

Camp Minden Chronology

01-23-2015

- **October 15, 2012**, the explosion of a magazine at Explo Systems, Camp Minden, LA, prompted attention from the EPA and the Louisiana State Police.
- **November 27, 2012**, the Louisiana State Police served a warrant to Explo Systems and identified 10 million pounds of unsecured M6 Propellant.
- **November 28, 2012, through December 7, 2012**, the town of Doyline, LA (approximately 400 homes) was evacuated during operational hours.
- **January 23, 2013**, Region 6 RCRA Branch conducts site visit.
- **January 30, 2013**, decision was made to do parallel proceedings in enforcement action, civil and criminal.
- **February 5, 2013**, the Louisiana Military Department (LMD) Adjutant General formally requested assistance with the transportation and storage of the explosives associated with Camp Minden from the Secretary of Defense.
- **March 12, 2013**, Department of Defense (DoD) declines possible transport and storage of M6, citing lack of authority and lack of funds to seize excess private property.
- **April 2 through 3, 2013**, at the request of LMD a team from the Army Explosive Safety Board conducted a technical safety assessment.
- **April 17 through 19, 2013**, Region 6 RCRA Branch conducts RCRA inspection at Camp Minden.
- **May 7 through 9, 2013**, an eight-member team from the Army Explosive Safety Board returned and conducted a technical safety assessment of all the explosive hazards associated with the Explo Systems facility including the storage magazines. The Army Explosive Safety Board stated that the preponderance of evidence indicates that the probability of an explosives event directly related to the long-term storage of M6 propellant at Camp Minden is likely.
- **May 10, 2013**, 104(e) Information Request sent by EPA to four entities; Explo Systems, the Louisiana National Guard (LNG) for the LMD, the Army, and General Dynamics (GD).
- **May 12, 2013**, Secretary of the Army denied the request from February 5, 2013, for assistance by LMD, citing the prohibitions for the storage, treatment, or disposal of any hazardous materials not owned by DoD in 10 USC§ 2692.

- **June 6 and June 24, 2013** 104(e) response received from GD. The response contained contracts and a description of processes and materials used, which established its arranger/generator liability for a portion of the M-30, Tritonal, and the Compound H-6.
- **June 20, 2013**, Report from the Army Explosive Safety Board cited concerns about the long term stability and safety of the explosive materials in the magazine and recommended open burn/open detonation (OB/OD) of the materials within two years.
- **June 24, 2013**, 104(e) response received from Explo Systems. The responses contained lease agreements between the LMD and Explo Systems, which established their operator liability.
- **June 24, 2013**, 104(e) response received from the Army which included contracts and details of the demilitarization processes, which established its arranger/generator liability for black powder, Composition H6, clean burning incendiary, nitrocellulose, Tritonal, and the 15 million lbs. of M-6 propellant.
- **July 12, 2013**, a supplemental 104(e) Information Request was sent to Explo Systems.
- **July 12, 2013** 104(e) Information Request was sent to Alliant Techsystems (ATK).
- **July 17, 2013** a 104(e) response was received from LNG. The response contained a copy of the lease between the Army and Explo Systems, which established their liability as an owner.
- **August 1, 2013**, meeting attended by all the PRPs, LDEQ and EPA, either in person or by phone, the DoD representative indicated the likelihood of a magazine explosion increases within the next 2-10 years due to instability.
- **August 5, 2013**, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) revoked Explo Systems, Inc. explosives licenses as a result of the criminal indictments of Explo System's management and employees by the State of Louisiana.
- **August 12, 2013**, Explo Systems, Inc., filed for Chapter 11 Bankruptcy.
- **August 14, 2013**, Second 104(e) response received from Explo Systems.
- **August 14, 2013**, EPA Region 6 submitted an Administrative Order on Consent (AOC) to the PRPs, including the Army, and subsequently invited the Army to participate in negotiations. The Army declined to negotiate; citing its opinion that the Army had limited to non-existent liability with the Camp Minden Site.
- **August 15, 2013**, EPA Region 6 sent the Army's General Counsel's office a draft AOC and Statement of Work (SOW) to commence negotiations for cleanup of the Site. EPA

notified the Army that removal work needed to commence at the Camp Minden Site by no later than January 2014.

