WEST LAKE LANDFILL
ALTERNATIVE DISPUTE RESOLUTION

WORK PLAN

Volume I: Narrative Work Plan

Contract No. 68-W4-0039
Work Assignment No. C07023

March 17, 1997

Prepared for:
U. S. Environmental Protection Agency
Region VII
Kansas City, KS 66101

Prepared by:
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Work Assignment No.	: C07023
Dynamac No.	: 7023
Site No.	: 14
Date Prepared	: March 17, 1997
Date Amended	:
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1.0 INTRODUCTION

1.1 WORK ASSIGNMENT HISTORY/BACKGROUND

West Lake Landfill (the "Site"), Operable Unit No. 1, involves a remedial investigation/feasibility study (RI/FS) being performed by Cotter Corporation (N.S.L.), Laidlaw Waste Systems (Bridgeton), Rock Road Industries, Inc., and the U. S. Department of Energy.

In 1966, the Atomic Energy Commission (AEC) sold 8,700 tons of leached barium sulfate, together with other radioactive residues to Continental Mining and Milling Company. The radioactive residues were generated as by-products of uranium processing performed by the AEC's contractor. These processing residues were stored at the AEC St. Louis Airport Storage Site (SLAPSS). Continental Mining moved the radioactive residues to its facility at 9200 Latty Avenue in Hazelwood, Missouri. Eventually, Cotter purchased the radioactive residues and shipped all but the 8,700 tons of leached barium sulfate to its processing facility in Colorado.

In 1973, approximately 8,700 tons of radioactively contaminated leached barium sulfate residues were mixed with approximately 39,000 tons of soil, and the entire amount was disposed of in two areas of the Site. This material resulted from decontamination efforts undertaken by Cotter at 9200 Latty Avenue, where the residues had been stored. Studies have indicated that these two areas of the landfill are contaminated with uranium-238, uranium-235, thorium-230, and radium-226. In addition to the radioactive materials in the landfill, groundwater at the Site is also contaminated with radioactive materials as well as other hazardous substances.

In 1993, EPA entered into an Administrative Order on Consent (AOC) for the performance of a RI/FS at the Site. As indicated, Cotter Corporation, Laidlaw Waste Systems, Inc., Rock Road Industries, Inc., and the U. S. Department of Energy were signatories to this AOC.

To date, the four respondents to the AOC have shared the cost of the work equally. While this allocation has worked for the RI/FS phase of the work, the upcoming remedial design/remedial action (RD/RA) will be substantially more costly, and some of the parties may have difficulty paying a 25% share. The RI/FS is currently in progress, so no Record of Decision (ROD) has been issued and it is not expected that a ROD will be issued before this allocation process is complete.

Despite the absence of projected remedial costs, the four respondents to the AOC have

indicated a willingness to proceed with an allocation effort. Since DOE is a respondent to the AOC and a sister federal entity to the U. S. EPA, AOC respondents have agreed to use a third-party neutral allocator, and that this process would best serve the interests of the parties and satisfy EPA's desire to maintain neutrality.

Additionally, the private party PRPs have requested that in any allocation performed, that the allocator give consideration and possibly allocate some responsibility to an "orphan". The orphan is B&K Construction Company, which acted as the transporter of the radioactive materials for Cotter Corporation. It has been alleged that B&K actually chose the Site for disposal of the wastes, although there appears to be some conflicting information on this point.

As described by the U. S. Environmental Protection Agency (EPA) in the Work Assignment Statement of Work (SOW), EPA requires that a third party-neutral allocator be obtained to assist the AOC respondents develop a voluntary allocation of costs associated with this site. Dynamac will locate and retain an allocator agreeable to all respondents and the U. S. EPA, who will represent the orphan share in this process.

Dynamac will provide the allocator and perform the oversight functions described in the SOW in such a manner as to maintain a neutral approach to all parties involved in the allocation process.

1.2 SCOPE OF WORK ASSIGNMENT

In the Statement of Work within the work assignment, EPA has identified three primary functions to be performed by Dynamac:

1. Dynamac will locate and obtain a professional allocator/arbitrator with experience in dispute resolution pertaining to environmental laws and regulations to facilitate the voluntary allocation process;

2. Dynamac will identify and contact the affected parties in this process pursuant to SOW requirements and conduct activities described in Section B of the SOW, "Convening Activities"; and

3. Dynamac will provide subcontract oversight and assist the allocator as required in Section C of the SOW, "Allocation".

