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ENVIRONMENTAL PROTECTION PLAN NAVY EXCHANGE GAS STATION REMEDIATION
MILLINGTON SUPPACT TN
7/1/2001
CH2MHILL

**Environmental Protection Plan
NEX Gas Station Remediation**

**Naval Support Activity Mid-South
Millington, Tennessee**

Revision No. 01

**Contract No. N62467-98-D-0995
Contract Task Order No. 0061**

Submitted to:

**U.S. Naval Facilities
Engineering Command
Southern Division**

Prepared by:



CH2MHILL
Constructors, Inc.

115 Perimeter Center Place, N.E.

Suite 700

Atlanta, GA 30346

July 2001

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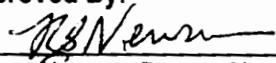


Matt Haupt, Project Manager

8/9/01

Date

Approved By:

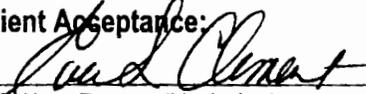


R. Scott Newman, Program Manager

09 AUG 01

Date

Client Acceptance:



U.S. Navy Responsible Authority

8-10-01

Date

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Definitions

Sediment - Soil and other debris that has eroded and has been transported by runoff water or wind.

Solid Waste - Rubbish, debris, garbage, and other discarded solid materials, except hazardous waste (defined below) resulting from industrial, commercial, and agricultural operations and from community activities.

Sanitary Waste - Waste characterized as domestic sanitary sewage.

Rubbish - Combustible and noncombustible wastes such as paper, boxes, glass, crockery, metal, lumber, cans, and bones.

Debris - Combustible and noncombustible wastes such as ashes and waste materials resulting from construction or maintenance and repair work, leaves, and tree trimmings.

Chemical Wastes - Salts, acids, alkalies, herbicides, pesticides, and organic chemicals.

Garbage - Waste material derived in whole or in part from fruits, vegetables, meats or other plants or animals (including poultry) material; other refuse of any character whatsoever that has been associated with any such material onboard any means of conveyance, including food scraps, table refuse, galley refuse, food wrappers or packing materials (other waste material from stores, food preparation areas, dining rooms, etc).

Hazardous Waste - Any material that can no longer be used for its intended purpose or discarded material, liquid, solid or gas, which meets the definition of a hazardous material and/or is designated a hazardous waste by the Environmental Protection Agency (EPA), the Tennessee Department of Environment and Conservation (TDEC) or the U.S. Navy.

Hazardous Materials - Hazardous materials as defined in 49 Code of Federal Regulation (CFR) 171 and listed in 49 CFR 172.

Landscape Features - Trees, plants, shrubs, and ground cover.

Lead Acid Battery Electrolyte - Electrolyte substance (liquid medium) within a battery cell.

Oily Waste - Petroleum products and bituminous materials.

Special Waste - Items that require special or separate handling and/or certain disposal requirements.

Class I Ozone Depleting Substance (ODS) - Class I and Class II ODS are defined in Sections 602 (a and b) of the Clean Air Act.

2.0 Environmental Protection Requirements

2.1 Facility Hazardous Waste Generator Status

Naval Support Activity (NSA) Mid-South is designated as a Large Quantity Generator. All work conducted within the boundaries of this activity must meet the regulatory requirements of this generator designation CCI will comply with all provisions of Federal, State and local regulatory requirements applicable to this generator status regarding training and storage, handling, and disposal of all construction derived wastes.

2.2 Contractor Liabilities for Environmental Protection

This project and NSA Mid-South are subject to Federal, State, and local regulatory agency inspections to review compliance with environmental laws and regulations. CCI will fully cooperate with any representative from any Federal, State or local regulatory agency who may visit the job site and will provide immediate notification to the Contracting Officer, who will accompany them on any subsequent site inspections. CCI will complete, maintain, and make available to the Contracting Officer, station, or regulatory agency personnel all documentation relating to environmental compliance under applicable Federal, State and local laws and regulations. CCI will immediately notify the Contracting Officer if a Notice of Violation (NOV) is issued to the Contractor.

