

ATTACHMENT 23

Regulatory History of TEAD-N

History of TEAD-N

On October 2, 1984, the United States Environmental Protection Agency (EPA) proposed Tooele Army Depot North Area (TEAD) for inclusion on the National Priorities List (NPL). The facility was listed on the NPL on October 1, 1990. As a result, the EPA, State of Utah, and TEAD entered into a Federal Facilities Agreement (FFA) on September 16, 1991. In this agreement, 17 source areas (Numbers 5-9, 13, 17-18, 22-23, 31-33, 35-36, and 40-41) were designated as Comprehensive Environmental Response Compensation and Liability Act (CERCLA) action/source areas. These 17 source areas were further grouped into seven operable units (OUs), OU 4 – OU 10. The remaining 29 Solid Waste Management Units (SWMUs) are covered under the Resource Conservation and Recovery Act (RCRA) Corrective Action Permit (CAP), which was issued to TEAD by the State of Utah on January 7, 1991. Under the CAP, the SWMUs were divided into nine known release SWMUs and 20 suspected release SWMUs. Since that time, eight additional SWMUs have been identified for investigation under RCRA, bringing the total to 54 SWMUs identified on TEAD-N.

Guidelines for the remediation of hazardous constituents released from federal facilities are provided in Section 120 of CERCLA. Essentially, all guidelines, rules, regulations, and criteria carried out under CERCLA apply to federal facilities. In that context, environmental studies and remediation activities to be conducted at TEAD-N are governed by CERCLA under the review and approval of the EPA Region VIII and the State of Utah (the Division of Environmental Response and Remediation). The FFA specifies the responsibilities of each agency for the study and cleanup of waste sites at TEAD-N. The FFA also includes a schedule for the completion of each major phase of the CERCLA process. The FFA is attached to this Permit as Appendix VII-C.

The TEAD-N FFA (September 16, 1991) requires that the releases or threatened releases of hazardous substances, pollutants, or contaminants from known source areas and associated OUs identified in Attachment 1 of the TEAD-N FFA will be addressed pursuant to the TEAD-N FFA and CERCLA. *See* TEAD-N-FFA (September 16, 1991) Section 6.1.

Notwithstanding Section 5.3(b) of the TEAD-N FFA and pursuant to Section 6.4B of the TEAD-N FFA (September 16, 1991), “the obligations of the U.S. Army to maintain and comply with the corrective action and post-closure requirements of the Post-Closure Permit for the SWMUs specified in Attachment 2 [of the TEAD-N FFA] are not within the scope of [the TEAD-N FFA].” The TEAD-N FFA (September 16, 1991) further provides that the obligation to identify, investigate, and remediate any new releases or threatened releases of contaminants (i) from a hazardous waste activity, (ii) that is separate from a CERCLA OU, and (iii) is regulated under RCRA shall be pursuant to RCRA and the Utah Solid and Hazardous Waste Act and not within the scope of the TEAD-N FFA.

At the time that the parties signed the TEAD-N FFA, the TEAD-N SWMUs were segregated in groups based on whether releases of hazardous waste or hazardous constituents were known or suspected at the time that the Permittee identified the SWMUs. SWMUs with known releases were separated into Group 1 (permitted SWMUs), and Group 2 (SWMUs that were not permitted). SWMUs with suspected releases were placed into Group 3.

Pursuant to the provisions in the Post-Closure Permit (1991), the Permittee identified nine additional SWMUs with suspected releases (SWMUs 49 – 57) in 1993. Subsequently, the Permittee reorganized the SWMU groupings. The suspected release Group 3 SWMUs were divided into two groupings (Groups A and B) and the newly identified SWMUs were placed into Group C. SWMUs with known releases (Groups 1 and 2) were combined and relabeled Group KR.

Pursuant to the provisions in the Post-Closure Permit (1991), the Permittee identified one additional suspected release SWMU (SWMU 58) in 1998 and placed SWMU 58 into Group D. The Permittee redefined the boundaries of SWMU 58 in 2010, as described in the 2010 Groundwater Management Area (GWMA) Plan.