The Statement of Work also provides for project management, work plan development, and the preparation and submission of contract required reports.

These functions are organized into seven tasks:

Task 1 - Project Management

Task 2 - Work Plan/Cost Estimate

Task 3 - Contract Required Key Reports

Task 4 - Closeout

Task 5 - Allocator Selection/Subcontracting Activities

Task 6 - Convening Activities

Task 7 - Allocation Activity Support

All support provided under this Work Assignment is described in Section 2.0, Technical Approach, which was developed based upon the following:

1) The SOW dated March 10, 1997; and

2) The technical guidance and clarification provided during the technical scoping meeting conducted on March 5, 1997.

2.0 TECHNICAL APPROACH

This section describes the technical, management, and administrative activities proposed by Dynamac to meet the Work Assignment objectives as described in Section 1.2 and as provided in the ESS contract. Section 2.1 describes project management activities. The remaining sections outline the Dynamac Team's approach to completing the technical requirements defined in the Work Assignment Scope of Work and further clarified at the March 5, 1997 technical scoping meeting.

2.1 TASK 1: PROJECT MANAGEMENT

Performance of this task requires the successful completion of the following sub-tasks that are identified and discussed in this section:

* Provide required monthly work assignment technical status reports to EPA;
* Provide personnel conflict of interest control;
* Oversight by the Program Manager; and
* Subcontractor oversight and reporting.

Quality Assurance/Quality Control (QA/QC) is an integral part of performance of each task of the Work Assignment. The level of effort and costs associated with providing QA/QC are included in the costing of each task.

2.1.1 Provide Required Reports of Work

This work assignment specified a period-of-performance (POP) of four and one-half months, from March 10, 1997 to July 31, 1997. Under this task, Dynamac will prepare the Work Assignment Monthly Status Reports (monthly status reports or MSRs) throughout the period that this Work Assignment is active. The MSRs will describe the legal, technical and financial progress of the Work Assignment during the previous month and substantiate any expenditures, including direct labor, other direct costs (ODC), and travel associated with the Work Assignment.

2.1.2 Conflict of Interest Screening

Dynamac initiated both organizational and personal conflict-of-interest (COI) screening activities upon receipt of the Work Assignment. Following this initial step, Dynamac's

Contracts Manager and Officer-in-Charge will complete the COI screening and submit the results to EPA within 20 days of receipt of the PRP list.

Concurrent with the processing of the organizational COI screening and certification, Dynamac staff assigned to this Work Assignment also completed personal COI screening and disclosure forms. This information will be maintained on file by Dynamac.

2.1.3 Oversight by the Program Manager

The Dynamac Acting Program Manager, Mr. Alan Cummings, will provide oversight for the Work Assignment as the Dynamac Project Manager. This oversight includes:

- Monitoring the work assignment to ensure that it remains on schedule and within budget;
- Ensuring that appropriate Dynamac resources, including qualified personnel, are available for the Work Assignment;
- Ensuring that all subcontract activities are properly monitored and reported; and
- Ensuring compliance with provisions of the ESS contract.

LOE and costs estimated for this task include completing the Dynamac corporate and personnel COI searches and certifications, subcontractor monthly technical reports, monitoring deliverable schedules and financial progress, and the preparation of correspondence required by the ESS 7 Contract. Dynamac estimates include the following:

P-4 4 hours: This time includes COI certification, work plan and cost estimate review and approval, approval of the allocator solicitation (contract elements and requirements), and approval of the allocator subcontract.

P-3 18 hours: This time includes the preparation of local technical reports required by the contract, oversight for the subcontractor for technical and budget issues (including scheduled deliverables), and preparation of correspondence required by the contract.

2.2 TASK 2: WORK PLAN DEVELOPMENT

2.2.1 Work Plan Initiation

Upon receipt of the Work Assignment, Dynamac initiated activities necessary to development of a work plan. Activities completed include:

* Acknowledgement of receipt of the Work Assignment;
* Establishment of master and project files specific to this Work Assignment;
* Copying and distribution of the Work Assignment document to appropriate staff;
* Assignment of Work Assignment-specific tracking numbers to accurately track all Work Assignment expenditures; and
* Conducting initial meetings to determine the staffing approach for the Work Assignment to best meet EPA's requirements.