Should a Notice of Violation (NOV), Notice of Noncompliance (NON), Notice of Deficiency (NOD), or similar regulatory agency notice be issued to NSA Mid-South as facility owner/operator on account of the actions or inactions of CCI or one of its subcontractors in the performance of work under this contract, CCI will cooperate in defending against regulatory assessment of any civil fines or penalties arising out of such actions or inactions.

3.0 Environmental Manager

CCI will appoint in writing an Environmental Manager for the project site. The Environmental Manager will be directly responsible for coordinating contractor compliance with Federal, State, local, and NSA Mid-South requirements. The Environmental Manager will 1) ensure compliance with Hazardous Waste Program requirements (including hazardous waste handling, storage, manifesting, and disposal); 2) implement the Environmental Protection Plan; 3) ensure compliance with all environmental permits; 4) ensure all environmental permits are closed out; 5) ensure compliance with Stormwater Pollution Prevention Plan requirements; and 6) ensure compliance with hazardous materials (storage, handling, and reporting) requirements. The Environmental Manager will be trained to adequately accomplish the following duties:

- Ensure waste segregation and storage compatibility requirements are met
- Inspect and manage satellite accumulation areas
- Ensure only authorized personnel add wastes to containers
- Ensure all CCI and subcontractor personnel are trained in 40 CFR requirements in accordance with their position requirements
- Coordinate removal of waste containers
- Maintain environmental records and required documentation, including environmental permits compliance and close-out

A copy of the letter appointing the Environmental Manager will be forwarded under separate cover. The letter will state that the Environmental Manager is responsible for managing and implementing the Environmental Protection Plan as described in this contract and the Environmental Manager's authority to direct the removal and replacement of non-conforming work.

3.1 Manager Training

The Environmental Manager will have the following training:

- Hazardous Communication (HazCom) training in accordance with 29 CFR 1926.59
- Hazardous Waste training in accordance with 40 CFR 261 and 262
- Department of Transportation (DOT) training in accordance with 49 CFR 172

4.0 Preconstruction Survey

A preconstruction survey was conducted with Randy Wilson (NSA Mid-South) during the prebid site visit on April 26, 2001. The site consists of an abandoned gas station with ancillary facilities. Three major structures, the Automotive Exchange Building (Building 757), the Automobile Repair and Service Building, and the pump island structure are present at the site. The site is bounded by a chain link fence on the west and north sides and by Old Navy Road on the south side. The approximate area encompassed by the site is 585 feet by 210 feet. A majority of the site is paved with asphaltic concrete, with the exception of the area to the east of the pump islands structures where the underground storage tanks (USTs) were located. Seven pump island concrete structures have had the fuel dispensers removed, but have a canopy substructure remaining. Numerous direct-push technology (DPT) borings have been advanced around the site. The USTs were removed from the site by others. Photographs are presented in Appendix A.

Work to be performed on this site will consist of sawcutting asphalt, excavation of contaminated soil, installation of sump recovery wells, and backfilling with certified clean soil. Groundwater will be pumped into a frac tank, then into an oil/water separator (OWS) for treatment. Removal of Pump Island 4 and the existing canopy from Pump Island 3 to Pump Island 7 are included in this work.

5.0 Hazardous Material Management

A list all hazardous material, including quantities, proposed to be brought to the station and copies of the corresponding material safety data sheets (MSDS) are included in the Health and Safety Plan, presented as Appendix B of Work Plan Addendum 02. All hazardous materials will be approved by Public Works Department, Environmental Division. CCI will account for the quantity of hazardous material brought to the station, the quantity used or expended during the contract, and the leftover quantity. Any unused hazardous material that has additional useful life will be removed from the station by CCI. If a hazardous material has no useful life it will be handled as a hazardous waste.

