

REMEDIAL ACTION PLAN  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Recipient: Commonwealth of the Northern Mariana Islands (CNMI) Department of Fire and Emergency Medical Services (DFEMS)  
Station 1 Tekken Drive  
P.O. Box 7068 SVRB  
Saipan, MP 96950

Facility Location: Marpi Point Explosives Detonation Site  
Latitude 15 Degrees 16 Minutes 0.0865 Seconds North;  
Longitude 145 Degrees 49 Minutes 0.3313 Seconds East



Detonation Unit and Storage Cave Location – Marpi Point Saipan

Facility Contact: CNMI Department of Fire and Emergency Services – (670) 664-9003/4

Land Owner: CNMI Department of Public Lands

(1) Communications at the site: This site is remotely located from telephone infrastructure. Communications at the site are by DFEMS radio communications.

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(2) Name, address and telephone number of the permittee:

Claudio K. Norita  
CNMI Department of Fire and Emergency Management Services  
Station 1 Tekken Drive  
P.O. Box 7068 SVRB  
Saipan, MP 96950  
Phone: (670) 664-9003/4

(3) USGS map showing the location of the remediation waste management site attached.

(4) A scaled drawing of the remediation waste management site showing: (i) The remediation waste management site boundaries; (ii) Significant physical structures; and (iii) The boundary of all areas on-site where remediation waste is to be treated, stored or disposed is attached.

## I. INTRODUCTION

1) This Remedial Action Plan (RAP) is issued by the U.S Environmental Protection Agency under the authority of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (RCRA) 42 U.S.C. §§ 6901 *et seq.*, and its implementing regulations at 40 C.F.R. §§ 270.79 - 270.230. This RAP is equivalent to a RCRA permit issued pursuant to §§ 270.1 through 270.51 (Permit). Where there is a conflict with the provisions of 40 C.F.R. §§ 260-279, the specific terms of this RAP shall control.

2) This RAP is issued to the Commonwealth of the Northern Mariana Islands (CNMI) Department of Fire and Emergency Management Services (DFEMS or the Permittee) to operate a hazardous remediation waste storage and treatment facility at Marpi Point on Saipan. The site coordinates are Latitude 15 Degrees 16 Minutes 0.0865 Seconds North; Longitude 145 Degrees 49 Minutes 0.3313 Seconds East. The Facility EPA ID number is MPR000128710. The facility includes a detonation unit for the treatment events and a storage cave for the munition storage prior to the treatment event.

3) For any situation not outlined herein, Permittee shall use the CNMI Explosive Response Team Standard Operating Procedure as guidance.

## II. GENERAL PERMIT CONDITIONS

4) Except as specified otherwise herein, the following requirements, incorporated by reference, apply to the Permittee. Where guidance is provided, compliance with that guidance shall be presumed to satisfy the requirements of the regulation.

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- **40 C.F.R. § 264.4, Imminent Hazard Action**

Notwithstanding any other provisions of these regulations, enforcement actions may be brought pursuant to section 7003 of RCRA.

- **40 C.F.R. § 264.12(c), Required Notices**

Before transferring ownership or operation of a facility during its operating life, or of a disposal facility during the post-closure period, the owner or operator must notify the new owner or operator in writing of the requirements of this part and part 270 of this chapter.

- **40 C.F.R. § 264.13, General Waste Analysis**

Waste that is treated in the detonation unit is limited to munitions. The munitions shall be identified for their characteristics prior to treatment using the Ordnance Pamphlet 1664, US Explosive Ordnance or other available ordnance specific documentation. The utilization of the guide will serve as the Waste Analysis Plan. Munitions will be identified sufficiently to determine the following:

- a) Type of munition (projectile, bomb, etc);
- b) Country of origin;
- c) Size as defined in reconnaissance publications;
- d) Explosive content; and
- e) Presence and condition of fuzing/firing elements.

Completion of the above elements of information is considered sufficient for the explosive response specialist to make a determination applicable to the munition recovered. Detailed lab sampling or other analysis is not generally required.

- **40 C.F.R. § 264.14, Security**

The detonation unit shall be secured through a fence and locking gate at the entrance with the other sides surrounded by dense jungle and a cliff line. Additionally, a steel door with padlock shall block the entrance to the storage cave.

During the monthly inspections, the fence, gate and door to the storage cave will be inspected to ensure there has been no unauthorized entry. Prior to conducting operations at the detonation unit, security checks will be made of the area to prevent unauthorized or

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accidental intrusion of personnel or livestock within the immediate area of the detonation unit.

