

MINNESOTA POLLUTION CONTROL AGENCY
Solid and Hazardous Waste Division
Site Response Section

Status Report Regarding the Request for Response Action issued to the United States Department of the Navy and FMC Corporation by the Minnesota Pollution Control Agency on May 22, 1984 Regarding the U.S. Naval Industrial Reserve Ordnance Plant Site

April 23, 1985

ISSUE STATEMENT

On May 22, 1984 the Minnesota Pollution Control Agency (MPCA) Board issued a Request for Response Action (RFRA) to the United States Department of the Navy (U.S. Navy) and the FMC Corporation (FMC) regarding contamination at and around the U.S. Naval Industrial Reserve Ordnance Plant (NIROP Site) in Fridley, Minnesota. The RFRA requires the U.S. Navy and FMC to complete a Remedial Investigation, Feasibility Study, and develop and implement a Response Action Plan in accordance with the timetable specified in the RFRA. To date, the U.S. Navy and FMC have failed to substantially comply with the requirements of the RFRA. The purpose of this Information Item is to inform the MPCA Board of the RFRA compliance status.

At the May or June MPCA Board meeting, the MPCA staff will, if necessary, present an appropriate recommendation to the MPCA Board in the event U.S. Navy and FMC do not return to compliance with the RFRA by that time.

I. BACKGROUND

The U.S. Naval Industrial Reserve Ordnance Plant (NIROP) is an 83 acre facility located in Fridley, Minnesota that is owned by the U.S. Navy and is operated by FMC. The NIROP has been operational since 1941 when the facility first began manufacturing naval weapon systems.

The MPCA staff first became involved with the NIROP Site as a result of anonymous complaints in 1980 and 1981 regarding disposal of hazardous wastes at the NIROP site and at the adjacent, but separate FMC Site. 1/ At the request of the MPCA staff, the U.S. Navy initiated in October, 1982 a review of historical data, aerial photographs, personnel interviews and field inspections

1/ Attachment #1 to this Board Item shows the location of the NIROP site relative to the FMC site.

to identify possible hazardous waste disposal areas on the NIROP Site. In June, 1983 the U.S. Navy submitted the results of their review in a report entitled "Initial Assessment Study of Naval Industrial Reserve Ordnance Plant, Minneapolis, Minnesota." The report identified two possible disposal areas of primary concern: (1) trench site and (2) borrow pit site.

The trench site involved two trenches reportedly filled with 50 to 100 drums in 1972. The drums were believed to contain hazardous wastes. A 1972 aerial photograph shows the trenches as they were being filled with drums. The borrow pit site involved two borrow pits which were reportedly used in the late 1960's or early 1970's for disposal of 35 drums of wastes and miscellaneous construction debris.

The Navy initiated a ground water monitoring program at the NIROP Site in October, 1983 at the request of the MPCA staff. The results of the monitoring program show that the Prairie du Chien-Jordan aquifer and alluvial aquifer at the NIROP Site is contaminated by trichloroethylene and traces of other solvents. The ground water monitoring program also indicated that there are at least four separate areas at the NIROP Site where ground water is contaminated. 2/

From December, 1983 to January, 1984 the borrow pit site and trench site were excavated by the U.S. Navy to remove buried drums. Approximately 35 drums were removed from the trench site and 3 drums from the borrow pit site and disposed at hazardous waste landfills in Toledo, Ohio and Emelle, Alabama.

2/ Attachment #2 to this Board Item shows the location of ground water contamination at the NIROP site.

Analysis of soil samples taken by the MPCA staff in January, 1984 at the bottom of the trench site show that relatively high concentrations of hazardous substances (several chlorinated and unchlorinated solvents) still remain in soils in the vicinity of the trench site.

In comparing the hydrogeologic location of the trench site and borrow pit site with the location of ground water contamination it appears that only one of the four areas of ground water contamination can be attributed to the trench and borrow pit sites.