Proposed quantities of hazardous materials to be brought onsite at NSA Mid-South for this work include the following:

- Acetylene (one 125-cubic foot bottle)
- Oxygen (one 330-cubic foot bottle)
- Unleaded Gasoline (120 to 130 gallons)
- Kerosene (10 gallons)
- Motor Oil (3 to 5 gallons)
- Hydraulic Fluid (3 to 5 gallons)
- Liquidnox Detergent (1 pound)
- Diesel Fuel (250 gallons)

6.0 Contractor 29, 40, 49 CFR Employee Training Records

All employee training records throughout the term of the contract meeting applicable 29 and 49 CFR requirements will be kept at the site. CCI will provide certification of employee training in the once identification of personnel for the site have been established. All subcontractor training records will be kept at the same location.

All personnel involved with physical work on the site will be provided with 40-hour OSHA hazardous waste site worker (HAZWOPER) training, in compliance with 29 CFR 1910.120.

7.0 Hazardous Waste Management

Hazardous waste to be generated during construction is anticipated to be limited to minimal amounts of lead paint involved with the canopy demolition. All other anticipated wastes are special wastes associated with benzene contaminated soil, or construction and demolition debris. The anticipated amount of hazardous wastes generated from the canopy demolition will be segregated from other wastestreams, placed on a minimum of 6-millimeter (mil) poly sheeting, with hay bales as a berm, and protected from the elements with a cover of a minimum of 6-mil poly sheeting.

It is not anticipated that the wastes generated from the construction will be placed in storage containers due to the bulkiness of the canopy removal. Storage will be onsite in an area approved by the Navy. Prior to generation of hazardous waste, labeling requirements for storage of hazardous wastes will be coordinated with Randy Wilson (NSA Mid-South). CCI will store hazardous waste near the point of generation up to a total quantity of 1 quart of acute hazardous waste or 55 gallons of hazardous waste. Should storage containers be used, they will be turned in to the hazardous waste permitted storage facility, (Building 1694) within 3 days after they are filled. CCI will be responsible for removal of this hazardous waste within 90 days of generation.

If the work requires the temporary storage/collection of regulated or hazardous wastes, CCI may request the establishment of a regulated waste storage area, a satellite accumulation area, or a 90-day storage area at the point of generation. CCI will submit a request in writing to the Contracting Officer providing the following information:

- Contract number
- Contractor
- Hazardous waste or regulated waste point of contact (POC)
- Phone number
- Type of waste
- Source of waste
- Emergency POC
- Phone number
- Location of the site

The only hazardous waste anticipated for this project is lead paint waste removed to allow demolition of the canopy. The waste will be accumulated in a 5-gallon DOT-approved container. Discussions with NSA Mid-South indicate that this waste will be disposed of by NSA Mid South. Coordination with Randy Wilson, NSA Mid-South, prior to removal of the lead based paint will ensure that NSA Mid-South will be able to accept the waste. On the day of removal of the lead paint waste from the stanchion sections of the canopy, the waste will be placed into the DOT-approved container, and transported from the site to NSA Mid-South by a DOT-approved hazardous waste transporter. Manifests and profiles will be completed and signed prior to transport. Delivery of this waste from the project site to NSA Mid-South will cross a public thoroughfare. Once delivered to NSA Mid-South, no additional hazardous waste is anticipated.

8.0 Solid Waste Management

CCI will make every effort to prevent contamination of the site or other areas when handling and disposing of wastes. At project completion, work areas will be left clean. Recycling will be coordinated with the Contracting Officer and the activity recycling coordinator.

Solid waste (including non-hazardous debris) will be disposed offsite at a State-permitted, approved landfill. Solid waste disposal will comply with most stringent local, State, and Federal requirements including 40 CFR 241, 40 CFR 243, and 40 CFR 258.

CCI will submit a solid waste disposal report to the Contracting Officer every month. For each waste, the report will state the classification (using the definitions provided in this plan), amount, location, and name of the facility receiving the solid waste. Copies of the weight tickets, receipts, bills of sale, and other documentation will be included.