2.2.2 Technical Scoping Meeting

Dynamac prepared for and attended a technical scoping meeting with EPA staff on March 5, 1997. The purpose of this technical scoping meeting was to obtain clarification of the SOW and a better understanding of technical requirements and upcoming deadlines associated with the Work Assignment to enable Dynamac to develop a focused work plan and cost estimate.

Dynamac representatives at the technical scoping meeting were:

Mr. Alan Cummings, Acting Program Manager

EPA representatives included:

Mr. Steve Kinser, EPA WAM
Mr. Ron Stewart, EPA CO
Mr. Larry Stafford, EPA
Mr. Dave Hoefer, EPA/CNSL

Several issues that impact the technical approach, deliverables, and expenditures associated

with this Work Assignment were discussed during the technical scoping meeting. Important direction and clarification provided by EPA during the meeting are discussed in Sections 2 and 6 of this work plan.

2.2.3 Work Plan Development

Following the technical scoping meeting, Dynamac completed development of this Work Plan and associated Cost Estimate. The Work Plan and Cost Estimate were reviewed by the Dynamac Contracts Manager, Mr. David Biver, to ensure compliance with the Region VII ESS Contract. Dynamac submitted the work plan on March 17, 1997.

The estimated cost of accomplishing the tasks set forth in this work plan was presented in Volume II of the original work plan. The initial cost estimate submitted with the work plan ***does not*** include allocator costs. Since Task 5 requires that an allocator be selected who is agreeable to all parties concerned, subcontract costs cannot be included at this point. The first cost estimate only contains estimated costs for Dynamac personnel.

Dynamac will submit an updated cost estimate that includes subcontractor (allocator) estimates after the allocator selection process is completed, and pursuant to the SOW for this work assignment, after completion of the convening phase of this work assignment.

LOE and costs listed for Task 2 include the effort necessary to attend scoping meetings, develop the work plan and related assumptions, and complete a cost estimate for this work assignment that details labor, ODCs, and travel at the task level and by professional labor level. Dynamac estimates the following:

P-3 25 Hours: This includes attending technical scoping meetings, preparation of the initial work plan, preparation of the original cost estimate, preparation of the second cost estimate to include allocator costs from the initial allocator acquisition, and the third cost estimate required by the SOW upon completion of convening activities.

P-2 6 Hours: This includes the review and approval of three cost estimates (as required by the SOW) by contract specialists to ensure that they are accurate and are compliant with contract requirements.

2.3 TASK 3: CONTRACT REQUIRED REPORTS

Dynamac will prepare and submit all reports required by the contract with the exception of the Monthly Status Reports, which will be prepared pursuant to Task 1. LOE listed for this task is for the preparation of the work assignment monthly financial reports and subcontractor financial tracking reports. Dynamac estimates include the following:

P-2 24 Hours: This includes generation of work assignment monthly financial reporting and invoice backups in Kansas City, and financial tracking and reporting on subcontractor invoices in Rockville for the specified period of performance.

2.4 TASK 4: CLOSEOUT

This task includes efforts related to the support of project completion and closeout activities in both the technical and financial areas as well as file maintenance and record indexing.

Typical activities include: review and consolidation of all project and master files to ensure files are complete and in order according to EPA Region VII file guidance; preparation of Work Assignment file indexes identifying all relevant file material; QA review of the final structure and index, copying and providing relevant files to EPA; preparation of Work Assignment files for archived storage; and review an documentation of the final financial status of the Work Assignment. Dynamac estimates 6 P-2 hours and 4 P-3 hours to complete the work described.

2.5 TASK 5: ALLOCATOR SELECTION

The statement of work for this work assignment requires that Dynamac select an allocator professional to act as the convener and allocator for this process. Since pre-approved subcontractors for this contract either do not have professional arbitrators/allocators or are prime contractors on other EPA contracts, Dynamac will solicit proposals from professional arbitration/allocation persons or organizations to ensure, to the greatest extent possible, that third-party neutrality is obtained.

Dynamac will develop a statement of work for the allocator that will include a series of assumptions contained in the EPA SOW for this work assignment and obtained from the technical scoping meeting conducted on March 5, 1997. Dynamac will develop a list of professional allocation/arbitration persons and organizations who have experience in negotiations processes pertaining environmental law and regulation issues. Dynamac will then solicit proposals from the identified allocators for a time and materials subcontract. To minimize costs, Dynamac will attempt to locate allocators/arbitrators in the general area of St. Louis and Kansas City, Missouri to minimize travel costs associated with this effort.

