

NOTICE OF ISSUANCE OF EMERGENCY PERMIT

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF SOLID WASTE MANAGEMENT
5TH FLOOR, L & C TOWER
401 CHURCH STREET
NASHVILLE, TENNESSEE 37243-1535**

The Tennessee Department of Environment and Conservation's (TDEC) Division of Solid Waste Management (DSWM) has issued an emergency permit, Permit No. TNTMP-09-003, to Arnold Engineering Development Center, EPA I.D. Number TN8 57 002 4044, located at 100 Kindel Drive, Arnold Air Force Base, Coffee County, Tennessee. This emergency permit was effective as of August 26, 2009. This permit is valid for 90 days and shall terminate on November 26, 2009. The emergency permit is for temporary storage and treatment by detonation of unexploded ordnance, with a hazardous waste code D003 (reactive).

The emergency permit under Tennessee Rule 1200-1-11-.07(1)(d) was warranted because improper management of the hazardous waste could result in an imminent and substantial endangerment to human health or the environment and because no authorized hazardous waste management facility will accept the hazardous waste due to it being listed as D003. The issuance of this permit has resulted in an environmental benefit by allowing the waste to be stored and treated in a controlled manner. This permit was issued in accordance with the provisions of the original Resource Conservation and Recovery Act and 1984 Amendments and was designed to protect human health and the environment.

Copies of the emergency permit are available for public inspection through November 26, 2009 during normal business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday, except legal holidays, at the Columbia Environmental Field Office, 2484 Park Plus Drive, Columbia, Tennessee 38401; telephone 931-380-3371 and at DSWM's Nashville Central Office located on the 5th Floor, L & C Tower, 401 Church Street, Nashville, Tennessee 37243-1535; telephone 615-532-0780. The emergency permit is also available for public inspection at the Coffee County Lannom Memorial Public Library, 312 North Collins Street, Tullahoma, TN (931-455-2460).

For further information contact: Mr. Roger Donovan; Corrective Action Section; Division of Solid Waste Management; Tennessee Department of Environment and Conservation; 5th Floor, L & C Tower; 401 Church Street; Nashville, Tennessee 37243-1535; telephone 615-532-0864; fax 615-532-0886 or e-mail to Roger.Donovan@tn.gov.

TDEC is committed to principles of equal opportunity, equal access and affirmative action. Contact the EEO/AA Coordinator or the ADA Coordinator at 1-888-867-2757 for further information. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

Persons who wish to be added to the DSWM's mailing list should request a Mailing List Request form by calling or writing: Public Participation Officer; Division of Solid Waste Management; Tennessee Department of Environment and Conservation; 5th Floor, L & C Tower; 401 Church Street; Nashville, Tennessee 37243-1535; telephone 615-532-0798; or e-mail Solid.Waste@tn.gov.

NOTICE ISSUED: September 11, 2009

FACT SHEET

FACILITY NAME: Arnold Engineering Development Center

EPA ID NUMBER: TN8 57-002-4044

PERMIT NUMBER: TNTMP-09-003

HAZARDOUS WASTE: Unexploded Ordnance (UXO); EPA Waste Code D003 (reactive)

PERMIT DURATION: Ninety (90) days; August 26, 2009 through November 26, 2009. The conditions in this Permit were based on Standards Promulgated under the Tennessee Hazardous Waste Management Act (Tennessee Code Annotated 68-212-101 et seq.) and regulations promulgated thereunder by the Tennessee Solid Waste Disposal Control Board. These regulations are found in Tennessee Rule Chapter 1200-1-11, Hazardous Waste Management.

PERMIT BASIS: During a Wildlife Conservation Team survey on August 25, 2009, an M1A1 Anti-Tank Landmine (Practice) from the World War II Camp Forrest days was discovered. The unexploded ordnance (UXO) was found off an old logging road in a remote area north of Sinking Pond within the Old Impact Area North Camp Forrest historical range boundaries. The area of the waste is under the authority of the Military Munitions Response Program.

The fuze of the landmine is severely corroded making it impossible to tell if it still contains explosive material. If there is any explosive material, the permittee claims it is a very small amount. Based on the permittee's description and statement in the emergency permit request, the device does not pose an immediate danger to anyone. The UXO area has been secured until disposal operations can take place. The area has been marked with police tape and requires warning signage. There is a possibility of finding additional UXO items in the next several weeks while the Wildlife Conservation team completes their survey. Prior to contacting the Explosive Ordnance Disposal Team to schedule the detonation, the permittee will be allowed to store the munition in place until the wildlife survey is completed.

Issuance of an emergency permit under Rule 1200-1-11-.07(l)(d) to Arnold Engineering Development Center, Arnold Air Force Base, Tennessee is warranted because the transportation of this waste is too dangerous and is therefore, not an option. The issuance of this permit will result in an environmental benefit by allowing the waste to be treated in a controlled manner.