8.1 Solid Waste Disposal Permit

CCI will submit one copy of a State permit or license showing that the landfill is approved before transporting wastes off NSA Mid-South property. This copy is attached in Appendix B.

8.2 Dumpsters

CCI will equip each dumpster with a secure cover that will prevent rainwater from entering into the dumpster. All dumpsters will be equipped with a secure cover, which will be kept closed at all times except when being loaded with trash and debris. Dumpsters will be located behind the construction fence or out of the public view, and will be emptied at least once a week or as needed to keep the site free of debris and trash. If necessary, CCI will provide 55-gallon trash containers to collect debris in the construction site area. The trash containers will be located behind the construction fence or out of the public view and will be emptied at least once a day.

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9.0 Environmental Permit and Report Requirements

Permit requirements for this project are:

- NSA Mid-South Digging Permit
- Electrical Outage Request for facilities on the site (if applicable)
- Shelby County Well Permit
- City of Millington POTW Discharge Permit for wastewater
- State of Mississippi/EPA Landfill Permit for disposal of benzene contaminated soil
- Regulatory Notification of start of work following preconstruction comprehensive sampling Event

Report requirements for this project are:

- Draft and Final Quarterly Sampling Reports
- Draft and Final Construction Completion Report
- Draft and Final Closure Report
- Site Specific Standard (if necessary)

10.0 Spill Response

10.1 Spill Response Procedures

The following procedures will be followed for the prevention and mitigation of minor spills and releases during construction activities.

CCI will immediately contain and cleanup small spills, which include minor spills, leaks, or drips of contamination that have been released beyond the boundaries of the onsite waste or fuel storage area (i.e., have not been released to the environment). Examples of minor spills include: diesel fuel (less than 2 gallons) spilled to ground during equipment fueling, transmission fluid (less than 1 quart) leaked from equipment to soil, or an incidental spill of liquid when transferring waste from a drum to a tank.

Spill control materials will be maintained in the support zone and at fuel storage and dispensing locations. Incidental spills will be contained with sorbent and disposed of properly. Spilled materials must be immediately contained and controlled. Spill response procedures include:

- Immediately warn any nearby personnel and notify the work supervisor
- Assess the spill area to ensure that it is safe to approach
- Activate site evacuation signal if spill presents an emergency
- Ensure any nearby ignition sources are immediately eliminated
- Stop the source of the spill if possible
- Establish site control for the spill area
- Use proper personal protective equipment (PPE) in responding to the spill
- Contain and control spilled material through the use of sorbent booms, pads, or other materials

Spilled material, contaminated sorbent and contaminated media will be cleaned up and removed as soon as possible. Contaminated spill material will be drummed, labeled, and properly stored until material is disposed of. Contaminated material will be disposed of according to applicable federal, state, and local requirements.

Ms. Tammy Plumlee (cell phone: 423/503-8003) will be assigned as on-scene spill response manager for the site. Mr. Benny Vine will be assigned as spill response coordinator. Both Ms. Plumlee and Mr. Vine are 40-hour HAZWOPER trained. All spill response will be coordinated through Ms. Nancy Ballantyne, CCI Environmental Manager.

In addition, the following personnel are 40-hour HAZHOPER trained and may be contacted for any spill:

- Mr. Matt Haupt, cell phone: 770/330-1157
- Mr. David Demas: CCI cell phone: 765/278-1104

10.2 Oily and Hazardous Wastes

CCI will take precautions to prevent oily or other hazardous substances from entering the ground, drainage areas, or local bodies of water. All temporary fuel oil or petroleum storage tanks will have a temporary berm of sufficient size and strength to contain the capacity of the tanks plus 10 percent in the event of leakage or spillage. All temporary tanks will be locked when not being used and drainage logs will be completed and submitted to the Resident Officer in Charge of Construction (ROICC) and Public Works Department, Environmental Division. Public Works Department, Environmental Division, will approve all tanks.