Based on the proposals and the technical qualifications provided by the candidate allocators, Dynamac will select an allocator to perform the tasks identified in the SOW. Proposal review, allocator selection, and execution of the subcontract will be conducted by the Dynamac Program Manager in Kansas City and Dynamac professional contract staff in Rockville, Maryland. Dynamac will attempt to ensure that the allocator selected will be able to competently execute the tasks identified in the EPA SOW and minimize costs associated with this process.

LOE estimated for this task includes the effort necessary to identify allocators close to the St. Louis and Kansas City, Missouri area; develop the solicitation for bids; review submitted bids for costs and qualifications; select an allocator; and facilitate subcontract execution. Dynamac estimates include the following:

P-3 10 Hours: This includes drafting a detailed statement of work and deliverable schedule for inclusion in the allocator solicitation, review of proposals received from allocators, and selection of the allocator to perform the work.

P-2 27 Hours: This includes drafting the solicitation for the allocator, mailing, tracking and reviewing allocator responses, participation in the selection process, and drafting and executing a time and materials subcontract with a cost ceiling.

2.6 TASK 6: CONVENING ACTIVITIES

Pursuant to the requirements contained in the EPA statement of work for this work assignment, Dynamac will, in conjunction with EPA, identify and contact the key parties who have agreed to participate in this voluntary allocation process. Dynamac will determine the following from each key party to this process:

1. What the perceived goals and objectives are for this process;

2. What format that each key party requests be used for the allocation process and any format to which the key party would object; and

3. Whether or not each party will agree to continue with the voluntary allocation process utilizing the third-party neutral allocator selected by the process described in Section 2.5 of this work plan.

This process will be conducted in conjunction with allocator selection activities described in Section 2.5 of this work plan to ensure that all parties agree to this process before the final selection of an allocator. Dynamac is utilizing this approach to minimize costs should one or more parties not agree to continue with the voluntary allocation.

EPA has provided Dynamac with a list of four key parties to this allocation process. Dynamac anticipates that approximately two hours LOE will be necessary to contact and discuss the items listed with each key party, and approximately two hours to complete a letter report to EPA summarizing the results of the interviews and discussions. This task will be performed by the Program Manager. Dynamac estimates include 10 Hours of P-3 time for this effort.

The deliverable for this task will be a brief letter report that identifies the responses of each key party to the proposed allocation process and the desire of each party to participate in the process.

2.7 TASK 7: ALLOCATION ACTIVITY SUPPORT

Dynamac will provide oversight and support for the allocator selected for this voluntary allocation process. This support will include the following efforts and tasks:

1. Provide a liaison between the selected allocator and EPA for issues other than scheduled deliverables. This liaison is necessary to limit direct contact between the allocator and EPA for issues other than EPA's participation in the allocation process representing the orphan share. LOE for managing scheduled deliverables, other than meeting summaries, is included in the Project Management section of this work plan.

2. Provide support to the allocator in arranging for meeting facilities and ensuring that meeting notices and agendas are distributed to key parties in a timely manner.

3. Provide support to the allocator in dealing with contract issues not identified in the Project Management section of this work plan.

4. Review and comment on the allocator's meeting summaries and forward the information to the EPA WAM.

Dynamac anticipates that at least eight meetings will be necessary to complete the voluntary allocation process described in the EPA SOW. LOE indicated is based on facility arrangement requirements for these meetings and providing notification to key parties. If the allocator performs these tasks, Dynamac will not charge hours to this task. Total LOE estimated for this effort is 2 hours per meeting.

Dynamac anticipates that issues will arise that will require liaison between the allocator and EPA that are not addressed in this work plan. LOE listed for liaison activities allows Dynamac to be responsive to allocator requests for guidance for issues not addressed in the SOW. Dynamac estimates that 19 hours LOE should be sufficient to provide liaison activities and contract issue support to the allocator for the period of performance specified in the work assignment form received on March 6, 1997. Dynamac estimates that 35 hours P-3 time will be sufficient to address all of the previously described issues.

All subcontractor hours will be charged to this task.

3.0 DELIVERABLES AND SCHEDULE

Deliverables identified in the SOW, the technical scoping meeting, and described in individual technical approach tasks in Section 2.0 are summarized below.

