

Memorandum for BRAC Legal Staff

Date: 6 August 2005

From Mr. George Delgado and Ms. Elizabeth Bieri



SUBJECT: Request for Legal Opinions

Having received information from communities regarding the BRAC recommendations, we respectfully request a written legal opinion on the following matters:

1. Kansas Army Ammunition Plant (KSAAP), Enclosure 1. Can the BRAC Commission even do what the community asks in the Commission Recommendation section? If not, why not?
2. Lone Star Army Ammunition Plant (LSAAP), Enclosure 2. Can the BRAC Commission even do what the community asks in their Community Recommendations section? If not, why not?
3. Watervliet Arsenal, Enclosure 3.
  - a. The justification does not specifically mention the word "conveyance" but does mention the words "partnering" and "leaseback". The community has requested adding the word "conveyance" to the recommendation. Do we need to specifically add the word "conveyance" to the justification, or is this implied within the wording as written by the DoD?
  - b. The community also raises the issue of turning over the entire installation to the LRA for a potential leaseback arrangement with the Government.
    - (1) Would such an effort constitute a closure?
    - (2) Can the Commission vote to enact such a change?
4. Deseret Chemical Depot, Enclosure 4. The Commission recently received this communication from the Utah delegation. Is what they ask for in the Proposed Report Language Recommendation within the purview of the BRAC Commission? If not, why not?
5. Deseret, Newport and Umatilla Chemical Depots, Enclosure 5. Within the recommendations as proposed, each installation would complete the demilitarization of chemical weapons within the BRAC implementation timeframe. Enclosure 5 provides changes to those completion dates. Must the Commission exclude these recommendations from BRAC because the time period exceeds the BRAC timeframe? Or can the Commission vote to accept closure with conditional language to close the installations in accordance with BRAC procedures upon completion of the chemical demilitarization mission (outside the 6-year implementation timeframe)?

**DRAFT BRAC COMMISSION FINDINGS LANGUAGE RE:*****Kansas Army Ammunition Plant – Parsons, Kansas*****SECRETARY OF DEFENSE  
RECOMMENDATION**

Close Kansas Army ammunition plant. Relocate Sensor Fuzed Weapon / Cluster Bomb function and Missile warhead production to McAlester Army Ammunition Plant, Oklahoma; 155mm ICM Artillery and 60 mm, 81mm and 120mm Mortar functions to Milan, Tennessee; 105mm HE, and Missile Warhead functions to Iowa AAP, Iowa; and Detonators/relays/delays to Crane Army Ammunition Activity, Indiana.

**SECRETARY OF DEFENSE  
JUSTIFICATION**

XXXXXXX

**COMMUNITY CONCERNS**

The Kansas Army Ammunition Plant is located in Labette County, Kansas in the town of Parsons, which is in the southeast corner of the State. The community did not oppose the closure of the Army Ammunition plant, but expressed significant concerns about their ability to redevelop the facilities and property of the site due to the loss of 267 jobs that will exacerbate the economic hardship that the region and Labette County already face. The community has proposed that the Government conduct an early transfer and clean-up of the Ammunition Plant to be completed within 3 years. During this transition phase, the community proposes a \$1 dollar per annum lease to the County which will be designated as the Local Re-use Authority (LRA). At the conclusion of the clean-up and transition phase, the community proposes that the Government transfer all equipment, facilities and property to the County at no cost, for re-development and economic impact mitigation.

The community argues that due to the lack of industrial operations in the region, it will be imperative for the community to expeditiously gain access and ownership of the former Kansas Army Ammunition plant to create any hope of viable re-use efforts. Further, the community states that execution of this proposal will not affect US Army production requirements inasmuch as the Department has determined that the facility is excess capacity and other Army installations already possess the capability to manufacture the weapons that the Parsons facility has provided the Department of Defense. Finally, the community presented the case that a lease-use agreement with the LRA during the accelerated clean-up and property / equipment transfer proceeding, culminating in a no-cost conveyance, will save the Government funds by eliminating the operational costs for the facility which the Government would normally absorb during the intervening period prior to transfer of the property.

### **COMMISSION RECOMMENDATION**

The Commission finds the Secretary of Defense did not deviate substantially from the force structure plan and the final criteria. The Commission however, has determined that the prospects are extremely low that the Kansas Army Ammunition property and facilities could be sold for any significant sum of monies to any public or private interest. Therefore, the Commission provides that the Army shall conduct an expedited clean-up and a no-cost transfer of the property, and facilities at Kansas Army Ammunition Plant to local government and, that during the intervening period prior to the transfer, that the Army may execute a low-cost lease with the Local Re-Use Authority.



