

Texas Involvement In The FUDs Preliminary Assessment Of Eligibility Process

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- Purpose of brief
- Review State concerns with FUDS PAE process
- Identify Texas roles and responsibilities in the PAE
- Recent initiatives to improve the FUDs program
 - FUDS management action plan pilot program



State Concerns With PAE Process

- Association of State and Territorial Solid Waste Management Officials (ASTSWMO) federal facilities current issues task force formed in 1995. FUDS identified as area of concern to states



State Concerns With PAE Process

- 1996 ASTSWMO letter to COE identifies key issues impeding FUDS cleanup including:
 - Lack of State involvement in site prioritization and funding allocation;
 - COE makes no further action decisions at PAE phase without involvement of states



State Concerns With PAE Process

- 1998/1999 Office of Secretary Defense Environmental Security (OSDES) allows for DSMOA/CA reimbursement if state review of INPR identifies contamination problem or for INPR under development



State Concerns With PAE Process

- 1998 ASTSWMO survey – no further action review efforts at FUDs
 - Survey of state federal facility managers indicated over half of states believed COE had not made sound environmental decisions on NOFA determinations.
 - Most states cited lack of resources to conduct own assessment of FUDS



State Concerns With PAE Process

- 1999 ASTSWMO meeting with EPA federal facilities leadership council. EPA announces regional funding to states to conduct PA/SI at limited number of FUDS. EPA also announces intention to develop inventory of FUDS in regions to serve as an initial screening for (potential) releases.



State Concerns With PAE Process

- 2000 ASTSWMO annual meeting – Dept. of Army expresses intention to improve FUDS program. State and EPA are encouraged to work through DOD FUDS improvement process.



State Concerns With PAE Process

COE announces states can be reimbursed for reviewing annually 5 previously prepared INPRS. New and revised INPRS will be submitted to states for review and comment



TNRCC Roles and Responsibilities in the PAE

- TNRCC has regulatory oversight for HTRW, OE, CON/HTRW and aspects of BD/DR.
- Over 400 FUDS properties in Texas
- COE actively addressing about 35 projects
- TNRCC provides cleanup oversight through the DSMOA/CA Program



TNRCC Roles and Responsibilities in the PAE

- State regulations do not require state involvement during the COE PAE process. However, COE is responsible for complying with state remediation requirements for sites with releases to the environment



TNRCC Roles and Responsibilities in the PAE

Beginning in 2001 TNRCC Superfund Site Discovery and Assessment Team (SSDAT) began independent review of all FUDS properties to determine if any sites rank on federal or state superfund list.



TNRCC Roles and Responsibilities in the PAE

To date, TNRCC SSDAT has completed review of 150 FUDS with no further action determined at 72 FUDS. SSDAT will continue conducting PA at rate of 15-20 annually.

In addition SSDAT has conducted site inspections on FUDS determined by EPA as high or medium priority



TNRCC Roles and Responsibilities in the PAE

- TNRCC SSDAT review of FUDS includes review of properties previously designated NOFA/NDAI by the COE.
- SSDAT reviews COE file information and searches for additional files, aerial photographs, or historical records



TNRCC Roles and Responsibilities in the PAE

- After record review, determination is made to gather additional data (site visit, sampling, etc.) or no further action.
- If additional information is needed, property placed on list to be inspected.



TNRCC Roles and Responsibilities in the PAE

- TNRCC SSDAT ongoing review of FUDS has resulted in further assessment of several FUDS previously designated NOFA/NDAI due to concerns which may or may not be related to past DOD activities.



TNRCC Roles and Responsibilities in the PAE

- COE has expressed interest in obtaining results of TNRCC SSDAT assessment. However, due to budget limitations COE has only sufficient funding to continue implementing projects considered high to medium relative risk.



TNRCC Roles and Responsibilities in the PAE

- Implementation of Texas FUDS management action plan will increase state and EPA involvement in prioritization process which could include properties previously designated NOFA/NDAI.



FUDS Management Action Plan Initiative

- Joint effort by DOD, States, and EPA to improve the FUDS program
- Texas is in second tier of FUDS map pilots
- Goal: Promote closure of FUDS properties through effective communication and partnership among all stakeholders



FUDS Management Action Plan Initiative

- **Map contents:**
 - COE/EPA/State jointly develop project prioritization criteria
 - Identify budget limitations
 - Promote a coordinated effort for reevaluating previously conducted INPRS and State/EPA involvement in new INPRS
 - Other areas identified by state, EPA, or COE



FUDS Management Action Plan Initiative

- **Texas map – on schedule to complete map by September 2002**