- **August 15, 2013**, Army's General Counsel responded by acknowledging receipt but gave no further comment.
- **August 28, 2013**, Reggie Cheatham from EPA Federal Facilities Office (FFO) sent a letter to the Secretary of Army requesting increased participation in dealing with explosives at Camp Minden.
- **August 28, 2013**, Region 6 referred this case to the Department of Justice for the filing of a proof of claim.
- **September 6, 2013**, the Louisiana Governor declared the Camp Minden Site a State of Emergency.
- **September 9, 2013**, Notice of a Claim by EPA against Crum and Forester, Explo System's insurance company.
- **September 11, 2013**, Received ATK 1st partial response to the 104(e) Information Request. The information established that ATK was the generator of Tritonal and nitrocellulose, hence establishing ATK's arranger/generator liability.
- **September 12, 2013**, Memo from Chief Adjutant General Louisiana National Guard (LANG), to Secretary of Army requesting Operation and Maintenance (O&M) funding for disposal of M6 propellant and other explosives.
- **September 23, 2013**, Notification regarding transfer of explosives to the State of Louisiana from Explo Systems.
- **September 25, 2013** A 104(e) Information Request was issued to Austin Powder.
- **September 25, 2013**, 104(e) Information Request letter to Highland Industrial Park.
- **September 26, 2013**, the Army responded to EPA, Reggie Cheatham's August 28, 2013, letter by citing limited liability, lack of funds, and no authority to participate in conducting response, but offered only technical assistance.
- **September 30, 2013**, the Bankruptcy Court approved an Explo Systems and Louisiana Department of Military transfer and settlement agreement transferring title of all materials and inventory to the Louisiana Department of Military.
- **October 10, 2013**, Second part of 104(e) Information Request response received from ATK.
- **October 15, 2013**, 104(e) response received from Highland Industrial Park.

- **October 16, 2013**, Announcement of surplus explosives for sale.
- **October 25, 2013**, Austin Powder response to 104(e) Information Request received.
- **October 28, 2013**, Highland Industrial Park response to 104(e) Information Request received.
- **Mid-August through October 2013**, Region 6 notified Explo Systems, Louisiana National Guard (LNG), the US Army, Alliant Techsystems, Inc., and General Dynamics that it considered them Potentially Responsible Parties (PRPs) at the site and offered to negotiate administrative orders to conduct removal work needed at the Site.
- **October 29, 2013**, the LMD submitted a Defense Support to Civilian Authorities (DSCA) Request to the DOD/U.S. Army for assistance with the removal and disposal of the explosives at Camp Minden from the Secretary of Defense.
- **October 30, 2013**, EPA Region 6 issued a General Notice to the Army, identifying the Army as a PRP, and once again, inviting the Army to negotiate an AOC and SOW.
- **November 1, 2013**, EPA Region 6 submitted an AOC to the LMD.
- **November 12, 2013**, EPA Region 6 received LMD's AOC response. LMD's response included only logistical support including magazine and road maintenance, fire suppression, etc.
- **November 27, 2013**, ATK provides third part of response to 104(e) Information Request.
- **December 10, 2013**, response from Department of Army that the request by LMD for funding on October 29, 2013, was denied by the Secretary of the Army.
- **December 19, 2013**, the Army responded to EPA Region 6 General Notice letter, citing no liability under CERCLA 107(a) "because the Army did not arrange for the disposal or treatment or the transport for disposal or treatment of hazardous substances owned by the Army."
- **December 2013**, EPA Region 6 informed all parties that agreements to begin clean-up actions were needed, and they needed to initiate site work by January 2014, and be completed by December 2014.
- **December 20, 2013**, A General Notice letter/104(e) Information Request was mailed to Ashland Incorporated, (Hercules).
- **January 6, 2014**, Second supplemental 104(e) Information Request to Explo Systems was mailed by EPA.