Table 3-1. Deliverables Schedule

DELIVERABLE	SUBMITTAL DATE
TASK 2: Work Plan/Cost Estimate	
Work Plan/Cost Estimate	March 17, 1997
COI Certification	March 31, 1997
Cost Estimate, 1st Revision	Within 5 working days of allocator selection
Cost Estimate, 2nd Revision	Within 5 working days of receipt of allocator convening report and cost estimate
TASK 7: Allocation Activity Support	
Convening Activity Report	Within 10 working days of the conclusion of convening activities
Final Allocation Report	Within 15 working days of the completion of allocation activities
Interim Reports/Briefings	As needed

4.0 PERSONNEL

Dynamac has selected a work assignment staff based upon categories defined in the Region VII ESS contract and appropriate to the nature of work in this Work Assignment. Key Technical and Key Reports staff are those identified in the ESS Region VII contract. The technical staff identified are available to provide support for this Work Assignment. Additional or supplemental staff may be assigned to the Work Assignment to facilitate meeting EPA deadlines. Supplemental staff will be assigned and managed to meet the overall Work Assignment cost structure and will not increase expenditures, unless justified by changes in the scope of work.

Table 4-1 provides a summary listing of the Dynamac staff who will provide support for this Work Assignment. Resumes of these staff members are included in Attachment A.

Table 4-1. WORK ASSIGNMENT STAFF

NAME	LABOR CATEGORY	TITLE NATURE OF SUPPORT
DYNAMAC CORPORATION		
Redacted	P-4	Contracts Manager. Review of contractual procedures and documents, COI database searches.
	P-3	Program Manager.
	P-2	Key Reports Coordinator.
	P-2	Contracts Specialist.

FOIA Exemption 4

5.0 SUBCONTRACTING

The statement of work for this work assignment specifies that a third-party neutral allocator be selected to conduct the voluntary allocation process therein described. Since Dynamac is a prime contractor for the EPA Region VII Enforcement Support Services Contract and the pre-approved subcontractors for this contract either do not have a professional arbitrator/allocator or have other EPA contracts, Dynamac will subcontract with a professional arbitrator/allocator to ensure that the allocator can function as a neutral third party to this process. The allocator will be selected pursuant to the procedures contained in Section 2.5 of this work plan.

The statement of work for the subcontractor will contain the elements contained in Section B of the EPA SOW, Convening Activities, and Section C, Allocation.

No other subcontracting or professional services are anticipated based on the current scope of this work assignment.

Subcontractor costs are not included in the initial cost estimate for this work assignment, since selection of the subcontractor other than a pre-approved subcontractor is a part of the initial work assignment. Dynamac will submit a second cost estimate to EPA after proposal have been received from the subcontractor solicitation process.

6.0 EXCEPTIONS TO THE WORK ASSIGNMENT OR ANTICIPATED DIFFICULTIES

The technical approach for this Work Assignment is based upon the SOW provided by EPA and additional clarification and technical guidance provided during the March 5, 1997 technical scoping meeting. This Work Plan is based on assumptions and limitations which were defined at the technical scoping meeting.

This Work Plan and subsequent Cost Estimate is based upon the following assumptions:

1. That the period of performance is not extended beyond July 31, 1997. If the POP is extended, Project Management and Key Report functions will increase. These are calculated on a monthly basis times the POP.

2. That the number of meetings for completion of the process will be eight or less, and that the meetings will not exceed one day each. An increase in the number of meetings will increase the effort necessary to review meeting summaries and address issues with the allocator.

7.0 QUALITY ASSURANCE

The Dynamac Quality Assurance/Quality Control (QA/QC) Program Plan is incorporated by reference into the contract governing this Work Assignment. The Work Assignment and all subsequent activities and deliverables may be the subject of a random audit by the EPA Contract QA Officer pursuant to the EPA QA Program Plan. If an audit is conducted, any corrective action will be addressed in meetings with the key management staff of the ESS contract.

All deliverables submitted under this Work Assignment are subject to the deliverable QA review process described in Dynamac's QA Program Plan.

