

BOBBY JINDAL
GOVERNOR



PEGGY M. HATCH
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF THE SECRETARY

January 16, 2015

The Honorable Gina McCarthy
Administrator
Environmental Protection Agency
1200 Pennsylvania Ave, N.W.
Washington, DC 20460

Dear Administrator McCarthy:

We write asking that you personally intervene to address the persistent mishandling of M6 disposal at Camp Minden by EPA Region 6. We regret that such a request has to be made, as our State and EPA Region 6 have worked through difficult situations on countless previous occasions, but the actions of EPA Region 6 in handling this matter have left us with no other option.

To familiarize you with this issue, the Louisiana Military Department and the Louisiana Department of Environmental Quality on behalf of the State of Louisiana, entered into an agreement with the EPA regarding the disposal of M6 at Camp Minden. During these negotiations, EPA insisted on the open burn tray methodology to dispose of the M6.

Over the past several months, Louisiana citizens have understandably had concerns about disposal of the M6 at Camp Minden. From the beginning, the State has encouraged the EPA to attend public meetings and address the concerns of the public. We are very troubled, however, by the way EPA Region 6 has communicated with the citizens of Louisiana.

EPA Region 6, for reasons that we cannot explain, has consistently been unwilling or unable to articulate the science behind its decision to use the open burn tray methodology. In a January 14th letter, the State urged EPA Region 6 to articulate the basis of its decision and provide this information to the public in a clear and concise manner. In the event that EPA Region 6 could not meet this request, the State urged EPA Region 6 to conduct a bench scale test burn and perform air monitoring that could be provided to the public.

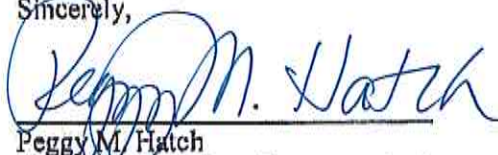
In response to the State's request, EPA Region 6 sent a letter to the State indicating it would "remove any barriers to the State selecting an equal or more protective remedy at Camp Minden" and offered its technical assistance and access to its scientific experts. EPA Region 6 is very aware that selecting an alternative disposal methodology would void the agreement and send all parties back through years of negotiations. EPA Region 6 is also very aware that the M6 gets more unstable with time and that such a delay would subject the citizens of Louisiana to significant risk.

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The suggestion that the State should void the agreement in response to failures of EPA Region 6 is ludicrous. Breaking our agreement is not an option for the State of Louisiana. It is also very troubling that its own failures have resulted in EPA Region 6 attempting to abandon its responsibilities as lead agency on the project. We urge you to intervene in this important matter to assure the citizens of our State that open burn tray disposal is not only the most expeditious but also the safest methodology.

The safety of Louisiana citizens during the disposal of the M6 at Camp Minden is our State's top priority. At this point, it will take your personal attention to ensure the safe disposal of the M6. We request a conference call with you next week to discuss the matter in detail and ask that you provide a timely written response on how EPA plans to proceed thereafter.

Sincerely,



Peggy M. Hatch
Secretary, Louisiana Department of
Environmental Quality



Major General Glenn H. Curtis
Adjutant General, Louisiana National Guard

c: U.S. Senator David Vitter
U.S. Senator Bill Cassidy
Congressman John Fleming
Congressman Ralph Abraham
Senator Robert Adley
Senator Barrow Peacock
Senator Sherri Smith Buffington
Representative Gene Reynolds
Representative Henry Burns
Ron Curry, EPA Region 6 Administrator
Sam Coleman, EPA Region 6 Deputy Regional Administrator