- **40 C.F.R. § 264.15, General Inspection Requirements**

DFEMS will conduct monthly inspections at the storage cave with specific emphasis on site security and safety issues.

Vegetation will be removed from the immediate vicinity of the storage cave and detonation unit areas sufficient to prevent fire occurring as a result of operations or a fire in the area affecting the explosive items in storage. A minimum of a 50-foot radius will be maintained clear of trees and brush. Grass will be kept trimmed to less than 18 inches in height.

Remedial action will be taken to repair any deterioration or malfunction of equipment or structures on a schedule which ensures that the problem does not lead to an environmental or human health hazard.

Compliance Schedule: Within 180 days of the finalization of this RAP the permittee will develop a written schedule for monthly inspections of the fencing and other security features of the detonation unit, the entrance door of the storage cave, and the condition of the contents in the storage cave. The schedule must identify the types of problems which are to be looked for during the inspection. The schedule will be maintained in the operating record of the facility. In the event remedies are necessary, a description of the remedies will be documented and stored in conjunction with the written monthly inspections in the operating record.

- **40 C.F.R. § 264.16(a)(1) and (d)(3), Personnel Training**

Facility personnel handling munitions at the site must have successfully completed a program of classroom instruction and certification to meet the requirements for qualification as an “Explosive or munitions emergency response specialist,” which means an individual trained in chemical or conventional munitions or explosives handling, transportation, render-safe procedures, or destruction techniques. Explosives or munitions emergency response specialists include Department of Defense (DOD) emergency explosive ordnance disposal, technical escort unit, and DOD-certified civilian or contractor personnel; and other Federal, State, or local government, or civilian personnel similarly trained in explosives or munitions emergency responses. Within the CNMI,

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recognized Explosive Response Specialists include individuals who have completed a formal course of instruction and possess a certificate from:

- a) US Military Explosive Ordnance Disposal school;
- b) FBI Hazardous Devices School;
- c) FBI/ATF Explosive Response Course;
- d) Department of Labor Qualified UXO Technician Course;
- e) CNMI Explosive Course; or
- f) Other formal qualifications certified in writing from the Officer In Charge of CNMI DFEMS.

Additionally, prior to each operation conducted at the Site, the Range Safety Officer will brief all personnel working at the site in safety procedures. At a minimum, the briefing will address:

- a) Authority and chain of command during the operation;
- b) Emergency evacuation procedures;
- c) Communications or alarm systems;
- d) Response to fires or explosions;
- e) No smoking/fire safety policies;
- f) Access restrictions/visitor controls; and
- g) The contents of the contingency plan (DFEMS SOP)

Procedures and training requirements will be maintained by DFEMS within the CNMI Department of Fire Explosive Response Team Standard Operating Procedure. As this document is updated, a copy will be provided to Bureau of Environmental and Coastal Quality (BECQ) Toxic Waste Management Branch within 5 days.

• **40 C.F.R. § 264.17, General Requirements for Ignitable, Reactive, or Incompatible Wastes**

The owner or operator must take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste must be separated and protected from sources of ignition or reaction including but not limited to: open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks, spontaneous ignition, and radiant heat.

A “No Smoking” policy is in effect at all times within the facility fenceline.

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A “No Smoking” sign will be posted at the entrance to the facility and on the entrance to the storage cave.

No smoking policy will be emphasized as part of the safety brief prior to any waste treatment event conducted at the detonation unit.

- **40 C.F.R. § 264.31, Design and Operation of Facility**

The detonation unit and storage cave must be designed, constructed, maintained, and operated to minimize any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

The detonation unit shall be sited and operated within the explosive siting and safety requirements of DOD 4145.26M – DOD Contractors Safety Manual for Ammunition and Explosives as a guide.

- **40 C.F.R. § 264.32 (b), (c), & (d), Required Equipment**

The facility location is remote and no water supply, well or telephones exist. It is not practical to have a permanent communication system or water supply (i.e., well or containment reservoir) on site since these structures are at risk for damage during detonation events.

Equipment required at the site will consist of:

- a) Portable fire extinguisher(s) of an ABC dry chemical type, kept in vehicles used to transport munitions;
- b) A fire truck readily accessible on standby mode within 5 minutes of the facility site while routinely scheduled treatment events are being conducted; and
- c) Portable communication devices such as vehicle mounted and hand-held radios, to be used to communicate at the facility during operations.

