

**Commonwealth of the Northern Mariana Islands
Marpi Point, Saipan
Remedial Action Plan**

(3) USGS map showing the location of the remediation waste management site attached.

(4) A scaled drawing of the remediation waste management site showing: (i) The remediation waste management site boundaries; (ii) Any significant physical structures; and (iii) The boundary of all areas on-site where remediation waste is to be treated, stored or disposed is attached.

I. INTRODUCTION

1) This Remedial Action Plan (RAP) is issued by the U.S Environmental Protection Agency under the authority of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (RCRA) 42 U.S.C. §§ 6901 *et seq.*, and its implementing regulations at 40 C.F.R. §§ 270.79 - 270.230. This Remedial Action Plan is equivalent to a RCRA permit issued pursuant to §§ 270.1 through 270.51 (Permit). Where there is a conflict with the provisions of 40 CFR §§ 260-279, the specific terms of this RAP shall control.

2) This RAP is issued to the Commonwealth of the Northern Mariana Islands Department of Public Safety (DPS or the Permittee) to operate a hazardous remediation waste storage and treatment facility at Marpi Point on Saipan. The site coordinates are Latitude 15 Degrees 16 Minutes 0.0865 Seconds North; Longitude 145 Degrees 49 Minutes 0.3313 Seconds East. The Facility EPA ID number is TTP000128710.

3) For any situation not outlined herein, Permittee shall use the CNMI Explosive Response Team standard operating procedures, and DOD 4145.26M – DOD Contractors Safety Manual for Ammunition and Explosives as guidance.

II. GENERAL PERMIT CONDITIONS

4) Except as specified otherwise herein, the following requirements, incorporated by reference, apply to the Permittee. Where guidance is provided, compliance with that guidance shall be presumed to satisfy the requirements of the regulation.

- **40 C.F.R. § 264.4, Imminent Hazard Action**
- **40 C.F.R. § 264.12(c), Required Notices**
- **40 C.F.R. 264.13(a) General Waste Analysis**

Munitions and Explosives of Concern (MEC) will be identified sufficiently to determine the following:

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- a) Type of MEC (projectile, bomb, etc);
- b) Country of origin;
- c) Size as defined in reconnaissance publications;
- d) Explosive content; and
- e) Presence and condition of fuzing/firing elements.

Completion of the above elements of information is considered sufficient for the explosive response specialist to make a determination applicable to the MEC recovered. Detailed lab sampling or other analysis is not generally required.

If unknown explosive components exist, use of the explosive chemical analysis trace detection equipment such as those used by TSA/Customs may be used to specifically identify the explosive family present in the MEC.

- **40 C.F.R 264.14 Security**

The site will be secured through a fence and locking gate at the entrance with the other sites surrounded by dense jungle and a cliff line. Additionally, a steel door with padlock blocks the entrance to the storage cave.

Prior to conducting operations at the facility, security checks will be made of the area to prevent unauthorized or accidental intrusion of personnel or livestock within the immediate area of the detonation site.

- **40 C.F.R 264.15(a) & (c) General Inspection Requirements**

DPS will conduct monthly inspections at the storage site with specific emphasis on site security and safety issues.

Vegetation will be removed from the immediate vicinity of the storage and detonation pit areas sufficient to prevent fire occurring as a result of operations or a fire in the area affecting the explosive items in storage. A minimum of a 50 foot radius will be maintained clear of trees and brush. Grass will be kept trimmed to less than 18 inches in height.

Remedial action will be taken to repair any deterioration or malfunction of equipment or structures on a schedule which ensures that the problem does not lead to an environmental or human health hazard.

- **40 C.F.R 264.16(a)(1) and (d)(3) Personnel Training**

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Facility personnel handling MEC at the site must have successfully completed a program of classroom instruction and certification to meet the requirements for qualification as an “Explosive or munitions emergency response specialist” means an individual trained in chemical or conventional munitions or explosives handling, transportation, render-safe procedures, or destruction techniques. Explosives or munitions emergency response specialists include Department of Defense (DOD) emergency explosive ordnance disposal (EOD), technical escort unit (TEU), and DOD-certified civilian or contractor personnel; and other Federal, State, or local government, or civilian personnel similarly trained in explosives or munitions emergency responses. Within the CNMI, recognized Explosive Response Specialists include individuals who have completed a formal course of instruction and possess a certificate from:

- a) US Military Explosive Ordnance Disposal school;
- b) FBI Hazardous Devices School;
- c) FBI/ATF Explosive Response Course;
- d) Department of Labor Qualified UXO Technician Course;
- e) CNMI Explosive Response Team (XRT) Course; or
- f) Other formal qualifications certified in writing from the Officer In Charge of CNMI XRT.

