



DIRECTIVE NUMBER: 9489.01(82)

TITLE: Status of DOD Munitions Deactivation Facilities

APPROVAL DATE: 11-23-82

EFFECTIVE DATE: 11-23-82

ORIGINATING OFFICE: Office of Solid Waste

☒ **FINAL**

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STATUS:

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| [] | A- Pending OMB approval |
| [] | B- Pending AA-OSWER approval |
| [] | C- For review &/or comment |
| [] | D- In development or circulating |

REFERENCE (other documents): headquarters

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Key Words: Federal Facilities

Regulations: 40 CFR 265.382, 270.72

Subject: Status of DOD Munitions Deactivation Facilities

Addressee: Thomas W. Devine, Air and Waste Management Division,
Region IV

Originator: John P. Lehman, Director, Hazardous Industrial Waste Division;
and Bruce R. Weddle, Acting Director, State Programs and Resource
Recovery Division

Source Doc: #9487.01(82)

Date: 11-23-82

Summary:

Existing munitions deactivation furnaces will be considered thermal treatment units, regulated under §265.382. EPA cannot permit these units as there are no comparable Part 264 standards. These facilities may be able to expand during interim status. New munitions deactivation furnaces, however, will be regulated and permitted as incinerators.

DOD facilities which have interim status for open burning can expand to build munitions deactivation furnaces under interim status subject to the expansion cost limitations for interim status.

11-23-82

MEMORANDUM

SUBJECT: Status of DOD Munitions Deactivation Facilities.

FROM: John P. Lehman
Director
Hazardous Industrial Waste Division (WH-565)

Bruce R. Weddle
Acting Director
State Programs and Resource Recovery Division (WH-563)

TO: Thomas W. Devine
Air and Waste Management Division
Region IV

This is in response to your memorandum of June 21, 1982, in which you discuss the regulatory status of the Department of Defense (DOD) munitions deactivation facilities. You request headquarter's support of your approach to these facilities.

The conclusion you reach is two-pronged. Existing munitions deactivation furnaces will be considered thermal treatment units, regulated under §265.382. Although we cannot permit these units, as there are no comparable Part 264 standards, these facilities may be able to expand during interim status. New munitions deactivation furnaces, however, will be regulated and permitted as incinerators.

Your conclusion to allow DOD facilities which have interim status for open burning to expand to build munitions deactivation furnaces under interim status is logical. The expansion may be allowed if the cost of such expansion does not exceed fifty percent of the cost of an entirely new hazardous waste management facility. We are assuming that you have first made the determination that there is a lack of available treatment, storage, or disposal capacity at other hazardous waste management facilities under §122.23(c)(2). (See attached memoranda to Barbara Mikulski and Region III on further clarification of §122.23(c)).

We also support your decision to require any new facilities that DOD builds to modify their designs to meet the Part 264 incinerator standards.

I apologize for the delay in responding to your first memorandum. Apparently, an earlier response to your questions was lost. If you need any further information, please call Deborah Wolpe of my staff at FTS 382-4754.