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NSTC GREAT LAKES, IL
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LETTER REGARDING RESPONSIBILITY FOR COMPLIANCE WITH ENVIRONMENTAL
REQUIREMENTS FOR ONGOING OPERATIONS FORT SHERIDAN IL
10/1/1996
DEPARTMENT OF THE NAVY



DEPARTMENT OF THE NAVY
NAVAL TRAINING CENTER
2701 SHERIDAN ROAD
GREAT LAKES, ILLINOIS 60088-5001

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OCT 1996

Ms. Colleen Reilly
BRAC Environmental Coordinator
Fort Sheridan
3155 Blackhawk Drive, Suite 17
Fort Sheridan, IL 60037

Dear Ms. Reilly:

The Navy is concerned that there have not been any detailed discussions of the division of responsibility for compliance with environmental requirements for ongoing operations on the Navy property in the past. The transfer agreement between the Army and Navy specifically addresses cleanup responsibility and liability but is less clear about operational responsibility. As the Army considers multiple component remedial actions requiring long term operation and tie in to Navy infrastructure, resolving these issues becomes more important.

The first issue is responsibility for hazardous waste disposal and generator ID numbers. The transfer agreement clearly limits the Navy's liability for cleanup to one million dollars. Allowing investigative derived wastes and wastes from remedial actions to be disposed of using a Navy hazardous waste generator ID number would make the Navy liable in the future for that waste. This is unacceptable since it is contrary to the secretarial Memorandum of Understanding (MOU) and would increase our cleanup liability. Accordingly, it is requested that you continue to dispose of hazardous and special wastes generated during cleanup and investigation activities using the existing Army ID number. A separate, independent number will be used for wastes generated by the Marines of MAC 48 during their vehicle maintenance operations at Building 368.

The second issue is responsibility for permits required for the proposed Interim Remedial Action at Landfills 6 and 7. Our understanding of the Army/Navy relationship in this case is that as the property owner, the Navy is ultimately responsible for compliance with operational requirements and discharge limitations that will be imposed on the treatment systems for gas and leachate removed from the Landfills. Procedurally, during design and construction of the interim remedial action, the Army will be acting in the same capacity as a contractor constructing the remedy on our property. In similar situations at NTC Great Lakes, all permits and notices of intent are prepared by the contractor but they are reviewed and signed by the Navy.

Specifically, in the case of Landfills 6 and 7, this would mean that the discharge permit for the leachate treatment system would be a modification to the Navy's existing permit rather than a separate, independent, industrial pretreatment system Discharge Control Document permit. The construction permit application and any required air permits for the gas collection and treatment

system would be submitted to the appropriate regulatory agencies through the Navy. Following this procedure will ensure that the land owner and permit holder are the same. This will facilitate management of the property and associated infrastructure and reduce the potential for future confusion about responsibilities.

We recommend a new MOU be developed between the Army and Navy to address logistical and liability issues related to the proposed Interim Remedial Action at Landfills 6 and 7. Logistical issues to be addressed include payment for utilities, access agreements, responsibility for road maintenance during construction, and procedures for obtaining required permits. Long and short term liabilities associated with discharge of treated leachate to our sanitary sewer system and operation of the gas treatment system should also be addressed.

Our points of contact on this issue are Ms. Jenny Ross, Environmental Engineer (N453) at (847) 688-5999 or Mr. Tim Hyland, Counsel at (847) 688-3780.

Sincerely,



C. A. RICE
Captain, Civil Engineer Corps
United States Navy
Assistant Chief of Staff
Installations and Environment
By direction of the Commander

Copy to:

IEPA (Mr. Paul Lake)
EPA Region V (Mr. Owen Thompson)
USACE, Louisville District (Mr. Bob Filleccia)
NSSD (Ms. Penny Brouhard)

Blind copy to:

NTC Counsel (OGC) (Ms. Vlahos)