CCI will take precautions to prevent spills of oil and hazardous material. Spill kit(s) will be located at the site to handle small petroleum spills onsite. In the event of a spill during normal working hours, the Contracting Officer, Public Works Department, Environmental Division, will be contacted immediately if the spill is mobile or as it enters the stormwater or sanitary sewer or if there is a threat to life, health or fire notify the Base Fire Department. In the event of a spill outside normal working hours, the Contracting Officer, Base Fire Department, and the Officer on Duty (OOD). Spill response will be in accordance with the Base Facility Response Plan and applicable Federal, State, and local regulations.

11.0 Protection of Natural Resources

CCI will preserve the natural resources within the project boundaries and outside the limits of permanent work. CCI will confine construction activities to within the limits of the work indicated or specified. It is not anticipated that any natural resources will be impacted in this scope of work.

11.1 Land Resources

Except in areas to be cleared, CCI will not remove, cut, deface, injure, or destroy trees or shrubs without the Contracting Officer's permission. CCI will not fasten or attach ropes, cables, or guys will not be fastened or attached to existing nearby trees for anchorages unless authorized by the Contracting Officer.

11.2 Protection of Trees

No trees are present in the vicinity of the proposed remediation site.

11.3 Replacement of Damaged Landscape Features

This section is not applicable.

11.4 Stream Crossings

There are no known streams or stream crossings in the proposed remediation site.

11.5 Fish and Wildlife Resources

It is not anticipated that the remediation site is a habitat for fish or wildlife. If wildlife do come onto the remediation site, CCI and its subcontractors will not disturb them. If the wildlife pose a danger to CCI or their subcontractors or to themselves, CCI will contact the Environmental Department for assistance. CCI does not anticipate that the remediation activities will significantly disturb the native habitat adjacent to the project.

11.6 Wetlands Protection

It is not anticipated that this remedial action will disturb wetlands. CCI will take precautions to ensure construction activities do not extend beyond the bounds of the construction site.

11.7 Historical and Archaeological Resources

It is not anticipated that this remedial action will disturb historical or archaeological resources. If CCI uncovers or finds evidence of historical or archaeological resources, CCI will carefully protect in-place those resources and report immediately to the Contracting Officer historical and archaeological items or human skeletal remains discovered. CCI will stop work in the immediate area of the discovery until directed by the Contracting Officer to resume work.

12.0 Stormwater Management and Control

12.1 Ground Cover

During the execution of the work, ground cover will be protected to the maximum extent possible.

12.2 Erodible Soils

CCI will finish the earthwork brought to a final grade, as indicated or specified in Work Plan Addendum 02. CCI will immediately protect side and back slopes upon completion of rough grading.

The following methods will be used to prevent erosion and control sedimentation:

- Washing of equipment or vehicles outside of a containment area will not be allowed during this contract.
- All dumpsters will be covered when not in use and/or when it is raining.
- CCI will notify the Environmental Division at (901) 874-5367 and the ROICC before any dewatering discharges. It is not anticipated that dewatering will occur for this work.
- Stormwater controls will be in place before and during any ground is disturbed which would cause runoff. Controls will remain in place until contractor has demobilized off of the site. Sediment that escapes site will be removed to prevent its reaching stream, creek, and ditch. Sediment will be removed from traps, silt fences, straw bales, and etc., as necessary and when design capacity has been reduced by 50 percent.
- Control measures will be visually checked on a weekly basis and repaired as necessary to ensure that proper functioning during dry periods and within 24 hours after any rainfall of 0.5 inches within a 24-hour period. All repairs must be completed within 24 hours from when the problem is identified. Daily checking and repairing is necessary during prolonged rainfall. A written inspection report of the weekly inspections will be submitted within the first 10 days of each month to the Environmental Division.
- Records of control measure maintenance, checks, and repairs will be maintained throughout the entire construction period.
- The site supervisor is responsible for erosion and sediment controls.

