Message

From: Newland, Jesse [Newland.Jesse@epa.gov]
Sent: 11/30/2017 4:20:20 PM
To: Gerhard, Sasha [Gerhard.Sasha@epa.gov]
Subject: RE: OB/OD permit denials/intent to deny
Attachments: Copy of X01 Permit Denials_R8_JNewland_Comments.xlsx

Hi Sasha,

Deliberative Process / Ex. 5

Cheers,

Jesse Newland
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From: Gerhard, Sasha
Sent: Tuesday, November 21, 2017 6:26 AM
To: Ashby.Scott_deq.virginia.gov <Ashby.Scott@deq.virginia.gov>; leslie.romanchik@deq.virginia.gov; Herstowski, Ken <Herstowski.Ken@epa.gov>; Newland, Jesse <Newland.Jesse@epa.gov>; Zabaneh, Mahfouz <Zabaneh.Mahfouz@epa.gov>; Craig, Harry <Craig.Harry@epa.gov>
Cc: McGoldrick, Catherine <McGoldrick.Catherine@epa.gov>; Crosby-Vega, Terri <Crosby-Vega.Terri@epa.gov>; Shuster, Kenneth <Shuster.Kenneth@epa.gov>; Kohler, Amanda <Kohler.Amanda@epa.gov>
Subject: OB/OD permit denials/intent to deny

Hello everyone,

On last month's Subpart X Permit Writer call, I had asked if the group could review a data pull of OB/OD units that were coded as intent to deny (ID) or permit denied (PD) to see if folks could find out the reason why (e.g., BRAC closure, application withdraw - never used, public opposition, risk to HH&E, etc.). As explained on the call, the National Academy of Science, Engineering, and Medicine (NASEM) is interested in learning about OB/OD units that were denied RCRA permits (or an intent to deny issued) primarily for operating, interim status units. The NASEM is trying to ascertain the factors that led to those decisions which likely will be factored into the review committee's recommendations for and against OB/OD of munitions.

I believe that the NASEM is most interested in cases such as the attached Notice of Intent to Deny Permits for Open Burning at Los Alamos – 3 reasons for denial: risk assessment showed Eco risk; large public opposition; and applicants did not adequately assess alternatives. However, this case seems to be the only one (Camp Minden is another where public opposition resulted in the decision not to allow OB/OD, and though it fell under Superfund, it is still useful for NASEM). Regardless, it would be beneficial to know the reason even if just due to base closures.

This email is being sent to those of you who have OB/OD units listed in your region or state. If you could help me out (or pass along to someone who can) by taking a look at the attached file that Chuck Hendrickson added information to for

Region 6 states, and provide information in the notes column where possible, I would be very appreciative. I realize it is a holiday week, but if you could get back to me by COB next Thursday, November 30th, that would be great.

Thank you,
Sasha

Sasha Gerhard
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