RED RIVER REDEVELOPMENT AUTHORITY  
107 CHAPEL LANE  
NEW BOSTON TEXAS 75570



903-223-9841

903-223-8742 FAX

July 29, 2005

The Honorable Anthony Principi  
Chairman  
2005 Base Realignment and Closure Commission  
2521 South Clark Street, Suite 600  
Arlington, Virginia 22202

**COPY**

Re: Lone Star Army Ammunition Plant  
Bowie County Texas

Dear Chairman Principi:

We would like to take this opportunity to thank you for your efforts towards working with Bowie County and local officials, regarding the BRAC recommendations on Red River Army Depot (RRAD) and Lone Star Army Ammunition Plant (LSAAP).

Attached is a letter requesting our support and endorsement of a Day and Zimmerman Incorporated (DZI) proposal to "privatize in place" the LSAAP operations currently under scrutiny by the Commission. This privatization proposal includes the early transfer of property to the Red River Redevelopment Authority (RRRA) which has the expertise to expedite this process. A subsequent lease arrangement between DZI and the RRRA will allow vital defense ammunition work to continue in place at a greatly reduced cost to the DOD than the original recommendation.

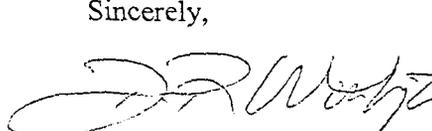
The RRRA endorses the concept of "privatization in place" offered by DZI and will accept the early transfer of the LSAAP property after due diligence and negotiation of agreeable terms under BRAC law.

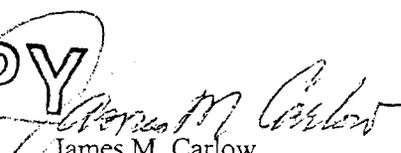
We all realize that considerable work lies ahead in working through the various obstacles to making privatization a reality. The community and the RRRA are prepared to do that work and are experienced enough to make it happen in an expedited manner.

Therefore, Bowie County and the RRRA fully endorse the proposal offered by DZI, especially if it achieves the best military transformation option for the Commission, and the Department of Defense, and serves the best interests of Bowie County.

We appreciate your support and cooperation and look forward to hearing from you.

Sincerely,

  
Denis Washington, Chairman  
Red River Redevelopment Authority

  
James M. Carlow,  
Bowie County Judge

Cc: Gary Disnick  
Jerry Smith, DZI



# Day & Zimmermann

## Munitions and Defense

July 28, 2005

Honorable James M. Carlow  
Bowie County Judge  
P. O. Box 248  
New Boston, TX 75570

Dear Judge Carlow:

RE: LSAAP Privatization in Place

As you know, Day & Zimmermann made a presentation to the BRAC staff outlining a scenario whereby the current manufacturing activity at LSAAP would continue in place under a privatized in place arrangement.

D&Z is prepared to enter into a lease agreement with the Redevelopment Authority once the property is transferred to them from the Army. We would like for such action to take place as quickly as possible although we recognize that the BRAC transfer process must be adhered to and all parties have a certain amount of due diligence to conduct.

We believe this proposal results in a win for all parties. The Army will maintain the ability to take advantage of proprietary processes owned by D&Z. The community avoids the loss of over 400 D&Z jobs and D&Z retains a fully capable plant in its corporate family.

I have obtained the endorsement of a number of our Labor Unions as indicated on the enclosure.

Any support you can lend in obtaining the endorsement of the Redevelopment Authority and making the privatization in place proposal a reality would be most appreciated. D&Z is a part of this community and would like to remain so.