ATTACHMENT A

DIRECT LABOR MATRIX

DIRECT LABOR MATRIX
PERCENTAGES BY TASK AND P LEVEL
Work Assignment No. C07023

TASK	TECHNICAL LABOR LOE Hours (Percent of Total Technical LOE)					
	P-4	P-3	P-2			TOTAL
Task 1	4	16				20 (12%)
Task 2		25	6			31 (19%)
Task 3	0		24			24 (14%)
Task 4		4	6			10 (6%)
Task 5		10	27			37 (22%)
Task 6		10				10 (6%)
Task 7		35				35 (21%)
WA Totals	4 (2%)	100 (60%)	63 (38%)	0	0	167 (100%)

Task 1: Project Management
Task 2: Work Plan Development
Task 3: Contract Required Key Reports
Task 4: Closeout
Task 5: Allocator Selection
Task 6: Convening Activities
Task 7: Allocation Activity Support

ATTACHMENT B

RESUMES

Alan S. Cummings

Academic Qualifications: B.A., Liberal Arts, University of Missouri at Kansas City, 1992

Specialized Training:

OSHA 40-Hour Hazardous Waste Site Health and Safety Training
OSHA 8-Hour Hazardous Waste Site Supervisor Training
EPA 40-Hour Air Surveillance for Hazardous Materials (165.4)
NOAA 40-Hour Oil Spills in Riverine Environments
EPA 32-Hour Chemical Safety Audit (165.19)
EPA/NOAA 16-Hour CAMEO-II DOS
University of Missouri 16-Hour Hazardous Materials Incident Analysis
PVCC 48-Hour Chemistry of Hazardous Materials
PVCC 48-Hour Hazardous Materials Tactics
UPRR 16-Hour Introduction to Hazardous Materials Incident Response
MO DNR 4-Hour Recognition and Identification of Hazardous Materials
DOT 8-Hour HMT-181 Training and Certification
8-Hour Radiation Safety Course
8-Hour Environmental Law
American Red Cross First Aid and CPR

Experience: ***Program Manager, ESS 7, DYNAMAC Corp., 1995-Present.***

Mr. Cummings is the program manager for the EPA Region 7 Enforcement Support Services contract. He is responsible for providing technical leadership as well as ensuring compliance with contract requirements. During his tenure, Mr. Cummings has conducted industrial surveys and technical reviews for PRP searches and is a member of the EPA Region 7 chemical accident investigation team that investigated the cause of a chemical explosion that occurred in Iowa in 1994.

Training Group Leader, Ecology and Environment, Inc., Region 7 TAT Contract, 1992-1995.

As the Training Group Leader, Mr. Cummings was responsible for managing 4 persons in that TAT 7 Training Group. He has managed Superfund and CEPP projects, coordinated multidisciplinary teams on concurrent projects, and tracked and reported on administrative and financial issues. He also served as the project manager on CERCLA responses and removals. In his capacity as Training Group Leader, Mr. Cummings was charged with managing TAT planning support, task-based hazards analysis programs, training development and delivery programs, the chemical safety audit program, review and recommendations for developing environmental health and safety regulatory requirements, the regional TAT health and safety program, and all of the necessary coordination with Federal, state and local agencies as well as the private sector. He managed all resources associated with this portion of the TAT contract. As a project manager, Mr. Cummings was responsible for developing and reviewing all project work plans and reports as well as conducting field supervision and management of these activities. He conducted field work reviewed resultant data and reports, tracked project budgets and schedules, and performed other miscellaneous contract administrative activities associated with his position. As a manager of TAT programs, Mr. Cummings was responsible for the development of more than 66 work plans and their associated cost estimates and supervised teams comprised of diverse disciplines (engineers, industrial hygienists, fire fighters, scientists, hazardous waste specialists). He was responsible for hiring, development, supervision and evaluation of his staff.

During the 1993 midwestern floods, Mr. Cummings performed and supervised hazardous substance and oil recovery from land and rivers. He directed aerial and river reconnaissance surveys, orphan container recovery operations, chemical field screening, and waste stream sampling and bulking. He also provided contractor oversight, conducted hazardous waste storage facility inspections and inspections for compliance with SARA Title III. He provided key safety plan support for Des Moines River activities and Perryville, MO, activities through development, evaluation, updating and training. During his time as Training Group Leader, Mr. Cummings also managed the chemical emergency response to the Terra International chemical plant explosion in Sergeant Bluff, IA. He managed and conducted around-the-clock air surveillance operations documenting off site releases of anhydrous ammonia for public exposure evaluation. He worked closely with EPA and the local incident commander providing potential exposure information and recommendations for public safety. He entered the facility during the emergency phase of this operation with EPA to assess other chemical storage tank integrity, secondary containment integrity, and the location and condition of small containers. Mr. Cummings also assisted EPA conduct a CEPP investigation to determine the cause of the explosion and develop recommendations for preventing future similar occurrences.

Training Group Member, Ecology and Environment, Inc., Region 7 TAT Contract, 1988-1992.