- **40 C.F.R. § 264.33, Testing and Maintenance of Equipment**

Fire extinguishers need to be tested and certified on the scheduled dates. The portable communication devices and hand-held radios must be fully charged and tested before embarking on a treatment event. If the portable communication devices and hand-held radios are not functional, the treatment event may not commence.

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- **40 C.F.R. § 264.34, Access to Communications or Alarm System**

The detonation unit and storage cave location are remote and no phone communication service available. Each authorized person must carry a hand-held radio device or cell phone when entering the facility with a point of connection outside of the facility and the ability to be in communication with others onsite.

During treatment events, communication devices must be available to all personnel involved to maximize communication during the operation at all times. A minimum of two persons (“buddy system”) are required to be on-site during treatment events.

Personnel will be briefed regarding communications and emergency evacuation procedures prior to conduct of waste treatment operations at the site. Personnel shall test the communication devices prior to conducting waste treatment operations at the site. If the communication devices do not work as intended during the communication device testing, then the treatment event shall be delayed until the problem is remedied.

Portable communication devices such as vehicle mounted and hand-held radios will be used to communicate at the facility during operations.

- **40 C.F.R. § 264.35, Required Aisle Space**

Munitions must be stored in a manner that maintains aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment.

- **40 C.F.R. § 264.37, Arrangements with Local Authorities**

DFEMS is the local authority with the knowledge and skill to respond to emergencies at the site. All other necessary arrangements with local authorities are established under the DEFMS SOP for the facility especially during the detonation event.

A fire truck will be readily accessible on standby mode within 5 minutes of the facility site while routinely scheduled treatment events are being conducted.

- **40 C.F.R. § 264.52, Contingency Plan**

The CNMI DFEMS will maintain standard operating procedures at the site to describe the actions personnel will take in response to emergencies at the site during a treatment event

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that will serve as the contingency plan for the detonation unit. The permittee is the first responder, therefore additional coordination is not necessary.

Compliance Schedule: Within 180 days of the finalization of this RAP the permittee will develop a written Contingency Plan for the storage cave. The written plan will address the procedures to be followed in the event of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the storage cave.

- **40 C.F.R. § 264.53, Copies of Contingency Plan**

A copy of the contingency plan and the CNMI Explosive Response Team Standard Operating Procedure and all revisions to the plans and procedures must be kept at the DFEMS office.

- **40 C.F.R. § 264.55, Emergency Coordinator**

The Fire chief will serve as the emergency coordinator for the facility.

- **40 C.F.R. § 264.56, Emergency Procedures**

The CNMI DFEMS will maintain standard operating procedures at the site adequate to comply with the requirements relating to emergency procedures at the detonation unit and storage cave.

- **40 C.F.R. § 264.73(a) & (b)(1-5), Operating Record**

A written operating record must be kept for the facility. The operating record may be kept at the facility or another location designated by the Permittee.

The following records must be maintained for three years:

- Records and results of waste analyses and waste determinations. The UXO inventory will serve as the waste analysis report;
- Summary reports and details of all incidents that require implementing the contingency plan;
- Records and results of inspections as required by 40 C.F.R. § 264.15 within 180 days of this permit.



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The following records must be maintained until the closure of the facility:

- A description and the quantity of each hazardous waste received, and the method(s) and date(s) of its treatment and storage at the facility.

- **40 C.F.R. § 264.74(a), (b), Availability, Retention and Disposition of Records**

All records, including plans, required under this permit must be furnished upon request, and made available at all reasonable times for inspection, by any officer, employee, or representative of EPA.

The retention period for all records required under this part is extended automatically during the course of any unresolved enforcement action regarding the facility or as requested by the Administrator.

- **40 C.F.R. § 264.77(a), (b), Additional Reports**

The facility must report to the Regional Administrator releases, fires, and explosions as specified in 40 C.F.R. § 264.56(i) and facility closures specified in 40 C.F.R. § 264.115.

- **40 C.F.R. § 264.111(a), (b), Closure Performance Standard**

The facility must be closed in a manner that minimizes the need for further maintenance; and controls, minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground or surface waters or to the atmosphere.

- **40 C.F.R. § 264.112, Closure Plan**

Compliance Schedule: Within 180 days of the finalization of this RAP the permittee will develop and submit a written Closure Plan for the storage cave and the detonation unit for EPA approval.

- **40 C.F.R. § 264.601, Environmental Performance Standards, Miscellaneous Unit**

The facility must be operated in the manner described in the application to meet the Environmental Performance Standards.