The U.S. Navy has not identified and corrected all areas of soil and ground water contamination. For these reasons, on May 8, 1984 the MPCA staff met with the U.S. Navy and FMC to discuss the MPCA staff intention to recommend issuance of a Request for Response Action (RFRA) to require further response actions at the NIROP Site. At that time the MPCA staff, U.S. Navy and FMC negotiated a mutually acceptable timetable for completing the response actions subsequently specified in the RFRA recommend for MPCA Board issuance. On May 22, 1984 the MPCA Board issued the RFRA to the U.S. Navy and FMC to complete a Remedial Investigation, Feasibility Study and Remedial Action Plan.

II. DISCUSSION

In this section of the Board item, the MPCA staff present the U.S. Navy and FMC compliance status with the RFRA issued on May 22, 1984 regarding response actions at the NIROP Site.

A. Relationship Between the U.S. Navy and FMC

By letter dated June 4, 1984, the Minnesota Attorney General's office acting on behalf of the MPCA stated that:

"As the MPCA Board indicated [during the May 22, 1984 Board Meeting], as long as the Navy proceeds in a satisfactory manner according to the schedule set out in the Request for Response Action, the MPCA will not require FMC to conduct any of the work required by the RFRA, even

though FMC has been named a responsible party. In the event that the Navy fails to complete the work specified in the RFRA, the MPCA will look to FMC to complete the work. The MPCA will notify you of any failure of the Navy to comply with the RFRA prior to requesting FMC to undertake the remaining work."

In accordance with this letter and the MPCA Board's position, the MPCA staff initially looked to the U.S. Navy to satisfy the requirements of the RFRA. However, the U.S. Navy has consistently failed to satisfy the requirements of the RFRA. 3/ Consequently, by letter dated December 4, 1984 the MPCA staff notified FMC that the U.S. Navy had failed to complete the work specified in the RFRA and the MPCA staff therefore required FMC to complete the work. Despite this notification, FMC has failed to undertake the remaining work.

B. Proposed Remedial Investigation Work Plan and Schedule

Part II.A.2. of the RFRA required the U.S. Navy and FMC to submit a proposed Remedial Investigation Work Plan and Schedule by September 30, 1984. This submittal has not yet been made. 4/ Further Remedial Investigation, Feasibility Study or Response Actions are dependent upon this work plan and have, therefore, not been taken.

C. Evaluation of the Current Situation and Identification of Possible Alternative Response Actions

Part II.A.3. of the RFRA required the U.S. Navy and FMC to submit an evaluation of the current situation by September 30, 1984. This submittal has not yet been made. This submittal is an important element in defining Remedial Investigation and would assist in development of a Feasibility Study.

3/ Recognition of the U.S. Navy as the "primary" responsible party and FMC as the "secondary" responsible party regarding implementation of the requirements of the RFRA is parallel to the approach taken by the MPCA regarding the Twin Cities Army Ammunition Plant and the responsible parties for that site.