Portions of the installation underwent closure under Base Realignment and Closure (BRAC) actions. BRAC legislation passed in September 1993 specifying that the Army's maintenance and related missions had to cease at TEAD-N by September 1999. Current closure plans allow for the maintenance area to be utilized for industrial purposes by private firms or other government entities. A total of about 1,700 acres were transferred from TEAD-N under BRAC. The BRAC Property conveyance is subject to the Declaration of Covenants, Conditions, and Restrictions (CC&Rs) recorded January 6, 1999, attached to the deed conveying the BRAC Property as Attachment 24.

Table 1 lists all the SWMUs that have been identified at TEAD and the regulatory program under which they are being assessed or under which they have been clean closed or closed with controls.

**TABLE 1
TOOELE ARMY DEPOT – NORTH
SUMMARY OF SWMUS AND SOURCE AREAS**

SWMU/ Source Area	Group	Description	Area	Agency/Program	Status
1	A	Main Open Burn/Open Detonation Area	TEAD	EPA/CERCLA	IC
1a	A	Cluster Bomb Detonation Area	TEAD	EPA/CERCLA	IC
1b	A	Burn Pad	TEAD	Active area, not in closure; will be addressed under CERCLA	TBD
1c	A	Trash Burn Pits	TEAD	Active area, not in closure; will be addressed under CERCLA	TBD
1d	A	Propellant Burn Pans	TEAD	Active area, not in closure; will be addressed under	TBD
2	KR	Former Industrial Wastewater Lagoon (IWL)	TEAD	DWMRC/RCRA	IC

SWMU/ Source Area	Group	Description	Area	Agency/Program	Status
3	KR	Former X-Ray Lagoon	TEAD	DWMRC/RCRA	NFA
4	B	Sandblast Areas	BRAC	DWMRC/RCRA	NFA
5	OU 7	Pole Transformer PCB Spill	TEAD	EPA/CERCLA	IC
6	OU 7	Old Burn Area	TEAD	EPA/CERCLA	IC
7	OU 7	Chemical Range	TEAD	EPA/CERCLA	IC
8	OU 9	Small Arms Firing Range	TEAD	EPA/CERCLA	IC
9	OU 6	Drummed Radioactive Waste Storage Area	BRAC	EPA/CERCLA	UU/UE
10	KR	TNT Washout Facility	TEAD	DWMRC/RCRA	NFA
11	KR	Laundry Effluent Pond	TEAD	DWMRC/RCRA	IC
12	KR	Pesticide Disposal Area	TEAD	DWMRC/RCRA	IC
13	OU 7	Tire Disposal Site	TEAD	EPA/CERCLA	UU/UE
14	B	Sewage Lagoons	TEAD	DWMRC/RCRA	NFA
15	KR	Sanitary Landfill	TEAD	DWMRC/RCRA	IC
17	OU 5	Former Transformer Storage Area	BRAC	EPA/CERCLA	IC
18	OU 6	Radioactive Waste Storage Building	BRAC	EPA/CERCLA	UU/UE
19	B	AED Demilitarization Test Facility	TEAD	Active area, not in closure; will be addressed under DWMRC/RCRA	TBD
20	A	AED Deactivation Furnace Site	TEAD	Active area, not in closure; will be addressed under DWMRC/RCRA	TBD
21	A	Ammo Deactivation Furnace Site	TEAD	Active area, not in closure; will be addressed under DWMRC/RCRA	TBD
22	OU 8	Building 1303 Washout Pond	TEAD	EPA/CERCLA	IC
23	OU 8	Bomb and Shell Reconditioning Building	TEAD	EPA/CERCLA	IC
24	Group 3	Battery Pit	TEAD	DWMRC/RCRA	NFA
25	KR	Battery Shop Drain Field	TEAD	DWMRC/RCRA	NFA
26	B	DRMO Storage Yard	BRAC	DWMRC/RCRA	NFA
27	Group 3	RCRA Container Storage	TEAD	DWMRC/RCRA	NFA
28	B	90 Day Drum Storage Area	BRAC	DWMRC/RCRA	NFA
29	B	Drum Storage Area	BRAC	DWMRC/RCRA	IC
30	KR	Old Industrial Waste Lagoon	TEAD	DWMRC/RCRA	NFA
31	OU 5	Former Transformer Boxing Area	BRAC	EPA/CERCLA	IC
32	OU 5	PCB Spill Site	BRAC	EPA/CERCLA	NFA