Sincerely,



**COPY**

JERRY E. SMITH  
Vice President & General Manager

JES/gd



## PRIVATIZATION ENDORSEMENT

Lone Star Army Ammunition Plant has been recommended for closure under BRAC 2005. Due to the uncertainty involved with the process and after much study, Day & Zimmermann proposes to enter into an agreement with the Local Redevelopment Authority to privatize Lone Star AAP. The following Lone Star AAP Unions endorse the privatization of Lone Star AAP:

Union	Name	Signature
Boiler Operators, Local 1	Jackie Robison, Job Steward	<i>Jackie Robison</i>
Carpenters	James Simmons, Job Steward	<i>James Simmons</i>
Chemical Workers, Local 526-C	Jimmy Lewis, President	<i>Alicia Childs #197</i>
Electrical Workers, Local 301	Sarah Cutsinger, Chief Steward	<i>Sarah Cutsinger</i>
Fire Fighters, Local I-5	Gene Hutchison, President	<i>Gene Hutchison</i>
Guard, Local 50	Jack Walker, Business Agent	<i>Jack Walker</i>
Machinists, Local 1243	Larry Williams, President	<i>Larry Williams</i>
Millwrights	James Quinn, Chief Steward	<i>James Quinn</i>
Office Workers, Local 303	Don Collom, President	<i>Don Collom</i>
Painters, Local 424	James Johnson, President	<i>James Johnson</i>
Pipefitters, Local 100	Burgess Karr, Chief Steward	<i>Burgess Karr</i>
Teamsters, Local 878	Arrie Dawson, Steward	<i>Arrie Dawson</i>

*Suggested LSAAP BRAC Language...*

**Lone Star Army Ammunition Plant, Texarkana, Texas**

*Category: Industrial Joint Cross-Service Group*

*Mission: Munitions and Armaments*

*One-time Cost: \$28.98 million*

*Savings: 20 yr NPV: \$164.2 million*

*Annual: \$17.3 million (after implementation)*

*Return on Investment: 2012 (1 year)*

***Requested Final Action: Close (with Privatization-in-place)***

*Secretary of Defense Recommendation*

Close Lone Star Army Ammunition Plant (AAP), TX. Relocate the Storage and Demilitarization functions to McAlester AAP, IL. Relocate the 105MM and 155MM ICM Artillery, MLRS Artillery, Hand Grenades, 60MM and 81MM Mortars functions to Milan AAP, TN. Relocate Mines and Detonators/Relays/Delays functions to Iowa AAP, IA. Relocate Demolition Charges functions to Crane Army Ammunition Activity (AAA), IN.

*Secretary of Defense Justification*

Capacity and capability for Artillery, Mortars, Missiles, Pyro/Demo, and Storage exists at numerous munitions sites. There are 8 sites producing Artillery, 5 producing Mortars, 9 producing Pyro-Demo, 15 performing storage, and 13 performing Demilitarization. To reduce redundancy and remove excess from the Industrial Base, the closure allows DoD to create centers of excellence, avoid single point failure, and generate efficiencies. Goal is to establish multi-functional sites performing Demilitarization, Production, Maintenance, and Storage. Lone Star primarily performs only one of the 4 functions.

*Community Concerns*

The Texarkana community believes that the military value calculation performed by OSD for integrated capabilities does not accurately reflect the integrated value of the installation. Lone Star AAP was given credit for performing primarily one of the four functions used to make up a center of excellence. In reality, Lone Star AAP is a multifunctional site, which performs the full scope of the functions listed; demilitarization, production, maintenance, and storage. The community is also concerned with the capacity analysis which did not take into consideration the size and complexity of munitions or the fact that current capacity and max capacity were reported as equal. Also, the community is concerned that portions of the data call information provided to the OSD are inaccurate since the total manpower for Lone Star AAP was understated by 242 people, which prevented Lone Star AAP from acquiring a site visit. Finally, the community is concerned that all one-time costs were not considered when calculating savings and implementation of the recommendations. The Texarkana community has proposed a privatization-in-place as an alternative reuse of the installation if the recommendation to close is approved. The community is concerned that a final recommendation not interfere with its proposal.