12.3 Temporary Measures

All temporary measures used during the remediation work will be removed by CCI from the site once the work has been completed at the site. Temporary measures will be removed only after the final course of limerock has been installed and compacted.

Ms. Tammy Plumlee, Project QC Manager, is responsible for inspection of storm water control measures.

12.3.1 Mechanical Retardation and Control of Runoff

Control of runoff from the site will be accomplished by construction of diversion ditches, benches, berms, and use of silt fences and straw bales to retard and divert runoff to protected drainage courses. Each bale will be securely anchored by least two stakes or rebars driven through the bale. The first stake in each bale will be driven toward the previously laid bale to force the bales together. Stakes or rebars will be driven deep enough into the ground to securely anchor the bales. The gaps between bales will be chinked (filled by wedging) with straw to prevent water escaping between the bales. Standard strength synthetic filter fabric fence will be purchased in a continuous roll and cut to the length of the barrier to avoid the use of joints and thus improve the strength and efficiency of the barrier. The stakes will be spaced a maximum of 3 feet apart at the barrier location and driven securely into the ground (minimum of 8 inches). A trench will be excavated approximately 4 inches wide and 4 inches deep along the line of stakes and upslope from the barrier. The filter material will be stabled to the wooden stakes, and 8 inches of the fabric will be extended into the trench. Heavy duty wire stables at least 0.5-inch in length will be used. Filter material will not be stapled to existing trees. The trench will be back filled and the soil compacted over the filter material.

12.3.2 Vegetation and Mulch

It is not anticipated that any vegetation or mulch will be utilized for this remediation.

12.3.3 Burning

Open burning is not permitted.

12.3.4 Dust Control

CCI will keep dust down at all times, including non-working periods. The soil at the site, haul roads, and other areas disturbed by operations will be treated with dust suppressants, as necessary. Dry power brooming will not be permitted.

12.3.5 Abrasive Blasting Operations

No abrasive blasting is anticipated for this work.

13.0 Ozone Depleting Substances

No ozone depleting substances (ODS) material are anticipated to be onsite.

14.0 Polychlorinated Biphenyls

No polychlorinated biphenyls are anticipated to be onsite.

Appendix A

Preconstruction Photographs



Figure 1. View of the site looking from Pump Island 7 toward the west. The automobile repair building is visible in the background.



Figure 2. View of the site looking from Pump Island 7 toward the Northwest. In the background is seen the back corner of the automobile repair building on the left and the forward corner of Building 757 on the right.



Figure 3. View of the site looking from pump island number 7 toward the north. Building 757 is visible in the background.



Figure 4. View of the site looking northeast.



Figure 5. View of the site looking east.



Figure 6. View of the pump islands looking east.



Figure 7. Closer view of the pump islands looking toward the pump house.

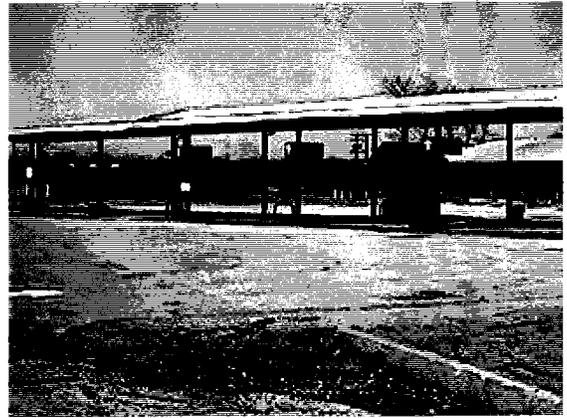


Figure 8. View of the pump islands and canopy.



Figure 9. View of the area where USTs were being removed.



Figure 10. View of the removal of the tanks by others.