SWMU/ Source Area	Group	Description	Area	Agency/Program	Status
33	OU 5	PCB Storage	BRAC	EPA/CERCLA	UU/UE
34	A	Pesticide Handling and Storage Area	TEAD	Active area, not in closure; will be addressed under DWMRC/RCRA	TBD
35	OU 4	Wastewater Spreading Area	TEAD	EPA/CERCLA	IV
36	OU 7	Old Burn Staging Area	TEAD	EPA/CERCLA	IC
37	A	Contaminated Waste Processing Plant	TEAD	DWMRC/RCRA	IC
38	B	Industrial Wastewater Treatment Plant	BRAC	DWMRC/RCRA	NFA
39	Group 3	Solvent Recovery Facility	BRAC	DWMRC/RCRA	NFA
40	OU 9	AED Test Range	TEAD	EPA/CERCLA	IC
41	OU 10	Box Elder Wash Drum Site	TEAD	EPA/CERCLA	
42	A	Bomb Washout Building	TEAD	DWMRC/RCRA	IC
43	Group 3	Container Storage Areas for P999	TEAD	DWMRC/RCRA	NFA
44	Group 3	Tank Storage (TCE)	BRAC	DWMRC/RCRA	NFA
45	A	Stormwater Holding Pond	TEAD	DWMRC/RCRA	IC
46	B	Used Oil Dumpsters	BRAC	DWMRC/RCRA	IC
47	B	Boiler Blowdown Areas	BRAC	DWMRC/RCRA	NFA
48	A	Old Dispensary Discharge	TEAD	DWMRC/RCRA	IC
49	C	Stormwater System/Industrial Wastewater Piping Systems	BRAC	DWMRC/RCRA	NFA
50	C	Compressor Condensate Drains	BRAC	DWMRC/RCRA	NFA
51	C	Chromic Acid/Alodine Drying Beds	BRAC	DWMRC/RCRA	IC
52a	C	Drain Field	BRAC	DWMRC/RCRA	NFA
52b	C	Disposal Trenches	BRAC	DWMRC/RCRA	NFA
52c	C	Charcoal Material Area	BRAC	DWMRC/RCRA	NFA
52d	C	Horse Stable Area	BRAC	DWMRC/RCRA	NFA
53	C	PCB Storage and Spill Sites	BRAC	DWMRC/RCRA	NFA
54	Group 3	Sandblast Areas	BRAC	DWMRC/RCRA	NFA
55	C	Battery Shop	BRAC	DWMRC/RCRA	NFA
56	C	Gravel Pit	BRAC	DWMRC/RCRA	NFA
57	C	Skeet Range	BRAC	DWMRC/RCRA	IC
58	D	Landfill and Industrial Area Vadose Zone Sources and Groundwater Plumes	BRAC	DWMRC/RCRA	CA /LTM

Notes:

BRAC – Base Realignment and Closure

CA – Corrective Action

CERCLA - Comprehensive Environmental Response Compensation and Liability Act
DWMRC – Division of Waste Management and Radiation Control
EPA – United States Environmental Protection Agency
IC – Institutional Controls (Land Use Controls / Post Closure Permit)
Group 3 – sites meeting NFA and not carried forward to additional investigation.
LTM – Long Term Monitoring
NFA – No Further Action (clean closure)
RCRA – Resource Conservation and Recovery Act
TBD – To Be Determined
UU/UE –Unrestricted exposure