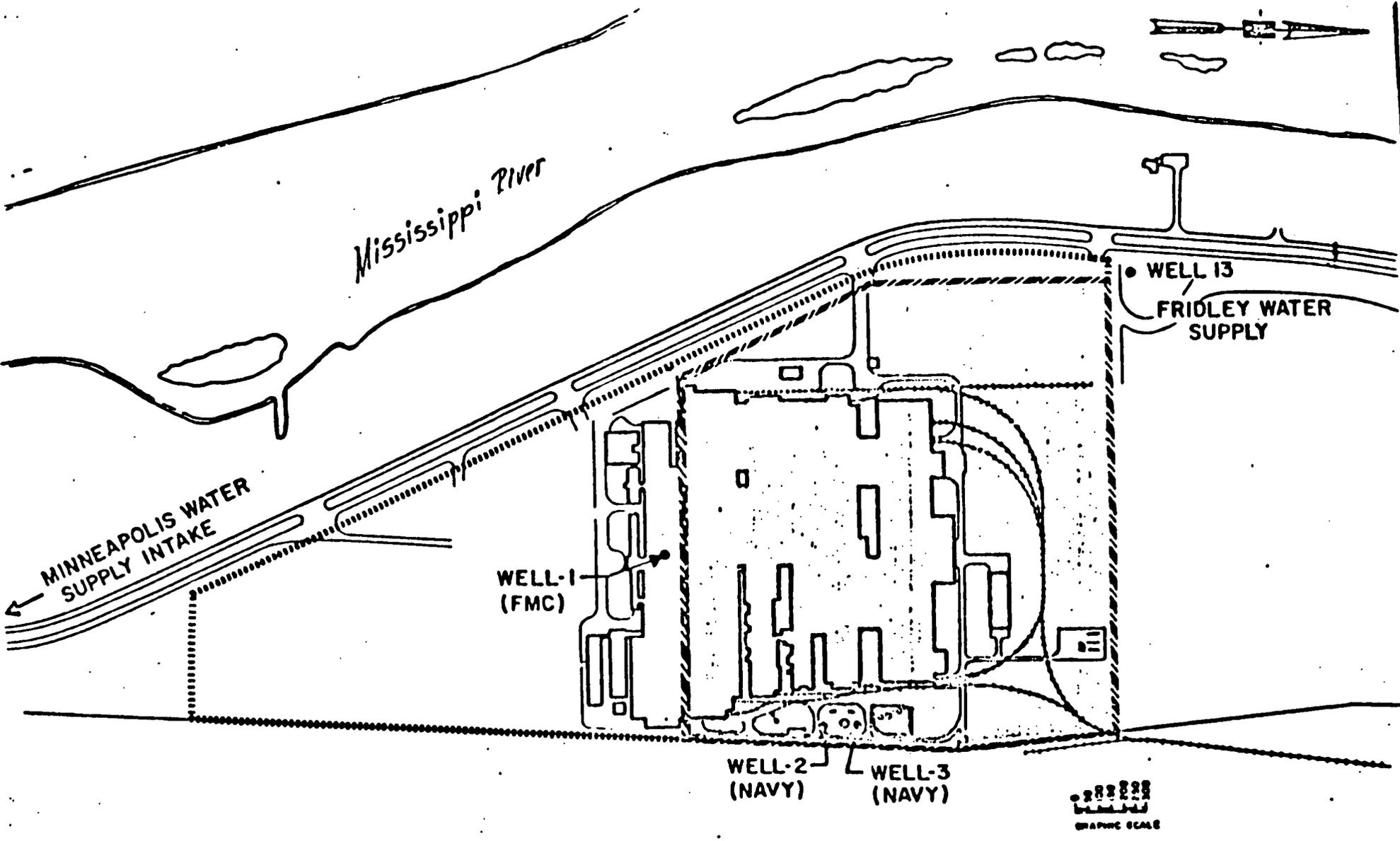
4/ The MPCA letter dated March 25, 1985 regarding this submittal explains the status in more detail. This letter is attached as Attachment #3.

Part II.A.6. of the RFRA requires the U.S. Navy and FMC to submit an Identification of Possible Alternative Response Actions by September 30, 1984. This submittal has not yet been made.

III. CONCLUSION

The MPCA staff believe that FMC and the U.S. Navy are not making a good faith effort to comply with the RFRA that had been mutually agreed upon between the MPCA staff, FMC and the U.S. Navy and subsequently issued by the MPCA Board. FMC and the U.S. Navy have consistently failed to make submittals required by the RFRA. Consequently, no significant cleanup actions have been taken at the NIROP Site since the issuance of the RFRA.