- **January 15, 2014**, Signed Access and Disposition Agreement for LMD, General Dynamics, and Alliant Techsystems.
- **January 22, 2014**, Administrative Settlement Agreement and Order on Consent for Removal Action for General Dynamics and ATK signed.
- **January 29, 2014**, an AOC for Removal Action between EPA Region 6 and GD/ATK went into effect. The AOC included an agreement for GD/ATK to remove and dispose of the 2.8 million lbs hazardous/explosive substances at Camp Minden as cited in the Action Memorandum. The value of the work is approximately \$15,000,000.
- **February 14, 2014** Hercules response to 104(e) Information Request was received and included information that established Hercules as a generator of nitrocellulose at the Site.
- **February 20, 2014**, Explo Systems responded to 104(e) Information Request of January 6, 2014.
- **February 27, 2014**, First supplemental request for 104(e) Information Request sent to Louisiana National Guard.
- **March 18, 2014**, EPA issued the Army a RCRA 7003 Order requiring the Army to take appropriate response measures with respect to the 15 million pounds of M6 propellant the Army generated and sent to the Camp Minden Site.
- **March 19, 2014**, Louisiana Military Department responded to first supplemental 104(e) Information Request.
- **March 26, 2014**, Administrative Settlement Agreement and Order on Consent for removal action offered by the Louisiana Military Department.
- **March 27, 2014**, Army receives copy of RCRA 7003 Order.
- **March 28, 2014**, Army requests extension of time until April 15, 2014, to request conference with AA/OECA.
- **March 28, 2014**, EPA grants extension of time until April 15, 2014, to request conference with AA/OECA.
- **April 11, 2014**, EPA Region 6 signed an AOC with Hercules. The AOC included an agreement for Hercules to remove approximately 661,000 pounds of nitrocellulose. The removal action by Hercules is valued at approximately \$2,600,000 million.
- **April 15, 2014**, LMD/LNG offered to conduct in-kind services, conduct removal actions for a small amount of explosives and other materials at the Site, and pay \$1.25 million for the removal of M6 propellant from the Site. AOC discussions with LMD/LNG have not resulted in a settlement at this time.

- **April 15, 2014**, Army requests conference with AA/OECA and files response to RCRA 7003 Order, and objects to the issuance of an UAO.
- **April 16, 2014**, the Bankruptcy Court granted the authorized sale of the M6 propellant from Highland Industrial Park free and clear of liens, claims, rights, interests, and encumbrances.
- **April 18, 2014**, the Hercules AOC becomes effective.
- **April 22, 2014**, A fact sheet was mailed out to nearby communities.
- **May 12, 2014**, Nitrocellulose removal action started by Hercules.
- **May 19, 2014**, the Army met with the AA/OECA, HQs and Region 6 personnel regarding RCRA 7003 Order (RCRA 7003 Conference).
- **May 29, 2014**, Army declines the RCRA 7003 Order after meeting with Cynthia Giles from the Office of Enforcement and Compliance Assurance.
- **May 30, 2014**, M30 removal operation started by GD/ATK.
- **June 3, 2014**, the LDEQ issued a Unilateral Administrative Order (UAO) to the Army requiring the Army to comply with the RCRA 7003 UAO issued by EPA Region 6 on March 18, 2014.
- **June 19, 2014**, the Army requested LDEQ to provide an extension of time to comply with the LDEQ UAO.
- **June 26, 2014**, LDEQ granted the Army an extension of time until August 15, 2014, to comply with the LDEQ UAO. LDEQ also directed the Army to submit a good faith offer to either pay for, or conduct the response work needed at the Camp Minden Site within 21 days from June 26, 2014.
- **June 27, 2014**, EPA (Suzanne Murray) sent a letter to the DOJ Environmental Enforcement Section (DOJ Enforcement) which addressed the time-critical response needed at the Site, and requested assistance in engaging responsible parties at the Site, including the Army.
- **June 27, 2014**, the Department of Justice Environmental Defense Section (DOJ Defense) informed EPA that the Army agreed to conduct negotiations concerning the cleanup of the Camp Minden Site under three conditions. These conditions include: 1) Negotiations would occur under CERCLA cleanup and settlement authority instead of RCRA or Louisiana State authority, and include EPA, Louisiana and the Army as parties to any agreement reached; 2) Any CERCLA agreement reached would include a stream-lined version of the factual allegations needed to support the conclusions of law; and 3) Upon

finalization of a CERCLA agreement, EPA and Louisiana would withdraw their respective RCRA 7003 Order, and State Order against the Army.

- **July 9, 2014**, Conference call was held between EPA, DOJ-Enforcement, DOJ-Defense, and the State, to discuss the performance of the work, payment for the work, oversight of the work, and a negotiation schedule to reach a final agreement between the State, EPA, and DOJ (on behalf of the Army).
- **July 16, 2014**, AA/OECA issues Final Determination, finding the RCRA 7003 UAO is necessary and appropriate.
- **July 22, 2014**, RCRA 7003 UAO becomes effective.
- **July 23, 2014**, Another conference call was held between EPA, DOJ-Enforcement, DOJ-Defense, and the State, to discuss work to be performed, payment, oversight of the work, and an acceptable schedule that all parties would agree to.
- **July 28, 2014**, EPA Cynthia Giles received a letter from the Army stating the Army's desire to work diligently and aggressively to reach an agreement under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) to address environmental concerns at Camp Minden.
- **August 6, 2014**, a conference call was held between the DOJ Defense, DOJ Enforcement, EPA, LMD, and LDEQ resulting in established deadlines and a tentative date of September 4, 2014, to sign the AOC with the Army.
- **August 12, 2014**, Conference call/negotiations held concerning the draft AOC and SOW, and agreement on pro rata allocation of responsibility. The Army agreed to cleanup all M6 propellant and all Clean Burning Incendiary (CBI) at the Camp Minden Site.
- **August 19, 2014**, Conference call/negotiations, and agree-in-principle concerning the terms of the AOC and SOW.
- **August 26, 2014**, Conference call/negotiations to review the final agreement-in-principle to secure all AOC signatures on or before September 12, 2014; and complete all disposal/removal of materials from Camp Minden on or before August 31, 2015.
- **August 29, 2014**, Tentative date, proposed by EPA, that the Army participate in a Site visit as soon as possible, by this date.
- **September 8, 2014**, Tentative date for finalizing call with all parties.
- **September 10, 2014**, EPA submitted a revised Draft AOC to LM/NG and LDEQ.
- **September 12, 2014**, the Federal Register Notice is published for Past Costs from GD/ATK.