Additionally, prior to each operation conducted at the Site, the Range Safety Officer will brief all personnel working at the site in safety procedures. At a minimum, the briefing will address:

- a) Authority and chain of command during the operation;
- b) Emergency evacuation procedures;
- c) Communications or alarm systems;
- d) Response to fires or explosions;
- e) No smoking/fire safety policies; and
- f) Access restrictions/visitor controls.

Procedures and training requirements will be maintained by DPS within the CNMI XRT SOP #3 Demolition Operations. As this document is updated, a copy will be provided to DEQ Toxic Waste Management Branch within 5 days.

• **40 C.F.R 264.17 General Requirements for ignitable, reactive, or incompatible wastes**

A “No Smoking” policy is in effect at all times within the treatment facility at any time the bunker storage door is open and/or MEC is present outside the storage bunker.

A “No Smoking” sign will be posted at the entrance to the facility.

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No smoking policy will be emphasized as part of the safety brief prior to any waste treatment operations conducted at the facility.

- **40 C.F.R 264.31 Design and operation of facility**

The demolition site shall be sited and operated within the explosive siting and safety requirements of DOD 4145.26M – DOD Contractors Safety Manual for Ammunition and Explosives as a guide.

The fence and security door to the cave entrance should be inspected for any deterioration and should be fixed or replaced as soon as possible if deterioration is present.

- **40 C.F.R. § 264.32(c) & (d), Required Equipment**

The OB/OD unit location is remote and no water supply, well or telephones exist. It is not practical to have a permanent water supply (i.e. well or containment reservoir) on site since these structures are at risk for damage during detonation events.

Equipment required at the site will consist of:

- a) Portable fire extinguisher of an ABC dry chemical type will be present in vehicles used to transport MEC;
- b) A fire truck will be readily accessible on standby mode within 5 minutes of the facility site while routinely scheduled waste treatment OB/OD operations are being conducted; and
- c) Portable communication devices such as vehicle mounted and hand held radios will be used to communicate at the facility during operations.

- **40 C.F.R. § 264.33, Testing and Maintenance of Equipment**

- **40 C.F.R. § 264.34, Access to Communications or Alarm System**

The OB/OD unit location is remote and no phone communication service available. Authorized personnel should always make sure to carry a radio device or cell phone. The OB/OD unit consist of the cave storage area and detonation pit which are roughly 150+ ft from each other; the working area is relatively small that a voice (yelling) warning is adequate to warn all personnel working at the site.

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During detonation operations, communication devices are available to all personnel involved to maximize communication during the operation at all times. A minimum of two persons (“buddy system”) is required during detonation operations. Communications/emergency evacuation procedures will be briefed prior to conduct of waste treatment operations at the site.

Portable communication devices such as vehicle mounted and hand held radios will be used to communicate at the facility during operations.

- **40 C.F.R. § 264.37, Arrangements with Local Authorities**

DPS is the local authority with the knowledge and skill to respond to emergencies at the site. All other necessary arrangements with local authorities are established under the DPS SOP for the facility especially during the detonation event.

A fire truck will be readily accessible on standby mode within 5 minutes of the facility site while routinely scheduled waste treatment OB/OD operations are being conducted.

- **40 C.F.R. § 264.52, Contingency Plan**

The CNMI DPS XRT will maintain standard operating procedures at the site to describe the actions personnel will take in response to emergencies at the site.

- **40 C.F.R. § 264.55, Emergency Coordinator**

- **40 C.F.R. § 264.56 Emergency Procedures**

The CNMI DPS XRT will maintain standard operating procedures at the site adequate to comply with the requirements relating to emergency procedures at the site.

- **40 C.F.R. § 264.73(a) & (b)(1) Operating Record**

The operating record required by these sections may be kept at the facility or another location designated by the Permittee. Records in the operating record will be maintained for three years.