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- **40 C.F.R. § 270.2, Definitions**
- **40 C.F.R. § 270.4, Effect of a Permit**
- **40 C.F.R. § 270.30, Conditions Applicable to All Permits**
- **40 C.F.R. § 270.170, Modification, Revocation and Reissuance and Termination of Permits**

Modifications to the RAP, as deemed necessary by the director or requested by the permittee, will be done in accordance with 40 C.F.R. § 270.175. Revocation and reissuance of the RAP will be done in accordance with 40 C.F.R. § 270.180. Termination of the RAP will be done in accordance with 40 C.F.R. § 270.185. In the event the RAP is modified or revoked and reissued the public comment procedures in 40 C.F.R. § 270.145 shall be followed.

### III. SPECIAL PERMIT CONDITIONS

5) The facility may only store and treat hazardous remediation waste munitions. The waste allowed to be treated is limited to specific categories of ordnance and explosives which meet the definition of Munitions, defined as any or all of the following terms currently in use in the explosive response community:

“Unexploded Ordnance (UXO)”: means military munitions that have been primed, fused, armed, or otherwise prepared for action, and have been fired, dropped, launched, projected, or placed in such a manner as to constitute a hazard to operations, installation, personnel, or material and remain unexploded either by malfunction, design, or any other cause.

“Military Munitions (MM)”: includes confined gaseous, liquid, and solid propellants, explosives, smokes, and incendiaries used by DOD components, including bulk explosives, rockets, guided and ballistic missiles, bombs, warheads, mortar rounds, artillery ammunition, small arms ammunition, grenades, mines, torpedoes, depth charges, cluster munitions and dispensers, demolition charges, and devices and components thereof.

“Discarded Military Munitions (DMM)”: Military munitions that have been abandoned without proper disposal or removed from storage in a military magazine or other storage area for the purpose of disposal. The term does not

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include unexploded ordnance, military munitions that are being held for future use or planned disposal, or military munitions that have been properly disposed of consistent with applicable environmental laws and regulations.

“Explosive components”: (e.g., TNT, RDX, blasting caps, primers) present in high enough concentrations to pose an explosive hazard.

“Other hazardous waste items which contain explosive hazards”

- 6) Under this Permit, the Permittee is prohibited from storing and treating any non-explosive type hazardous wastes at the facility.
- 7) The primary methods of waste treatment at this facility will be open burning/open detonation (OB/OD) and neutralization methods. Open Detonation methods will use explosive charges and will be detonated remotely using accepted industry standard firing procedures such as non-electric, electric or radio-controlled firing systems. The Permittee shall not employ alternative methods of treatment or disposal for the waste without prior written approval from EPA.
- 8) Personnel conducting waste treatment of munitions at this facility will meet the training and qualifications standards of an “Explosives or munitions emergency response specialist” as defined above.
- 9) Prior to the beginning of each treatment event, the Range Safety Officer shall give a safety briefing, which will include at minimum: Type of clothing to be worn, smoking prohibitions, burn station rules, ignition sequence, opening and disposition of wastes, emergency services, first aid, and life flight. Prior to initiation of treatment, all personnel shall retreat to a safe observation point far from the detonation unit. This location is outside the Personnel Exposure Distance Limits. Re-entry into the area shall be allowed only by permission of the Range Safety Officer. Specific procedures for treatment events are contained in the CNMI Department of Fire Explosive Response Team Standard Operating Procedure.
- 10) A fire truck and ambulance unit will be on standby at all treatment events for quick response to the detonation unit.

