

Statement Presented by the Colorado and Kentucky Chemical Demilitarization  
Citizen's Advisory Commissions  
Regarding Off-Site Hydrolysate Treatment from ACWA Sites  
20 November 2008

On behalf of the Colorado Chemical Demilitarization Citizens Advisory Commission (CAC) and the Kentucky Chemical Demilitarization Citizens Advisory Commission (CAC); we present the following comments regarding the final disposal of the agent hydrolysate(s) from the Pueblo Chemical Agent Pilot Plant (PCAPP) and the Blue Grass Chemical Agent Pilot Plant (BGCAPP).

As far back as mid 2003 the issue of shipping chemical agent hydrolysate from Pueblo and Blue Grass has been under consideration by ACWA.

Since that time both CAC's have consistently and repeatedly brought forward recommendations, after careful consideration, unanimously opposing such shipments. The reasons for opposing this option include, but are not limited to:

- 1) Increased risks associated with transportation
- 2) Opposition from reception communities
- 3) Negative economic impact on Pueblo and Blue Grass Communities
- 4) 2006 Findings from Noblis and ACWA on probable cost increases and schedule slippage if off-site option is deployed
- 5) Inaccurate and inflated cost savings attributed to Off-site shipment
- 6) Political Opposition
- 7) Possible Litigation
- 8) Permit Risk by eliminating on-site secondary treatment
- 9) Violation of Environmental Justice Principles
- 10) Elimination of legacy potential use of on-site treatment facilities (BGAD).

At both Colorado CAC and Kentucky CAC/CDCAB (Chemical Destruction Citizens Advisory Board) meetings questions were raised regarding the following:

- The apparent disregard for the findings contained in the 2006 Noblis report which found, "In general, the expense of continuing to store munitions at the depots because of schedule delays associated with the off-site treatment of hydrolysate cancels out any potential cost savings for almost all scenarios analyzed in this study." (Pg. 6-13).
- The apparent disregard for the findings contained in the 2006 ACWA Lean Six Sigma report found, "At the time of this analysis, due to the implications from the communities and the potential resultant permitting requirements, this analysis finds that to ship hydrolysate offsite will not save time or money." (Pg. 12).
- "Why does ACWA continue to study this issue? Is it that they are doing so, and will continue to do so until they 'get the answer they want'?"

The answer we heard was that the 10 January 2007 Pentagon Acquisition Decision Memorandum (ADM) required continued study – we disagree. It is our considered opinion that the MITRETEK (now Noblis) and Lean Six Sigma reports fulfilled this directive and indeed, ACWA continues to study this issue for the sole purpose of advancing their preferred option for off-site shipment.

In the November 2007 GAO report it was concluded that the cost-benefit analysis done to justify similar shipments from Newport, Indiana to Port Arthur, Texas were “unreliable because of (1) the quantity and magnitude of errors, (2) quality control weaknesses, (3) questionable or inadequate supporting source data and documentation, and (4) the undetermined sensitivity of key assumptions.”

In response to this finding, the Pentagon responded that they, “support[s] the use of best practices for the development and preparation of cost estimates. As such, the Army will be preparing a new cost-benefit analysis with a revised cost estimate, which will be independently reviewed and verified.” DoD went on to state that this “revised cost-benefit estimate will be available the third quarter of FY07.”

To date no such analysis has been done in regards to the Indiana shipments NOR, to the best of the CO and KY CAC’s knowledge, has such an analysis been done for either of their sites.

The continued rhetoric used for justifying the on-going study of this option, especially in the face of repeated and steadfast opposition to the Governor’s Commissions in both states, raises questions as to not only the basis for such continued behavior, but also the credibility of the Government on other aspects of the disposal projects.

Finally, both the Colorado and Kentucky communities have been put through the wringer over this program via funding issues, disjointed and counterproductive directives from various Pentagon officials, one resulting in a Stop Work Order in Colorado and a near equivalent in Kentucky. We have worked diligently through countless design changes, showing a flexibility and understanding on matters from off-gas treatment modifications to other secondary waste disposal approaches, meeting unreasonable deadlines imposed by DoD which they, in turn, ignored and demonstrating an ability to compromise to an extreme in order to facilitate the execution of the program. We will not compromise on this issue

When ACWA was legislated in 1997 it developed criteria for technologies to be deemed acceptable. One of them was termed a “complete solution” on site. When the Records of Decision were announced for both CO and KY, both reflected a fulfillment of this criterion. In CO it was Neut-Bio and In KY it was Neut-SCWO. These two elements – primary treatment and secondary treatment of the chemical agents stored in these communities ON-SITE were, and remain, the fundamental underpinning of a government/community agreement on the disposal techniques to be used.

Eliminating one of these fundamental elements at this stage of the game breaks faith with the communities in a most basic sense. It weakens the relationship that is so necessary in the coming years to cooperatively fulfill the objective we all share- the timely destruction of chemical weapons. Why? Because it “could” reduce costs? Because it “could” reduce schedule? Because it “might” eliminate risk a bit sooner?

Based on the performance of the Pentagon in seriously considering cost, schedule and risk since the ROD’s were issued in 2002 and 2003, and their latest APB (Acquisition Program Baseline) stretching out the completion dates at CO and KY to 2020 and 2023 respectively, it is IMPOSSIBLE to believe that any of these are the motivation for continuing to consider the off-site option.

It is our opinion that if the Pentagon wishes to cut costs, improve schedule and eliminate risk they should request full funding of the ACWA program to comply with the 2017 Congressional

deadline, execute the program accordingly and stop wasting time and taxpayer dollars fiddling around with the issue of hydrolysate shipments.

Presented by:

Ms. Irene Kornelly, Chair, Colorado CAC , and  
Mr. Craig Williams, Member, Kentucky CAC

Presented at:

The 20 Nov 2008 Briefings by the National Research Council  
on their Report on Secondary Waste; and,  
Noblis, Inc. on their Report on their Assessment of the Cost and Schedule  
Impact of Off-site Disposal of Hydrolysate  
National Academy of Sciences Building,  
2100 C St NW, Washington, D.C.