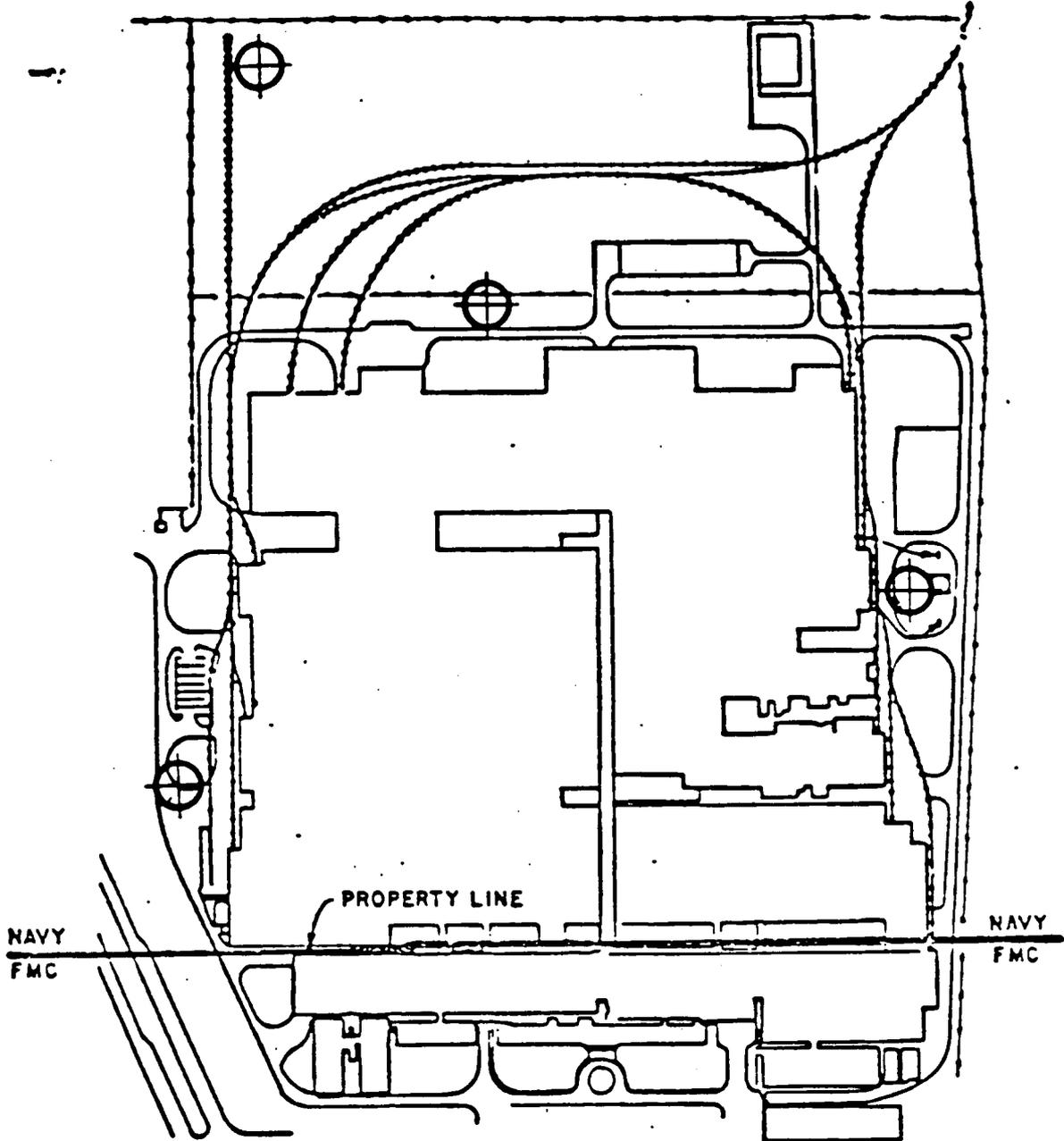
If FMC and the U.S. Navy continue in their failure to comply with the RFRA, the MPCA staff will present the situation together with an appropriate recommendation to the MPCA Board at the May or June meeting of the MPCA Board.



-  NAVY PROPERTY
-  NAVY PROPERTY LINE
-  FMC PROPERTY LINE
-  RR TRACKS

MAP #1
NIROP SITE RELATIVE TO FMC SITE

Attachment 1



LEGEND

 area of ground water contamination



MAP #2

AREAS OF GROUND WATER CONTAMINATION



Minnesota Pollution Control Agency

MAR 25 1985

Mr. A. Rhoads
 Environmental Protection Section
 Attention: Code 1142
 Department of the Navy
 Northern Division
 Naval Facilities Engineering Command
 Philadelphia, Pennsylvania 19112

Mr. William Warren
 Legal Counsel
 FMC Corporation
 Northern Ordnance Division
 4800 East River Road
 Fridley, Minnesota 55421

Dear Sirs:

Re: Submittals Pursuant to Naval Industrial Reserve Ordnance Plant
 Request For Response Action

The Minnesota Pollution Control Agency (MPCA) staff has received your letter, dated February 8, 1985, submitted pursuant to the Request For Response Action (RFRA) issued by the MPCA on May 22, 1984 to the U.S. Navy and FMC regarding clean up of the Naval Industrial Ordnance Reserve Plant (NIROP Site) in Fridley, Minnesota. This letter was submitted to correct deficiencies noted by the MPCA letter dated December 4, 1984 that disapproved the U.S. Navy's October 26, 1984 submittal.