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- 11) At least one week prior to commencing non-emergency treatment events, the Permittee shall publish public notice one time in the newspaper. Permittee may also broadcast the public notice on cable television in addition to publishing notice. The Permittee shall provide a copy of the notice to BECQ, Toxic Waste Management Branch and USFWS ([pifwo\\_admin@fws.gov](mailto:pifwo_admin@fws.gov) and [tyler\\_willsey@fws.gov](mailto:tyler_willsey@fws.gov)) within 5 business days of the notice publication.
- 12) The Permittee shall coordinate with CNMI Homeland Security and Emergency Management office for mass notification of scheduled treatment events.
- 13) The Permittee shall coordinate with the Department of Public Safety for roadblocks to control access during scheduled treatment events.
- 14) The Permittee must comply with all applicable State, local and Federal laws and regulations for non-emergency operations, including all applicable US Department of Transportation regulations.
- 15) Under this Permit, the Permittee is prohibited from storing and treating any munitions containing chemical warfare agent, biological warfare material, radiological hazardous wastes or chemical agent contaminated media.
- 16) The Permittee must maintain the condition of the fence to prevent unknowing entry of persons or livestock access to the site at any time.
- 17) Signage must be maintained in a manner that prevents unknowing entry to the site. The language “Danger – Unauthorized Personnel Keep Out” must be posted in a manner that is readily visible prior to entrance to the storage cave and detonation unit. The emergency contact phone number must be posted on the fence to be contacted in the event of emergencies.
- 18) Permittee shall ensure that the site can retain stormwater at a capacity capable of accommodating the 10-year frequency storm event (1.5”). Permittee shall inspect the site for stormwater runoff during the first three 10-year frequency storm events after the implementation of this permit to ensure the operating conditions meet this requirement. If the inspections determine that stormwater is not accommodated onsite, then within 6 months of the observed stormwater leaving the site, the Permittee shall develop a stormwater management plan to address this issue.
- 19) Detonation events must be conducted between the hours of 10 am and 2 pm. There will be no detonation events prior to 10 am and no events past 2 pm.

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- 20) The access point on Route 30, Middle Road, must remain closed at least one hour following the last detonation event.
- 21) United States Fish and Wildlife Service shall be notified at least 24 hours prior to any detonation event. This will allow the Service an opportunity to conduct a survey for listed species and nesting sea birds.
- 22) Prior to a detonation event the detonation unit will be accessed and the vegetation will be physically disturbed. If there is evidence of wildlife in the pit, consult with USFWS regarding prevailing laws for relocating the type of wildlife prior to a detonation event occurring.
- 23) A warning shot will be fired with an appropriate mechanism as a warning shot to evacuate wildlife in the area prior to a detonation event each day. The shot must occur at least 15 minutes prior to a detonation event, but no more than two hours prior to the first detonation event.
- 24) If the clearing of trees greater than 3 inches in diameter at breast height or grasses taller than 5 feet is required, please contact USFWS prior to clearing in order to ensure listed species are not occupying the area.

**IV. RECORDKEEPING AND REPORTING**

- 25) The Permittee must maintain treatment reports in the operating record at DFEMS. Treatment reports shall be prepared following each treatment event at the detonation unit and placed in the operating record within 30 days of the treatment event.
- 26) The Permittee must maintain the following in the operating record: waste analyses; summary reports of all incidents that require implementation of the contingency plan; monthly inspection records; quarterly waste inventory; groundwater monitoring reports; and treatment reports.
- 27) The Permittee must submit to the CNMI BECQ Toxic Waste Management Branch an inventory of the contents of the storage cave quarterly for the periods of Jan – Mar, Apr – Jun, Jul – Sep and Oct – Dec. Reports are due on the first of February, May, August, and November for the previous quarter.
- 28) The Permittee must maintain records as required by the regulations incorporated in Section II above at the DFEMS office. If the permittee changes the location of the record storage, the Permittee must inform EPA where such records will be maintained.

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**V. SAMPLING AND ANALYSIS**

29) Compliance Schedule: Within 180 days of the finalization of this RAP the permittee will develop a written Groundwater Monitoring Plan. The Permittee shall perform groundwater monitoring in accordance with the approved Groundwater Monitoring Plan. Groundwater sampling for (metals and explosives) will be performed every 5 years. The results will be provided to the EPA Region 9 permit writer for review. Groundwater monitoring results will be maintained in the operating record.

**VI. GENERAL CLOSURE REQUIREMENTS**

30) Compliance Schedule: The permittee will follow the timeline for closure as established in the closure plan which will be submitted within 180 days of this RAP. No less than 180 days prior to the estimated date of closure of the facility, the permittee shall work with BECQ and the EPA to implement closure in accordance with the approved closure plan.

**VII. EFFECTIVE DATE**

31) Pursuant to 40 C.F.R. § 270.160, this Remedial Action Plan is effective 30 days after the date signed below, unless the RAP is appealed under 40 C.F.R. § 270.155, in which case the permit conditions are stayed pending final agency action.

**VIII. EXPIRATION DATE**

32) Pursuant to 40 C.F.R. § 270.195, this RAP is issued for a fixed term not to exceed 10 years. This RAP and all conditions herein will remain in effect beyond the RAP's expiration date, if the Permittee has submitted a timely, complete permit application for renewal prior to the expiration date of this current RAP.

/s/

7/13/2018

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Jeff Scott, Director  
Land Division

Date

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Attachment: USGS Map and Scaled Drawing