*Community Findings*

The community found that OSD excluded \$14.16 million in costs for duplicative and closure related moving costs for system capabilities such as 105MM and 155MM ICM Artillery, MLRS Artillery, Hand Grenades, Detonators/Relays/Delays, and Demolition Charges that will jeopardize warfighter support during the estimated moving time to the receiving sites. For example, concerning Detonators, the state of the art initiating explosive processing and transfer system capability located at Lone Star AAP is not present at the gaining installation; however, these costs were not included to upgrade that facility to the same efficiency and safety standards which exist at Lone Star AAP. Cost of preparing and processing special delay mixes used in unique items appear to also be excluded. Other functions which seem to be excluded include; Supplementary Charge, Percussion Primers and Non-Lethal Munitions (MCCM). The community found that OSD failed to consider the value of proprietary data of the incumbent contractor gained from 54 years of operating the Lone Star AAP. The community believes that these exclusions will raise the one-time closure cost to \$43.14 million, which does not include the value of proprietary data of the incumbent contractor. The community found that OSD under-evaluated the military value and capacity analysis for the integrated capabilities that currently exist at the Lone Star AAP. The OSD used inappropriate attributes to form recommendations and those recommendations were inconsistently reported when compared to neighboring installations. Also, OSD did not account for the size and complexity of the munitions when calculating capacity; Detonators were given the same weight as MLRS rockets. Lone Star AAP is not currently producing at maximum capacity although OSD's capacity analysis indicated current capacity and maximum capacity were equal. This misrepresents the current utilization of Lone Star AAP. However, with the proposed alternative of privatization-in-place, the DoD will realize a one-time cost savings of \$40.6 million and the same net recurring savings as closure of \$17.3 million annually. These findings lead the community to conclude the most cost-effective method to implement OSD recommendations for the Lone Star AAP is privatization. The community strongly urges the Department of Defense to allow privatization of these assets.

*Community Recommendations*

**The community finds the Secretary of Defense deviated substantially from final criteria 1, 4 and 5. Therefore, the community recommends the following: close the Lone Star Army Ammunition Plant, Texarkana, Texas. Transfer workload, equipment, facilities and personal property to the Local Re-Use Authority or other jurisdiction as appropriate. The community proposes that the Government conduct an early transfer and clean-up of the Ammunition Plant to be completed within 3 years. During this transition phase, the community proposes a \$1 (one dollar) per annum lease to the Local Re-Use Authority. The Re-Use Authority will sublease sufficient facilities and personal property to the operating contractor to perform their current workload. At the conclusion of the clean-up and transition phase, the community proposes that the Government transfer all equipment, facilities and property to the Local Re-Use Authority at no cost, for re-development and economic impact mitigation. To the extent that the privatization-in-place is implemented,**

sufficient DA civilian and military personnel should remain in place to effect transition of both workload and property as described and carry out any transition activities necessary. The community finds this recommendation is consistent with the force-structure plan and final criteria.

**DRAFT BRAC COMMISSION FINDINGS LANGUAGE RE:*****Watervliet Arsenal – Watervliet, New York*****SECRETARY OF DEFENSE  
RECOMMENDATION**

Realign Watervliet Arsenal, NY, by disestablishing all capabilities for Other Field Artillery Components.

**SECRETARY OF DEFENSE  
JUSTIFICATION**

The Department no longer requires the capability for Other Field Artillery Components at Watervliet Arsenal. The Department will require and will retain at Watervliet the capability to support core cannon tube, rotary forge, and swage. Disestablishing the Other Field Artillery Components capability will allow the Department to reduce its overall footprint at Watervliet. It will also allow the Department to explore partnering with the local community, perhaps through a leaseback arrangement. This type of partnering could allow the government to reduce its footprint while maintaining that portion of Watervliet needed to fulfill core capabilities.

**COMMUNITY CONCERNS**

Watervliet Arsenal is located in Albany Capitol District of New York State. Albany, New York is the location of a significant non-technology development effort spearheaded by the State of New York in partnership with academia and the private sector. At the same time, the workforce at the Arsenal has experienced a steady and significant decline over the last ten years, representing economic hardship in the city of Watervliet. The community did not oppose the realignment of Watervliet Arsenal, but during its testimony at the Buffalo Regional hearing, the community spokesman expressed a desire for a clarification of the Secretary's recommendation on the issue of leaseback arrangements. The Secretary's recommendation addresses the option of a partnering with the local community and exploring leaseback options, but does not address the issue of property management or conveyance.

The community proposes that the entire Watervliet Arsenal site be conveyed to a Local Re-Use Authority, identified as "The Arsenal Partnership", which will in turn lease-back to the Department of the Army, those facilities it requires for continuation of core functions referred to in the Secretary's recommendation. The community states that the addition of the term "conveyance" to the recommendation is a clarification, rather than modification of the Secretary's recommendation because the Secretary's recommendations already denote an option for leaseback arrangements. The community states further that conveyance/leaseback provides a greater opportunity for the establishment of a high technology business park supporting the Arsenal core functions as well as the military technology research & development functions of Benet Laboratory which, under the terms of the Secretary's recommendations, will remain operational at the Watervliet Arsenal site. It is the community's position that, while unstated, the option of a conveyance/leaseback was the intent of the Department that will enable the Government to reduce its footprint consistent with the Secretary's recommendation and do so at less costs as the result of avoidance of operations & maintenance costs.

