

**Desert Chemical Depot, UT,
Newport Chemical Depot, IN
Umatilla Chemical Depot, OR**

Issue: The Commission is considering retaining these three chemical depot installations because of a concern about the Department's ability to complete the demilitarization of chemicals prior to 2011.

Key Points:

- All chemical depots recommended for closure under BRAC 2005 are scheduled to complete their demilitarization of chemical weapons before 2011, that is, within the BRAC window of completion.
- DoD is committed to applying the resources necessary to complete the mission at these three plants within the six-year implementation period required by the BRAC statute.
- The Department did not recommend the closure of any chemical depot if the certified date indicated the closure could not be completed within the statutory timeline.

DoD Position: Accomplishment of the demilitarization of chemicals is dependent upon variables that include funding and safety concerns. While these factors affect the DoD's ability to accomplish the demilitarization mission within the BRAC timelines, the Department intends to close Chemical Depots at Deseret, UT, Newport, IN, and Umatilla, OR, within the BRAC implementation timeline.

The Department's certified data indicates that all the chemical depots that the Department has recommended for closure can complete their respective missions within the statutory timeframe. The Department did not recommend the closure of any chemical depot if the certified data indicated otherwise. In fact, the Department specifically rejected a candidate recommendation to close Pueblo Army Depot when the certified data indicated a mission completion date of "to be determined." The remainder of the Chemical Depots were recommended for closure based on certified data which indicated mission completion within the BRAC window. The Department does not have any certified data indicating that its chemical demilitarization recommendations cannot be implemented within the statutory timeframe. Additionally, the United States is bound by treaty to complete the mission no later than 2012.

Impact on DoD: If these recommendations are not approved, the Department will continue to maintain unnecessary base infrastructure, thereby wasting resources that can be better spent on higher priority programs. The combined 20-year Net Present Value of these recommendations is a savings of \$1,473M.

INDUSTRIAL JOINT CROSS SERVICE GROUP

August 12, 2005

MEMORANDUM FOR FRANK CIRILLO, DIRECTOR REVIEW AND ANALYSIS

Subject: Deseret Chemical Depot OSD BRAC Clearinghouse Tasker C0845X

The following is in response to your e-mail inquiry of July 25, 2005, where you asked the following:

QUESTION: *The letter from the Utah delegation requests the option to convert the chemical disposal facility at Deseret for the disposal of conventional munitions after completion of its chemical disposal mission. Was this option evaluated as part of the BRAC deliberations? If not, why not? If so, was there a COBRA run to explore this scenario? If yes, please furnish the COBRA run to the BRAC Commission Staff.*

RESPONSE:

The option to convert the Deseret chemical disposal into a conventional ammunition disposal facility was not evaluated as part of the IJSCG BRAC deliberations and there were no COBRA runs exploring this scenario. This was not explored because federal law requires destruction of facilities constructed to destroy lethal chemical agents, following completion of its mission. Another major reason for not considering the conversion was the fact that the facility cannot support demilitarization of conventional ammunition. The initial design of the facility was for low Net Explosive Weight (NEW) detonation and as built, cannot sustain repetitive high NEW detonations.

QUESTION: *For the incinerator at the Deseret Chemical Depot specifically, under what law, regulation, or agreement of any type, is the chemical disposal facility required to be dismantled/destroyed? Between which parties was this agreement made? Under those agreements, what specifically must be dismantled/destroyed at Deseret?*

RESPONSE:

- Federal Law 50 USC 1521, as amended by Public Law 106-65, Sec. 141(b)(1)(A), states that facilities constructed to destroy lethal chemical agents and munitions may not be used for other purposes and when the facility is no longer needed, it must be cleaned, dismantled, and disposed of in accordance with applicable laws and regulations.
- As with all demilitarization, there is adherence to laws, regulations, and agreement between the Department of the Army and the Governor of the state.
- Anything that comes in contact with the agents must be destroyed (i.e. buildings, equipment, soil, concrete, etc).

QUESTION: *What is the estimated cost to convert the Deseret Chemical Disposal Facility into a disposal activity for conventional munitions? How long would something like this conversion take? Would this be an Army bill? If not, who would pay for this conversion?*

RESPONSE:

- In 1991 Congress and the Department of the Army contracted with MITRE Corp to perform a study on alternative uses for incinerator facilities. The IJCSG does not have figures on the cost to convert the facility or knowledge of how long the process would take.
- Cost would be a DoD bill since the Army has responsibility for conventional munitions demilitarization for all of the military departments.