- **40 C.F.R. § 264.74 Availability, Retention and Disposition of Records**

- **40 C.F.R. § 264.77 Additional Reports**

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- **40 CFR § 264.111 Closure Performance Standard**

EPA, DEQ and the Permittee will work together and develop an approved closure plan for the facility 180 days prior to estimated closure date.

- **40 CFR § 264.114 Disposal or Decontamination of Equipment, Structures & Soils**

EPA, DEQ and the Permittee will work together and develop an approved closure plan for the facility 180 days prior to estimated closure date.

- **40 CFR § 264.601 Environmental Performance Standards, Miscellaneous Unit**

EPA, DEQ and the Permittee will work together and develop an approved closure plan for the facility 180 days prior to estimated closure date.

- **40 C.F.R. § 270.2, Definitions**

- **40 C.F.R. § 270.4, Effect of a Permit**

- **40 C.F.R. § 270.12, Confidentiality of Information**

- **40 C.F.R. § 270.30, Conditions Applicable to All Permits**

- **40 C.F.R. § 270.32, Establishing Permit Conditions**

- **40 C.F.R. § 270.40, Transfer of Permits**

- **40 C.F.R. § 270.41 Modification or Revocation and Reissuance of Permits**

- **40 C.F.R. § 270.43 Termination of Permits**

III. SPECIAL PERMIT CONDITIONS

5) The Facility may only store and treat hazardous remediation wastes, limited to specific categories of ordnance and explosives which meet the definition of Munitions and Explosives of Concern (MEC), defined as any or all of the following terms currently in use in the explosive

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response community:

“Unexploded Ordnance (UXO)”: means military munitions that have been primed, fused, armed, or otherwise prepared for action, and have been fired, dropped, launched, projected, or placed in such a manner as to constitute a hazard to operations, installation, personnel, or material and remain unexploded either by malfunction, design, or any other cause.

“Military Munitions (MM)”: military munitions includes: confined gaseous, liquid, and solid propellants, explosives, pyrotechnics, chemical and riot control agents, smokes, and incendiaries used by DOD components, including bulk explosives and chemical warfare agents, chemical munitions, rockets, guided and ballistic missiles, bombs, warheads, mortar rounds, artillery ammunition, small arms ammunition, grenades, mines, torpedoes, depth charges, cluster munitions and dispensers, demolition charges, and devices and components thereof.

“Discarded Military Munitions (DMM)”: Military munitions that have been abandoned without proper disposal or removed from storage in a military magazine or other storage area for the purpose of disposal. The term does not include unexploded ordnance, military munitions that are being held for future use or planned disposal, or military munitions that have been properly disposed of consistent with applicable environmental laws and regulations.

“Ordnance & Explosives (OE)/Ordnance & Explosive Waste (OEW)”:

“Explosive components”: (e.g., TNT, RDX, blasting caps, primers) present in high enough concentrations to pose an explosive hazard.

“Improvised Explosive Devices (IED)”: Those devices placed or fabricated in an improvised manner incorporating destructive, lethal, noxious, pyrotechnic or incendiary chemicals, designed to destroy, disfigure, distract or harass. They may incorporate military stores, but are normally devised from non-military components.

“Chemical Warfare Agent”: Also referred to as Chemical Agent. A chemical compound (to include experimental compounds) that, through its chemical properties, produces lethal or other damaging effects on human beings, is intended for use in military operations to kill, seriously injure, or incapacitate persons through its physiological effects. Excluded are research, development, testing, and evaluation (RDTE) solutions; riot control agents; chemical defoliants and

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herbicides; smoke and other obscuration materials; flame and incendiary materials; and industrial chemicals.

“Chemical Agent Contaminated Media (CACM)”: Any mixture of detectable concentrations of chemical agents with soil, water, debris, or other solid or liquid media.

“Biological Warfare Materiel (BWM)”. An item configured as a munition containing an etiologic agent that is intended to kill, seriously injure, or incapacitate a person through its physiological effects. BWM can also include etiologic agents that are designed to damage or destroy crops that are intended for human consumption.