Appendix B

Waste Disposal Permit



THE TUNICA LANDFILL
A WASTE MANAGEMENT COMPANY

6035 Bowdre Road
Robinsonville, MS 38664
(662) 363-2282
(877) 98-WASTE
(662) 363-0170 Fax

June 6, 2001

**Mr. Matt Haupt
CH2M Hill Construction Inc.
115 Perimeter Center Place Northeast
Atlanta, GA 30346**

Dear Mr. Haupt,

**Please find the requested permit copies for Trash Hunters of Tunica Inc.
d.b.a. The Tunica Landfill.**

**Enclosed you shall find copies of Solid Waste, Storm Water, Air, and
Pretreatment permits. In addition, CERCLA approval dated September 1,
1998, for this facility.**

**If you should require any additional information please feel free to contact
me at 1-877-989-2783.**

Respectfully Submitted,



**Jeffrey H. Papasan
District Manager
The Tunica Landfill**

Enclosures

State of Mississippi
Water Pollution Control
PERMIT

TO DISCHARGE WASTEWATER IN ACCORDANCE WITH THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

THIS CERTIFIES THAT

**TRASH HUNTERS OF TUNICA, INC. (A WHOLLY OWNED SUBSIDIARY OF
USA WASTE SERVICES, INC.) OPERATOR OF TUNICA COUNTY LANDFILL
ROBINSONVILLE, TUNICA COUNTY, MISSISSIPPI**

has been granted permission to discharge wastewater into

Lost Lake Bayou and a tributary of Strunger Bayou

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II, and III hereof. This permit is issued in accordance with the provisions of the Mississippi Water Pollution Control Law (Section 49-17-1 et seq., Mississippi Code of 1972), and the regulations and standards adopted and promulgated thereunder, and under authority granted pursuant to Section 402(b) of the Federal Water Pollution Control Act.

MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD



AUTHORIZED SIGNATURE

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

Issued: August 26, 1997

Permit No. MSS053317

Expires: August 25, 2002

Modified: January 13, 1998

**State of Mississippi
Water Pollution Control
PERMIT**

TO OPERATE A WASTE DISPOSAL SYSTEM IN ACCORDANCE
WITH NATIONAL AND STATE PRETREATMENT STANDARDS

THIS CERTIFIES THAT

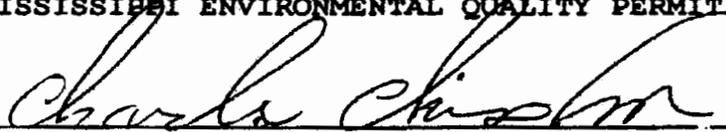
**TRASH HUNTERS OF TUNICA, INC.
ROBINSONVILLE, MISSISSIPPI**

has been granted permission to discharge wastewater into
the Robinsonville-Commerce Utility District (MS0048691)
Wastewater Treatment Facility

in accordance with effluent limitations, monitoring requirements and other conditions set forth in this permit. This permit is issued in accordance with the provisions of the Mississippi Water Pollution Control Law (Section 49-17-1 et seq., Mississippi Code of 1972), and the regulations and standards adopted and promulgated thereunder, and under authority granted pursuant to Section 402(b) of the Federal Water Pollution Control Act.

The issuance of this permit does not relieve the permittee from complying with any requirements which the Publicly Owned Treatment Works (POTW) Authority may deem necessary as a prerequisite to the use of the Authority's sewage system and associated treatment works.

MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD



AUTHORIZED SIGNATURE

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

Issued: August 26, 1997

Expires: August 25, 2002

Permit No. MSP091373

**STATE OF MISSISSIPPI
AIR POLLUTION CONTROL
PERMIT
TO CONSTRUCT AIR EMISSIONS EQUIPMENT
THIS CERTIFIES THAT**

**Tunica County Landfill
Highway 3
Tunica, Mississippi**

has been granted permission to construct air emissions equipment to comply with the emission limitations, monitoring requirements and other conditions set forth herein. This permit is issued in accordance with the provisions of the Mississippi Air and Water Pollution Control Law (Section 49-17-1 et. seq., Mississippi Code of 1972), and the regulations and standards adopted and promulgated thereunder.