**COMMUNITY CONCERNS (CONT.)**

The Secretary's recommendation does address its objective to seek a reduction in footprint and alludes to the option of a leaseback arrangement, but it is ambiguous regarding which entity would manage a leaseback and whether this option would be within the context of a conveyance of any facilities or properties on the Arsenal Site.

The Commission staff received communications from the Department of the Army and the Army Materiel Command, the higher headquarters for Watervliet Arsenal, that the Department and the Command endorses the option of conveyance to the Local Reuse Authority and leaseback of required facilities by the Department, but only consistent with a low-cost leaseback for as long as the Department requires the facilities, not to exceed \$1 per year for use of the leased facilities.

**COMMISSION RECOMMENDATION**

The Commission finds the Secretary of Defense did not deviate substantially from the force structure plan and the final criteria. The Commission approves the Secretary's recommendation with the inclusion of a conveyance to the Local Re-use Authority and low cost leaseback, as desired by the Department of the Army.



The Honorable Anthony J. Principi  
PAGE 2:  
July 26, 2005

The Department of the Army, at the request of Congress, contracted with the MITRE Corporation in 1991, to complete a feasibility study on possible alternative uses of its chemical demilitarization incinerators. (See Enclosure 1 – CD-ROM). While that report is nearly 14 years old, the engineering studies it is based upon are still valid in support of the technical viability of converting such facilities to a conventional mission. Further, while this study called into question the economics of such a conversion, we believe that the report's economic arguments should be re-evaluated and balanced in light of the ever-growing stockpile of obsolete conventional munitions, and greatly increased environmental restrictions against most forms of existing conventional disposal methods during the intervening years since that report was completed.

The Tooele Army Depot (TEAD) located adjacent to the Deseret facility, currently has a conventional munitions storage and disposal mission. TEAD is prepared to support the Deseret facility by assuming a significant amount of this growing conventional workload from the Department of the Army, as well as other services. Under the DoD recommendation, TEAD is already slated to receive additional conventional munitions work from the proposed closure of the Army's Hawthorne, Nevada facility.

Although a conversion of the Deseret incinerator to conventional disposal would ultimately require: (1) a change in federal law; (2) support from the Governor of Utah through a modification in the current Memorandum of Agreement with the Army, and; (3) funding provided by the Congress, the period which remains in Deseret's chemical mission of at least seven more years will allow the Congress and the Department of Defense ample time to investigate and study such a conversion in greater detail.

Therefore, we propose that the Commission include language similar to the draft (See Enclosure 2) provided with this letter, granting the Congress and the Department of Defense flexibility in pursuing these ideas more fully and not precluding them all-together under the original DoD recommendation which will have the force and effect of law unless altered by the Commission's final report.

Thank you for taking our views into consideration.

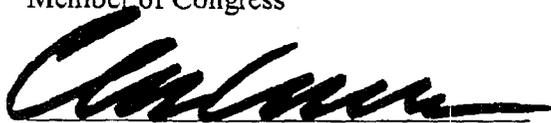
Sincerely,



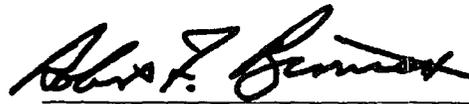
Rob Bishop  
Member of Congress



Orrin G. Hatch  
United States Senator



Chris Cannon  
Member of Congress



Robert F. Bennett  
United States Senator

Enclosure 2:

DESERET CHEMICAL DEPOT, UTAH.

PROPOSED REPORT LANGUAGE

The original Department of Defense (DoD) recommendation is to close Deseret Chemical Depot at the conclusion of its current chemical munitions disposal mission, which is slated to be completed in calendar year 2012. The recommendation also notes that, under existing federal law (50 USC 1521, as amended by Public Law 106-65, Sec. 141(b)(1)(A)), the incinerator at Deseret Chemical Depot must be torn-down at the conclusion of the chemical mission.

Deseret Chemical Depot's incinerator is the largest full-scale plant constructed by the Department of the Army under its Chemical Demilitarization Program, and Deseret will ultimately be responsible for having successfully de-milled nearly 60% of the United State's stockpile of obsolete chemical munitions. The total cost of designing, building, permitting, and equipping the Deseret facility represents nearly \$1 billion in prior taxpayer investment.