As a Training Group Member under the TAT contract in Region 7, Mr. Cummings conducted 36 chemical safety audits in Region 7 as a project manager or an audit team member. These audits involve evaluation of facility and corporate chemical risk management and accident prevention programs and development of recommendations to improve facility and community emergency response plans and preparedness. Local and state planning and response officials were requested to participate in the CSA process if facility management agreed. Mr. Cummings has also developed and delivered custom training programs for state and local government agencies pertaining to hazards identified at facilities being audited. In all cases, these programs were developed and delivered in a cooperative effort with the audited facility.

Mr. Cummings has responded to 118 chemical and oil-related emergency responses during the 6 years that he worked on the TAT contract. These emergency responses included train derailments, chemical plant explosions, significant chemical releases at facilities, in transportation, and abandoned chemicals on public and private property. Mr. Cummings has proven both his management and technical skills for dealing with emergency situations. He responded to an explosion at the ChemTech facility in Kansas City, MO, to assess remaining bulk storage containers in the tank farm where the explosion occurred and determine whether or not chemicals were released. He responded to a request for assistance by the Kansas City, KS, Fire Department where an unplacarded load of ammonium perchlorate had been involved in a truck fire in a residential area. Mr. Cummings provided investigative support, technical assistance and detailed documentation of site activities during the overpacking, transport, sampling, and detonation of over 3,000 pounds of this Class 4 oxidizer in 22 deteriorating drums.

Mr. Cummings has managed or participated in over 15 CERCLA removal support activities at several sites. At the Chemical Commodities site in Olathe, KS, he managed the emergency response that led to the site assessment and managed the initial site assessment. Assessment activities at the removal support sites included multi-media sampling and air monitoring for worker health and safety and public exposure potential, structural integrity evaluations for structures on the site, chemical field screening, and contingency planning. Mr. Cummings provided air monitoring, contingency planning support, and multi-media sampling during the emergency removal of a potentially shock-sensitive soil sterilant cylinder from a residential area in Fremont, NE, to a remote quarry where the cylinder was intentionally detonated.

Mr. Cummings conducted several site investigations during six-plus years on the TAT contract. He conducted multi-media sampling, supervised installation of monitoring wells, conducted air

monitoring activities with field instrumentation, and assisted in geophysical surveys. He maintained detailed documentation of all activities and finding and forwarded that information to EPA.

In addition to the chemical safety audits, Mr. Cummings assisted local emergency planning committees (LEPCs) in Region 7 to develop hazards analysis programs, analyze impacts of hazardous materials routing through major population centers, critique response and exercise activities, and evaluate emergency plans, operating procedures, and training programs. Mr. Cummings coordinated with state and local officials throughout the region to develop full-scale hazardous materials simulations, table-top exercises, and small-scale response simulations.

Mr. Cummings researched, developed and presented over 308 hazardous material prevention and emergency response training programs for Federal, state and local government organizations. He developed much of the 240-Hour Hazardous Materials Technician training program for EPA Region 7 and conducted 6 presentations of this comprehensive training program. Training programs that Mr. Cummings has developed range from custom OSHA 8-Hour health and safety refreshers to multi-day chemical accident prevention programs and include toxic air release computer modeling training programs, a variety of response programs, and hazardous materials management and accident prevention programs.

Gladstone, MO, Public Safety Department, 1971-1988.

During his 18 years with the Gladstone Department of Public Safety, Mr. Cummings held progressively more responsible position in both fire and law enforcement activities that culminated in 7 years as the commander of the fire division. He has commanded police patrol units, fire suppression units, fire prevention and code enforcement units, and hazardous materials response units. As fire division commander, Mr. Cummings managed an annual budget of $940,000, the complexity of which is indicated by the budget's consisting of 16 accounts. During this tenure, he organized formal certification programs for all operational classifications and advance training program requirements accordingly. Mr. Cummings participated in all contingency planning activities for the city and headed several planning committees, as well as coordinating mutual aid and state emergency planning coordination. He developed and implemented all budgets associated with these programs and reported directly to the public safety director.

U. S. Army, 1968-1971.

Mr. Cummings served in the U. S. Army for three years. He was an instructor for the avionics communication equipment repair course in Fort Gordon, GA. While assigned at ARADMAC in Corpus Christi, TX, he assisted personnel from Frankford Arsenal develop and present basic transistor theory and a basic transistor trouble shooting courses.