwind of the Decontamination Oven. Detected PCB concentrations were 46 and 740 ug/kg. One sample exceeded residential standards and the second is equal to the USEPA Region 9 Industrial PRG. PCBs were also detected in an ash sample at a concentration of 8,600 ug/kg.

In a March 14, 2005 letter to EPA, CSWAB formally asked the agency to review operations at the decontamination oven. The EPA verbally told the Army at Badger that they are not allowed to treat wastes having PCB concentrations greater than 50 ppm in the decontamination oven. This has been confirmed several times by Anton Martig, PCB Coordinator for EPA Region V, in conversations with CSWAB.

It is our understanding that direction from both the WDNR and EPA to the Army was in the form of verbal communications.

In the interim, the U.S. Army Construction Engineering Research Lab (CERL) in Champaign, IL conducted a laboratory study of potential emissions from PCB-painted items that would be placed in the decontamination oven at Badger. "We are using actual paint samples from Badger, at the temperatures used in the oven. We don't know what the final answers will be as we believe this is new scientific ground," CERL officials told CSWAB. It is our understanding that the final report has not been submitted to federal or state regulators.

In January 2008, CSWAB made an inquiry to WDNR concerning the current status of the decontamination oven and the treatment of painted objects. The WDNR subsequently conducted a site visit in January 2008 and is currently reviewing recently-gathered data from

the Army. The data pertains to lead and PCB painted objects that have been treated in the decontamination oven.

The data indicates that lead-based paint containing concentrations as high as 100,000 ppm has been treated in the decontamination oven; PCB concentrations reported by the Army are as high as 59,000 ppm. It is our understanding that interpretation of these results and applicable methodology is a matter of current discussion.

Until recently, the Army has assured the public that they have complied with the “set aside” policy relative to PCBs. However, according to a recent submittal to the WDNR and shared with EPA, the Army reports it resumed treating certain painted objects in the decontamination oven sometime in 2007. USEPA and WDNR officials we interviewed did not receive notice from the Army concerning their intent to resume treatment of painted objects.

It is likely that the neighborhood at greatest risk is the Bluffview community near the main gate of the Badger facility. Potential air emissions will especially increase suffering for children, elderly, and all people with respiratory problems. Infants and children have a higher ventilation rate than adults relative to their body weight and lung surface area, resulting in a greater dose of pollution delivered to their lungs. Lead and other constituents in airborne emissions will settle on nearby yards, farmland, and surface water. These contaminants are bioaccumulative and persistent in the environment and readily enter the food chain, placing human health and ecological receptors at additional risk.

And finally there are multiple alternatives to thermal treatment for the desensitization of propellants. There are also multiple methods and alternatives for removing PCB and lead paint prior to treatment in the decontamination oven. The uncontrolled dispersal of lead and PCBs to the environment is not justifiable or warranted.

Thank you in advance for your careful consideration of our concerns and our recommendations.

Sincerely,

ORIGINAL SIGNED

Laura Olah, Executive Director

cc:

U.S. Senator Russ Feingold

U.S. Senator Herb Kohl

U.S. Representative Tammy Baldwin

Samantha Greendeer, Ho-Chunk Nation