Each of the Army incinerators, including Deseret, are operating pursuant to agreements between the Department of the Army and the Governors of the respective states where the facilities are located. In echoing current federal law, those agreements invariably call for the dismantling of the incinerators once their chemical missions are completed.

The Commission notes that, at the direction of the Congress, the Department of the Army contracted with the MITRE Corporation in 1991 to complete a study on alternative uses for these incinerator facilities. This study validated the technical feasibility of converting the existing incinerators for various other uses, including conventional munitions disposal. While this study is over 14 years old, there is nothing to indicate that the engineering studies undertaken on alternative uses, including conventional de-milling activities, are no longer valid. The Commission further takes note that there is a growing backlog of obsolete conventional munitions and energetics within the Army and other services requiring disposal. Increasingly strict environmental regulations governing open-air destruction of these materials are contributing to the growing backlog of conventional materials, and may require more environmentally-sensitive methods of disposal such as incineration and scrubbed emissions; capabilities which the existing Deseret facility already provides.

Finally, the Commission notes that there is significant support within the State of Utah and the Utah Congressional Delegation for converting the Deseret Chemical Depot incinerator to conventional munitions disposal; a current mission at adjacent Tooele Army Depot. Under the most optimistic of scenarios, it will take the Army until the year 2012 for the existing Deseret Chemical mission to be completed. Given all of these facts, it would seem reasonable to provide the Congress flexibility over the next seven years to

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re-examine use of the Deseret incinerator facility to provide a means of disposing of conventional munitions and energetics once its chemical mission is completed.

RECOMMENDATION: The Commission directs that the DoD recommendation regarding the Deseret Chemical Depot, Utah, be modified as follows:

The Deseret Chemical Munitions Disposal Facility shall be allowed to remain open beyond the year 2012 and not dismantled, contingent upon the following conditions being met by no later than December 31, 2011:

- (1) The Congress repeals or modifies existing federal law requiring dismantling of the Deseret Chemical Depot incinerator facility, to allow for modification and use of the facility for conventional munitions and energetics disposal activities only, and;
- (2) The Governor of the State of Utah consents through a new Memorandum of Agreement with the U.S. Army and/or the Secretary of Defense, to follow-on uses of the Deseret facility for conventional munitions and energetics disposal.

Should these two requirements not be met by the deadline, the Commission directs that the original DoD recommendation requiring the closure, dismantling, and excess property transfer to Tooele Army Depot, of Deseret Chemical Depot facilities, be carried out as contained in the original 2005 DoD recommendation.

"No one can take this process for granted," she said.

The BRAC Commission has asked good questions about the consolidation and Denver has excellent resources to expand the DFAS facility, said DeGette.

### **Senators propose new mission for Cannon**

The Associated Press State & Local Wire  
(Cannon Air Force Base, NM)

August 5, 2005

This eastern New Mexico air base would be home to the Defense Department's fledgling Airborne Laser program under a plan proposed by New Mexico's two senators.

Sens. Pete Domenici, R-N.M., and Jeff Bingaman, D-N.M., sent a letter to Defense Secretary Donald Rumsfeld on Thursday, urging him to consider the option.

Cannon Air Force Base, near Clovis, is one of 33 major bases around the country targeted for closure as part of the Base Realignment and Closure process. The Pentagon has estimated it would save \$2.7 billion over 20 years by closing Cannon, costing the base's 2,385 military employees and 384 civilian jobs and about 2,000 more indirect jobs.

The economic impact of the base has been estimated at \$200 million a year - about a third of the Clovis economy in a community of about 36,000.

In their letter to Rumsfeld, the senators said the citizens of Clovis are hardworking people who have supported the Air Force for years.

"The base should not be closed," they wrote. "It seems to us that if the (laser) program needs a base, Cannon Air Force Base should be considered."

As part of the senators' plan, the laser program would include eight Boeing 747 aircraft and a chemical plant that needs to be located far from populated areas.

"A strategic asset like the Airborne Laser program is best suited in a rural area with plenty of airspace and sufficient infrastructure to support a significant amount of personnel and equipment," Domenici said Thursday. "It appears to me that Cannon Air Force Base would be a perfect fit."

Domenici cited the base's unrestricted flying conditions and strong support from the community.

Bingaman said by failing to take the laser program and Cannon into consideration, the Defense Department limits its options for the future deployment of national security assets.

"Cannon Air Force Base has all the amenities needed for this effort, including expansive airspace, modern and un-encroached facilities and ramp space," Bingaman said.