Issuance Date: August 26, 1997

MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD



**HEAD, OFFICE OF POLLUTION CONTROL
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY**

Permit No. 2660-00033



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
100 ALABAMA STREET, S.W.
ATLANTA, GEORGIA 30303-3104

SEP 01 1993

4WD-RCRA

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. David Kraus
Trash Hunters of Tunica
6035 Bowdre Road
Robinsonville, MS 38664

SUBJ: CERCLA Off-site Rule: Affirmative Determination of Acceptability for Tunica County Landfill, Tunica County, Robinsonville, Mississippi, Solid Waste Permit Number SW-0720010459

Dear Mr. Kraus:

The U.S. Environmental Protection Agency, Region 4 (EPA) has made an affirmative determination of acceptability for the receipt of non-hazardous CERCLA off-site waste at the Subtitle D lined section of **Tunica County Landfill**, Tunica County, Robinsonville, Mississippi, Solid Waste Permit Number SW-0720010459. Pursuant to 40 C.F.R. § 300.440(a)(4), EPA has completed an initial assessment of Tunica County Landfill, and finds that the Subtitle D lined cell at Tunica County Landfill is acceptable for the receipt of non-hazardous off-site waste. Such off-site waste is defined as those wastes generated as a result of activities authorized pursuant to, or funded by, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

On September 22, 1993, EPA amended the National Oil and Hazardous Substances Pollution Contingency Plan, 40 C.F.R. Part 300, by adding Section 300.440, now known as the Off-site Rule. The rule implements and codifies the requirements contained in CERCLA Section 121(d)(3), and incorporates many provisions of the November 13, 1987, OSWER Directive (No. 9834.11), known as the Off-site Policy. The Off-site Rule establishes the criteria and procedures for determining if facilities are acceptable for the off-site receipt of CERCLA waste, and outlines the actions affected by the standard.

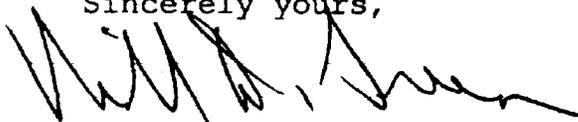
The Off-site Rule requires that prior to a facility's initial receipt of CERCLA waste, EPA shall determine if there are relevant releases or relevant violations at the facility. EPA believes that affirmative determinations of "compliance" and "control of releases" are necessary before a facility may be deemed acceptable for the receipt of CERCLA wastes.

This affirmative determination of Tunica County Landfill is based on information provided by representatives of the Mississippi Department of Environmental Quality (MDEQ). On July 10, 1998 MDEQ conducted an inspection to determine the Tunica County Landfill's compliance with the applicable state regulations and effective operating permits. The results of the inspection indicate that the Subtitle D lined cell at Tunica County Landfill is currently in compliance with applicable environmental standards. Based on communication with MDEQ personnel, the U.S. EPA Regional Office has no information indicating any environmentally significant release of hazardous substances from the Subtitle D lined receiving unit. Therefore, effective upon receipt of this letter Tunica County Landfill is acceptable to receive non-hazardous CERCLA off-site waste at the Subtitle D lined cell of the facility described above. EPA would like to make it clear that the affirmative determination of acceptability is for the Subtitle D lined cell only. Should any new information affecting this determination develop, EPA reserves its right to revisit this decision.

Please note that this determination does not supersede the requirements of Subtitle C of the Resource Conservation and Recovery Act for CERCLA wastes which are also hazardous.

The CERCLA off-site status for Tunica County Landfill is acceptable for Subtitle D solid waste and will remain so until EPA notifies you otherwise. However, please note that the CERCLA off-site status for a facility is dynamic in nature and is subject to change. If you have any questions concerning this matter, please contact Jack Cowart, of my staff, at (404) 562-8007.

Sincerely yours,



Richard D. Green, Director
Waste Management Division

enclosure

cc: David Lee, MDEQ, w/enclosure
Billy Warden, MDEQ