The MPCA staff have determined that the February 8 submittal does not fulfill the requirements of the RFRA. The inadequacies in the submittal are described below:

1. Remedial Investigation (RI) Work Plan (Part II.A.2. of the RFRA)

The U.S. Navy proposal to complete the RI Work Plan through a cooperative effort with the U.S. Environmental Protection Agency (EPA) is hereby disapproved since the EPA, by letter dated February 28, 1985, has declined to assist the U.S. Navy in this effort.

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The following areas must be addressed to complete the RI Work Plan:

a. Source Investigation (Part II.A.2.b. of the RFRA)

As noted in the MPCA letter dated December 4, 1984, ground water in the vicinity of monitoring wells 1S and 2S is contaminated. The initial source investigation effort shall include these two areas.

b. Hydrogeologic Investigation (Part II.A.2.c. of the RFRA)

(1) Definition of Ground Water Contamination

As noted in the MPCA letter dated December 4, 1984, additional ground water monitoring wells shall be installed upgradient and downgradient of existing monitoring wells 1S and 2S to define the source and extent of ground water contamination in these areas.

(2) Off-Site Investigation

As noted in the MPCA letter dated December 4, 1984, the RI Work Plan shall address investigation of off-site ground water to define the extent and magnitude of contamination and actual or potential hazards to public health and the environment.

c. Soils Investigation (Part II.A.2.d. of the RFRA)

As noted in the MPCA letter dated December 4, 1984, soils in the vicinity of possible source areas near monitoring wells 1S and 2S shall be investigated.

2. Evaluation of Current Situation (Part II.A.3. of the RFRA)

As noted in the MPCA letter dated December 4, 1984, the U.S. Navy shall submit a summary of potential on and off-site health and environmental effects as required by Part II.A.3.b. of the RFRA.

3. Possible Alternative Response Actions (Part II.A.6. of the RFRA)

As noted in the MPCA letter dated December 4, 1984, the U.S. Navy shall submit general information regarding the applicability of alternative response actions in abating the release or threatened release of hazardous substances from the NIROP Site.

Mr. A. Rhoads and Mr. William Warren
Page Three

In light of the continuing failure of the U.S. Navy and FMC to submit an acceptable RI Work Plan, evaluation of the current situation and possible alternative response actions in accordance with the RFRA, the MPCA staff hereby request that the U.S. Navy and FMC submit the needed information to fulfill the requirements of the RFRA. The information shall be submitted to the MPCA by April 15, 1985.

In addition, if the U.S. Navy and FMC fail to submit the required information by April 15, the MPCA staff intend to bring this matter to the attention of the MPCA Citizen's Board at their meeting on April 23, 1985 together with an appropriate MPCA staff recommendation regarding U.S. Navy and FMC noncompliance with the conditions of the RFRA.

Please contact David Richfield of my staff at (612) 296-7710 if you have any questions regarding this matter.

Sincerely,

Thomas J. Kalitowski
Executive Director

TJK:sg

cc: The Honorable David Durenberger, United States Senator
The Honorable Rudy Boschwitz, United States Senator
The Honorable Gerry Sikorski, United States Representative
The Honorable Donald Fraser, Mayor of Minneapolis
The Honorable William Nee, Mayor of Fridley
Richard Cornelius, General Counsel
Dave Smith, U.S. Navy
Judy Longfield, FMC Corporation
Roger Grimes, U.S. EPA, Chicago
Kerry Street, U.S. EPA, Chicago

bcc: Dale Wikre

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