QUESTION: *What specific laws, regulations, or agreements of any type would need to change in order for the chemical disposal facility located on the Deseret Chemical Depot to be converted for the disposal of conventional munitions? Who would need to agree to any change to the current agreements for the conversion to the disposal of conventional munitions?*

RESPONSE:

- Laws, regulations, and agreements requiring changes:
 - Public Law 98 -407
 - Corresponding Army regulations (AR 200-1, 1-35 [a][6])
 - OSHA regulations
 - National Environmental Policy Act (NEPA)
 - Resource Conservation and Recovery Act (RCRA)
 - Clean Air Act (CAA)
 - Clean Water Act (CWA)
 - Toxic Substances Control Act (TSCA)
 - Hazardous Materials Transportation (HMTA)
- Agreements would be among the Department of the Army and the state of Utah

QUESTION: *What are the DoD and Army positions on the potential conversion of chemical disposal facilities for the new mission of the demilitarization of conventional munitions?*

RESPONSE: The DoD/Army position is destruction of the incinerators versus conversion to conventional ammunition demil capability. The reasons for destruction not conversion are:

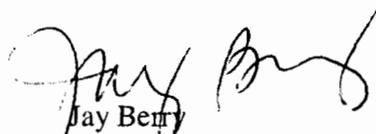
- These facilities will never be free of toxic chemicals VX, GB, and all the mustard gases.
- The facility has four furnaces that were built to destroy chemical agents with limited energetic material
- Payback is limited because there is no reclamation capability. A major payback of demil, R3 (Resource, Recovery, and Recycling), was not designed into the facility.
- Cost to perform the conversion would be extraordinary. Cost-wise, it would be easier to chop and burn vice decontaminate and reuse. Costs will out-weigh the benefits.
- The memo from the state of Utah states that Congress would have seven years to prepare for this conversion. Time is not the major factor. Funding is the issue.

QUESTION: *What are the leading causes for the growing backlog of the demilitarization of conventional munitions?*

RESPONSE:

- Insufficient funding. Demilitarization funding is often used as an Army bill payer. This is why it is critical that DoD "fence" the demil funding identified to support the BRAC recommendations.
- Strict environmental compliance that continues to reduce the amount of Open Burn/Open Detonation a facility can perform. Closed demilitarization is at 82% and new technology is predominately closed demilitarization.

Should additional information be required, feel free to contact me at 703-560-4317 or e-mail jberry@gallows.vacoxmail.com


Jay Berry
Executive Secretary

DCN: 11822

Bieri, Elizabeth, CIV, WSO-BRAC

From: Butler, Aaron, CIV, WSO-BRAC
Sent: Friday, August 12, 2005 1:39 PM
To: Bieri, Elizabeth, CIV, WSO-BRAC; Delgado, George, CIV, WSO-BRAC
Subject: FW: OSD BRAC Clearinghouse Tasker 0845X - Deseret
Attachments: Tasker 845X Deseret.pdf

From: RSS dd - WSO BRAC Clearinghouse
Sent: Friday, August 12, 2005 1:04 PM
To: Butler, Aaron, CIV, WSO-BRAC
Subject: FW: OSD BRAC Clearinghouse Tasker 0845X - Deseret

Attached is the response to your inquiry, OSD BRAC Clearinghouse Tasker #0845X (pdf file is provided).

OSD BRAC Clearinghouse

-----Original Message-----

From: Jay Berry [mailto:jberry@gallows.vacoxmail.com]
Sent: Friday, August 12, 2005 11:02 AM
To: 'RSS dd - WSO BRAC Clearinghouse'
Subject: RE: OSD BRAC Clearinghouse Tasker 0845X - Deseret

See attached

From: RSS dd - WSO BRAC Clearinghouse [mailto:Clearinghouse@wso.whs.mil]
Sent: Monday, August 08, 2005 8:34 AM
To: Berry, Jay; Berry, Jay, Mr, OSD-ATL; BRACO Webmaster; OCLL Army BRAC
Cc: Butler, Aaron, CIV, WSO-BRAC; Harvey, Marian, CTR, OSD-ATL; Meyer, Robert, CTR, OSD-ATL
Subject: OSD BRAC Clearinghouse Tasker 0845X - Deseret

Industrial JCSG and Army BRAC offices will respond to this task er separately.

Please provide a response to the inquiry below and return to OSD BRAC Clearinghouse NLT noon **Thursday, 11 August 2005**, with the designated signature authority, in PDF format.

When contacting the Clearinghouse, please refer to OSD BRAC Clearinghouse Tasker **0845X**.

Thank you for your cooperation and timeliness in this matter.

OSD BRAC Clearinghouse

-----Original Message-----

From: Butler, Aaron, CIV, WSO-BRAC

8/12/2005

DCN: 11822

Sent: Saturday, August 06, 2005 1:52 PM

To: RSS dd - WSO BRAC Clearinghouse

Cc: Meyer, Robert, CTR, OSD-ATL; Sillin, Nathaniel, CIV, WSO-BRAC; Dinsick, Robert, CIV, WSO-BRAC; Bieri, Elizabeth, CIV, WSO-BRAC; Delgado, George, CIV, WSO-BRAC

Subject: Clearinghouse - Deseret

Attached is a memo from Army Team Leader, Gary Dinsick. Please respond to me with the requested materials.

Request separately identified answers from both JCSG and Army on this question.

Please do not divide the question for answers between JCSG and Army, but, rather, have both groups provide full answer to the question.

<<Clearinghouse Questions - Deseret.doc>> <<Deseret proposal - 6 aug 05.pdf>>

Aaron Butler

Associate Analyst - Army Team

BRAC, 2005

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8/12/2005