- **September 16, 2014**, LDEQ submits oversight costs estimates to DOJ.
- **September 17, 2014**, LM/NG and LDEQ submits comments on the Draft AOC and SOW.
- **September 19, 2014**, the Parties agree to the Draft AOC and SOW.
- **September 30, 2014**, Signatures received from the Louisiana Military Department, and from Louisiana Department of Environmental Quality for the AOC.
- **October 20, 2014**, Signature received from the U.S. Army for the AOC.
- **October 22, 2014**, AOC with GD/ATK signed for past costs of \$111,800.
- **October 28, 2014**, EPA signed Camp Minden AOC with the Army, LMD, and LDEQ.
- **October 28, 2014**, EPA notifies Army that it is withdrawing the RCRA 7003 Order, effective November 4, 2014.
- **November 3, 2014**, Removal of M30 completed by GD/ATK.
- **November 4, 2014**, RCRA 7003 Order is withdrawn.
- **November 4, 2014**, AOC with Army/LMD and LDEQ became effective.
- **November 7, 2014**, A fact sheet was mailed out to nearby communities.
- **November 7, 2014**, Federal Register Notice published for AOC with Army, LMD, and LDEQ.
- **November 12-14, 2014**, CIC Site visit: Attended Webster Parish Sheriff's Community Meeting about Camp Minden on November 13th.
- **November 13, 2014**, Local officials invite EPA to discuss selected remedy.
- **December 3, 2014**, Test Burn conducted by EPA, Louisiana State Police, LMD, and LDEQ. Notifications to local media and officials issued immediately after burn concluded.
- **December 5, 2014**, Minden newspaper gave notice of a community meeting.
- **December 8, 2014**, EPA received comments to the AOC from Sierra Club.
- **December 8, 2014**, EPA received comments to the AOC from Delores Blalock.
- **December 12, 2014**, GD/ATK-St Marks completed removal of the ST Marks Pit Powder.

- **December 15-17, 2014**, CIC Site visit: Held Community Meeting, Visited Local Schools, and Repositories.
- **December 16, 2014**, Public workshop/meeting in Shreveport to update public on progress.
- **December 16, 2014**, The Administrative Record is placed in libraries in Doyline and Minden, Louisiana.
- **December 19, 2014**, Nitrocellulose removal completed by Hercules.
- **December 27, 2014**, Article written by Dr. Salvatore regarding the hazards of OB/OD.
- **January 9, 2015**, EPA announced another trial burn including sample results to be made public.
- **January 13, 2015**, EPA meets with Louisiana political officials and locals to discuss the remedy selection.
- **January 13, 2015**, as of this date, 7 individuals have been indicted and 3 have plead guilty.
- **January 14, 2015**, EPA receives letter from LMD and LDEQ demanding an alternative disposal remedy be considered.
- **January 14, 2015**, The Administrative Record is made available to the public online.
- **January 15, 2015**, EPA sends letter to LDEQ/LMD agreeing to cooperate with the disposal method chosen by LDEQ/LMD, and provide assistance to the State Agencies in their disposal implementation.
- **January 16, 2015**, Letter from LDEQ/LMD to Administrator McCarthy, requesting that she intervene and force Region 6 to demonstrate that open burning is the best remedy.
- **January 21, 2015**, scheduled date for LDEQ to select contractor to do disposal of M6.
- **January 22, 2015**, Second letter from LDEQ to Administrator McCarthy, requesting that EPA meet with LDEQ and the Army and provide data supporting EPA decision to use open burn as a remedy at Camp Minden.