Commercial Explosives & Blasting Agents”:

“Commercial Ammunition, Pyrotechnics & Fireworks”:

“Other hazardous waste items which contain explosive hazards”

Nothing in this section is intended to prohibit any use of the Site otherwise authorized by the AOC, including, but not limited to the use of the Site for Emergency Events conducted pursuant to paragraph 9 of the AOC.

- 6) Under this Permit, the Permittee is prohibited from storing and treating any non-explosive type hazardous wastes at the OB/OD unit. This provision is not intended to limit any other storage or treatment which may be authorized pursuant to AOC RCRA-9-7003-0003.
- 7) The primary methods of waste treatment at this facility will be open burning/open detonation (OB/OD) and neutralization methods using DOD 4145.26M – DOD Contractors Safety Manual for Ammunition and Explosives as a guide. Open Detonation methods will use explosive charges and detonated remotely using accepted industry standard firing procedures such as non electric, electric or radio controlled firing systems. The Permittee shall not employ alternative methods of treatment or disposal for the waste without prior written approval from US EPA.
- 8) Personnel conducting waste treatment of MEC at this facility will meet the training and qualifications standards of an “Explosives or munitions emergency response specialist” as defined above. Nothing in this RAP is intended to preclude use of the facility for training purposes.
- 9) Prior to the beginning of each open burn and/or open detonation event, the Range Safety Officer (RSO) shall give a safety briefing, which will include at minimum: Type of clothing to

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be worn, smoking prohibitions, burn station rules, ignition sequence, opening and disposition of wastes, emergency services, first aid, and life flight. Prior to initiation of disposal operations, all personnel shall retreat to a safe observation point far from the disposal range. This location is outside the Personnel Exposure Distance Limits. Re-entry into the area shall be allowed only by permission of the Range Safety Officer (RSO). Specific procedures for disposal operations are contained in the CNMI XRT standard operating procedures.

- 10) The Fire Department and Emergency Medical Services shall be notified and made available to provide on-site fire truck and ambulance units for quick response to the disposal range. CNMI DPS shall coordinate their assistance to the detonation operations.
- 11) At least one week prior to commencing non-emergency open burning and/or open detonation activities, the Permittee shall publish public notice one (1) time in the newspaper. Permittee may also broadcast the public notice on cable television in addition to publishing notice.
- 12) The Permittee shall provide a copy of the notice to DEQ, Toxic Waste Management Branch.
- 13) The Permittee shall comply with all applicable State, local and Federal laws and regulations for non-emergency operations, including all applicable US Department of Transportation regulations. Actions conducted as explosive emergency response, as defined in the AOC, will comply with the EPA guidance for emergency response operations.
- 14) Under this Permit, the Permittee is prohibited from storing and treating any munitions containing chemical warfare agent, biological warfare material, radiological hazardous wastes or chemical agent contaminated media at the OB/OD unit. This provision is not intended to limit any other storage or treatment which may be authorized pursuant to AOC RCRA-9-7003-0003.

IV. RECORDKEEPING AND REPORTING

- 15) The Permittee shall maintain treatment reports at the site or at DPS. Treatment reports shall be prepared following each treatment event at the OB/OD unit.
- 16) The Permittee must submit to the EPA Project Coordinator identified in the AOC and CNMI DEQ Air & Toxic Management Branch an inventory of the contents of the remediation waste storage unit quarterly for the periods of Jan – Mar, Apr – Jun, Jul – Sep and Oct – Dec. Reports are due on the first of February, May, August, and November.
- 17) The Permittee must maintain at the site or at DPS records as required by the regulations

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incorporated in Section II above. The Permittee must inform EPA where such records will be maintained.

V. SAMPLING AND ANALYSIS

18) The Permittee shall perform groundwater monitoring in accordance with an approved workplan.

VI. GENERAL CLOSURE REQUIREMENTS

19) No less than 180 days prior to the estimated date of closure of the OB/OD unit, The DEQ and DPS shall work with EPA to implement closure as specified in the General Permit Conditions of this RAP. The closure plan is attached to this RAP and incorporated by reference.

VII. EFFECTIVE DATE

20) Pursuant to 40 C.F.R. § 270.160, this Remedial Action Plan is effective 35 days after the date signed below, unless the RAP is appealed under 40 C.F.R. § 270.155, in which case the permit conditions are stayed pending final agency action.

Nancy Lindsay, Acting Director
Waste Management Division

Date