The senators said the management office for the laser program is currently located at Kirtland Air Force Base in Albuquerque and that housing operations at Cannon would give it access to the Air Force scientific community.

### **Utahns propose extending life of Deseret Chemical Depot**

The Associated Press State & Local Wire (Salt Lake City, UT)

August 4, 2005

Utah's Republicans in Congress want to prolong the life of the Deseret Chemical Depot by having it dispose of conventional weapons after it finishes its mission of destroying chemical weapons.

"You could transform what's already there," Rep. Rob Bishop said Wednesday in an interview with the Washington bureau of The Salt Lake Tribune. "Rather than just tearing down the facility that you spent a billion dollars to put up, making it useful would keep jobs there and keep it (running)."

The Pentagon has recommended to the Base Realignment and Closure Commission that the incinerator near Tooele be torn down after it finishes destroying chemical weapons.

But in a letter last week to Anthony Principi, chairman of the Base Realignment and Closure Commission, the Utah Republicans requested that commissioners leave open the option that Deseret's mission could be changed to dispose of aging shells, rockets and missile parts.

"This large investment should not be abandoned," they wrote. "It would be a more responsible use of taxpayer funds, as well as more environmentally friendly, to consider converting the chemical destruction plant to a conventional munitions disposal operation rather than completely dismantling and tearing down this facility."

The Utah members said a senior Pentagon official confirmed to them that work at the incinerator is far behind schedule and the earliest the chemical demolition could be completed is 2012. That is three years later than the Pentagon told Congress earlier this year.

To make the change, Congress would have to change the existing law, which calls for the incinerator to be decommissioned and torn down. It would also require renegotiating the existing agreement between the governor and the Army.

An Army Materiel Command report said there are about 397,000 tons of conventional munitions awaiting disposal. Existing defense facilities can dispose of a maximum of about 156,000 tons of weapons annually.

Bishop said the munitions are currently burned or detonated in the open, "which has its own environmental problems."

The Pentagon already recommended in its May report the closure of Hawthorne Army Depot in Nevada - where the munitions are currently disposed of - and relocating the storage and demilitarization functions to Tooele Army

Depot. The proposal has been met with strong resistance from the Hawthorne community.

The delegation's letter is attached to a 370-page engineering study commissioned by the Pentagon in 1991, which said it is technically possible, but could be costly to convert the incinerator.

### **Pentagon plan for Detroit Arsenal could provide more jobs**

The Associated Press State & Local Wire  
(Detroit, MI)  
Ken Thomas  
August 4, 2005

A Pentagon plan to streamline the nation's military bases could bring about 1,100 jobs to the Detroit Arsenal in Warren, several hundred more than originally anticipated, the federal base closing commission said Thursday.

The commission received written confirmation from the Army that the job gains at the Detroit Arsenal would exceed the original estimate of about 650 jobs under the Pentagon plan, said Robert McCreary, a commission spokesman.

The Pentagon plan released in May did not take into account about 450 administrative and staff positions that would be shifted from the Rock Island Arsenal in Illinois to the Michigan installation.

McCreary said Rock Island didn't include some information in a questionnaire that would have provided a better calculation of workers. He said the "more accurate numbers" reflect a potential shift of 1,100 jobs to Michigan.

The Defense Department proposal would make the Detroit Arsenal the military's pre-eminent center for automotive and ground vehicle research and development. Local supporters hailed the latest development.

"This is a big boost for Michigan if this happens," said Peggy Mazzara, president of the Macomb Chamber, which has lobbied on behalf of the arsenal.

Draft Deliberative Document – For Discussion Purposes Only  
Do Not Release Under FOIA

**Data Review Certification**

The completion of operations and closure dates for the US Army Chemical Materials Agency chemical demilitarization sites are as follows:

	<u>Completion Operations</u>	<u>Closure</u>
Deseret Chemical Depot	4QFY09 – 4 QFY14	4QFY14 – 4QFY19
Umatilla Chemical Depot	2QFY12 – 4QFY17	1QFY16 – 3QFY21
Newport Chemical Depot	3QFY07 – 1QFY12	2QFY10 – 3QFY15

These dates are certified as accurate and complete to the best of the certifier's knowledge and belief.



Michael A. Parker  
CMA Senior Mission Commander

31 May 2005  
Date

\* NO FUNDING FOR INSTALLATION CLOSURE