COLORADO
Department of Public
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

September 16, 2014

Lieutenant Colonel Michael Quinn
Commander, Pueblo Chemical Depot
45825 Highway 96 East
Building 1
Pueblo, CO 81006

Mr. Matt Hurlburt
Chemical Materials Activity
5183 Blackhawk Road, Bldg. E5141
Aberdeen Proving Ground, MD 21010-5424

Bruce Huenefeld, PCAPP Site Project Manager
Assembled Chemical Weapons Alternative Program (ACWA)
45825 Highway 96 East
Process Support Building (PSB)
Pueblo, CO 81006

RE: State RCRA Class 3 Permit Modification Approval and Response to Comments Permit No. CO-13-12-23-01

Gentlemen:

The Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (the Division), has reviewed comments and information submitted by the Pueblo Chemical Depot (PCD) regarding the draft Class 3 Permit Modification for the Explosive Destruction Systems and associated storage units. The draft Permit prepared for the modification would allow the US Army to operate the EDS units to treat and destroy over-packed munitions, agent wastes and explosives currently in storage at PCD.

In accordance with 6 CCR 1007-3, Section 100.511, the Division has reached a final decision to approve the permit modification with the changes outlined in the attached Response to Comments. The final Permit Modification will become effective on October 15, 2014. We recommend that the US Army review the Permit carefully to ensure compliance with its requirements.

Issuance of this permit decision constitutes final agency action for the purposes of judicial review. Procedures for appeal of State RCRA permits are found in 6 CCR 1007-3, Section 100.514.

If you have any questions regarding this matter or would like to schedule a meeting to discuss please contact me at 303-692-3414.

Sincerely,

Doug Knappe, Unit Leader
Hazardous Waste Permitting Unit
Hazardous Waste Program

ATTACHMENTS: 1) Response to Comments
2). Final Permit Modification

Joan Armstrong, Pueblo County Planning and Development
Chris Pulskamp, Pueblo Chemical Depot
Steve Bird, CMA
Irene Kornelly, CAC Permitting Workgroup Chair
David Kreutzer, Colorado AGO

STATE RCRA PERMIT NO. CO-13-12-23-01

FACILITY: PUEBLO CHEMICAL DEPOT

ADDRESS: 45825 HIGHWAY 96 EAST
PUEBLO, CO 81006

EPA I.D. #: CO8213820725

Pursuant to the Colorado Hazardous Waste Act §§ 25-15-301 to 316, C.R.S., hereafter called "the Act," and the implementing regulations promulgated thereunder by the Colorado Board of Health and the Hazardous Waste Commission, 6 CCR 1007-3, and 6 CCR 1007-2, a Permit is issued to the Department of Defense, US Army Chemical Materials Activity and Pueblo Chemical Depot (hereafter called "the Permittee"), located east of Pueblo, Colorado, to operate hazardous waste storage units and two hazardous waste treatment units. The units are located at approximately 38°18'00" north latitude, and 104°20'30" west longitude.

The Permittee must comply with all terms and conditions of this Permit. This Permit consists of the conditions contained herein (including those in any attachments) and the applicable regulations contained in 6 CCR 1007-3. Applicable regulations are those that are in effect on the date of issuance of this Permit. Since the Department has not adopted all portions of EPA's Military Munitions Rule, the Colorado Hazardous Waste Regulations (6 CCR 1007-3) supersede any references to EPA's Military Munitions Rule, including any references in documents referenced by this Permit, Permit Attachments, and associated Appendices.

This Permit is based on the assumption that the information submitted in the permit renewal application of June 2013 and the Explosive Destruction System permit modification request of June 2014 is accurate.

Any inaccuracies found in the submitted information may be grounds for the termination, revocation and reissuance, or modification of this Permit in accordance with 6 CCR 1007-3, §100.6, and for potential enforcement action. The Permittee must inform the Colorado Department of Public Health and Environment (CDPHE) of any deviation from, or changes in the information in the application that would affect the Permittee's ability to comply with the applicable regulations or permit conditions.

This Permit is effective as of January 22, 2014 (30 days after issuance) and shall remain in effect until December 23, 2023 (10 year duration) unless revoked and reissued, or terminated under 6 CCR 1007-3, §§100.61 or 100.25.

Signed: _____ 9/16/14
Date

Doug Knappe, Manager
Hazardous Waste Permitting Unit
Hazardous Waste Program
Hazardous Materials and Waste Management Division
Colorado Department of Public Health and Environment