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LETTER REGARDING VIOLATION OF APPROVED AGREEMENT WITH U S AEROSPACE
OPERATIONS FOR MILLINGTON SUPPACT TN
6/28/1996
NAVAL SUPPORT ACTIVITY MEMPHIS



DEPARTMENT OF THE NAVY
NAVAL SUPPORT ACTIVITY MEMPHIS
7800 3RD AVENUE
MILLINGTON, TENNESSEE 38054-5045

IN REPLY REFER TO

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Ser 0101/002313

28 JUN 1996

Mr. Frank Ryburn
Millington Municipal Airport Authority
P.O. Box 308
Millington, TN 38083

Dear Mr. Ryburn:

On May 21, 1996, Ms. Tonya Barker of the Public Works Department, Environmental Division, requested Mr. Ron Farr of U.S. Aerospace provide material safety data sheets for all operations to be performed by their company in Building N-126.

On June 19, 1996, Environmental Division personnel received a complaint regarding irritant vapors or odors emanating from spaces occupied by U.S. Aerospace personnel in Building N-126. Mr. Jim Ferguson of the Base Transition Office was contacted regarding the complaint specifics. When Mr. Ferguson went to investigate the situation, he reported back to Environmental Division personnel that the fumes were overwhelming, but the operations causing the fumes had ceased for the day. The severity of the fumes caused a government aircraft maintenance contractor to temporarily stop operations.

On the morning of June 20, 1996, Mr. Jim Ferguson met with Ms. Tonya Barker, Mr. Randy Wilson, and Mr. Danny Chumney from Naval Support Activity Memphis, Public Works Department, Environmental Division, at the spaces occupied by U.S. Aerospace in Building N-126. During this visit, U.S. Aerospace personnel admitted using Methyl Ethyl Ketone and adhesives on June 19, 1996, causing the irritant vapors. None of these hazardous materials were previously identified by U.S. Aerospace as a requirement for their operation. Furthermore, it appears that U.S. Aerospace personnel were not using appropriate personal protective equipment.

U.S. Aerospace proposed operations did not fully disclose or accurately describe to Public Works Department, Environmental Division, hazardous materials and hazardous wastes generated by their operations. In addition, air pollution permits might be required by the Memphis and Shelby County Health Department. The basis for our initial approval of U.S. Aerospace operation was yours, and U.S. Aerospace's certification that hazardous waste would not be generated, and operations requiring air permits would not be used.

This violation of our approved agreement cannot be tolerated, on this or any other sublease, as it has placed this activity at risk of federal, state, and local environmental violations.

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Any future violations of this sublease will result in our cancellation of our approval of the U.S. Aerospace agreement and we will require immediate suspension of all manufacturing operations by this company.

Please take appropriate actions to ensure U.S. Aerospace has acquired all applicable environmental permits. Public Works Department, Environmental Division, immediately requires all pertinent information regarding U.S. Aerospace processes and an accurate listing of all materials to be used in the various processes to perform an additional approval review. Please take steps to ensure all the above requested information is submitted for Environmental Division review no later than July 5, 1996.

If you have any questions regarding any of these matters, please contact Ms. Tonya Barker of the Public Works Department, Environmental Division, at 874-5461.

Sincerely,

J. A. MALLORY
CAPTAIN, U. S. NAVY
COMMANDING OFFICER

Copy to:
The Honorable George Harvell, Jr.
Mayor of Millington
Millington Base Reuse Committee
N-210-B Bougainville Street
Millington, TN 38053

LCDR Terry Jones, Base Transition Officer