



DEPARTMENT OF THE ARMY
U.S. Army Legal Services Agency
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24 June 2013

Ms. Cynthia Brown
Superfund Enforcement
Assessment Section (6SF-TE)
Region 6
Environmental Protection Agency
Suite 1200
1445 Ross Avenue
Dallas, TX 75202-2733

ATTACHMENT NOT INCLUDED

Re: Explo Systems Inc., Minden, Louisiana, SSID No. 6GH

Dear Ms. Brown:

This responds to Mr. Banipal's May 10, 2013 letter addressed to Mr. Bradley Crosson at Rock Island Arsenal. In his letter, Mr. Banipal, pursuant to section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), requested that the Army provide you with certain documents and information regarding the Explo Systems Inc. facility in Minden, LA.

The Army's responses to the six questions submitted by EPA Region 6 are located at enclosure A to this letter. The Army documents submitted in response to the request for documents are located on a compact disc at enclosure B to this letter. Our responses to the questions also identify the file locations on the disc of pertinent documents.

The 104(e) request sought some documents and information that are not in the Army's possession and control. In its response, the Army identifies those instances where General Dynamics is the party in possession or control of the requested documents or information. The 104(e) request also contained vague and overly broad phrases such as "General Dynamic facilities," "materials including but not limited to" and "activities pertaining to materials including but not limited to." The Army used its best efforts to respond this 104(e) request in a timely manner and relied on the provisions of CERCLA in interpreting what information was sought by this request.

The Army recognizes that it has a continuing duty to provide EPA Region 6 any additional responsive information it discovers in its possession or control. The point of contact

for questions on our responses is the undersigned. I can be reached by phone at (703) 693-0394 or by email Robert.M.Lewis8.civ@mail.mil.

Sincerely,



Robert M. Lewis
Senior Trial Attorney
U.S. Army Environmental Law
Division

Encls:
as

Cf:
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HQ, AMSAS-GC
Rock Island Arsenal
Rock Island, Illinois 61299-6000

Enclosure A

Enclosure A
Explo Systems, Inc.
Questions for the Army

1. Provide information and documents describing the composition of any of the conventional weapons per the 2005 contract (and any more recent contracts/agreements) with the General Dynamics, which contained or generated materials including but not limited to ammonium picrate, M30 propellant, other propellants, potassium nitrate, nitrocellulose, and Tritonal/TNT mixtures that General Dynamics sent to the Explo Site.

Army Response: The Army has identified information and documents in response to Question Number 2 below regarding the composition of any of the conventional weapons per the 2005 contract with the General Dynamics, which contained or generated the materials including but not limited to ammonium picrate, M30 propellant, other propellants, potassium nitrate, nitrocellulose, and Tritonal/TNT mixtures that was sent to any General Dynamics facility. However, General Dynamics is the appropriate party to identify information and documents describing the composition of any of the conventional weapons per the 2005 contract (and any more recent contracts/agreements) with the General Dynamics, which contained or generated materials including but not limited to ammonium picrate, M30 propellant, other propellants, potassium nitrate, nitrocellulose, and Tritonal/TNT mixtures *that General Dynamics sent to the Explo Site* (emphasis added). Recently, in a letter dated May 17, 2013 and received May 21st, by Ms. Christine Carson, Contracting Officer, General Dynamic's provided information regarding conventional weapons and propellants General Dynamics has sent to Explo Systems, Incorporated's facility at Camp Minden, Louisiana. Paige Delgado, Federal On-Scene Coordinator, EPA Region VI, and LT John Porter, Louisiana State Police, were copied with this letter, including enclosures. However, General Dynamics is the proponent of this information, and as such, the appropriate party to address any question regarding any materials including but not limited to ammonium picrate, M30 propellant, other propellants, potassium nitrate, nitrocellulose, and Tritonal/TNT mixtures *that General Dynamics sent to the Explo Site* (emphasis added).

2. Provide information and documents describing the composition of any of the conventional weapons per the 2005 contract with the General Dynamics, which contained or generated the materials including but not limited to ammonium picrate, M30 propellant, other propellants, potassium nitrate, nitrocellulose, and Tritonal/TNT mixtures that was sent to any General Dynamics facility.

Army Response: The information and documents responsive to this question and relative to the 2005 contract (W52P1J-05-C-0075) with General Dynamics Ordnance and Tactical Systems (GDOTS) are provided on the enclosed Compact Disc (CD-R EPA Questions). The information and documents relative to the 2005 contract are located in the file folder GDOTS Contract W52P1J-05-C-0075. Within this subject file folder you will find a Microsoft (MS) Office Excel spreadsheet (GDOTS 2005 NSN List with Compounds.xlsx) that identifies the various configurations of conventional weapons delivered or sent to a GDOTS facility, or delivered to a subcontract facility, under the subject 2005 contract. This spreadsheet provides, for your benefit, a quick reference relative to the composition of materials in each of the conventional weapons relative to the materials specifically referenced in the subject question (ammonium picrate, M30 propellant, other propellants, potassium nitrate, nitrocellulose, and Tritonal/TNT mixtures). Within this same file folder, you will also find Technical Data Packages (TDPs) in a separate file (GDOTS 2005 TDP.pdf) for each of these same conventional weapons that more fully identifies the composition of materials or constituents in each of the various conventional weapons. For example, at row 38 of the spreadsheet (GDOTS 2005 NSN List with Compounds.xlsx) you will find Projectile 155mm: HE M483 (DODIC, D563). You will note the spreadsheet indicates this conventional weapon configuration does not include ammonium picrate, M30 propellant, potassium nitrate, or Tritonal/TNT mixtures. The TDP under the same file folder will confirm or corroborate the materials or constituents of the Projectile 155mm: HE M483. The spreadsheet and TDP files are applied in the same manner for each of the conventional weapons that were the subject of the 2005 contract with GDOTS.

3. Provide an explanation and documents as to the source of the materials including but not limited to ammonium nitrate, M30 propellant, other propellants, potassium nitrate, nitrocellulose, and Tritonal/TNT mixtures, such as type of munitions or equipment that contained the materials that was delivered to Explo Systems.

Army Response: The information and documents responsive to this question and relative to the type of munitions or equipment that contained the materials (ammonium picrate, M30 propellant, other propellants, potassium nitrate, nitrocellulose, and Tritonal/TNT mixtures) that was delivered to Explo Systems are also provided on the enclosed Compact Disc (CD-R EPA Questions). The information and documents relative to the 2010 contract with Explo Systems are located in the file folder Explo Contract W52P1J-10-C-0025. Within this subject file folder you will find a Microsoft (MS) Office Excel spreadsheet (Explo 2010 NSN List with Compounds.xls) that identifies the conventional weapon (Propelling Charge 155mm: M119) delivered or sent to the Explo Systems facility under contract W52P1J-10-C-0025. This spreadsheet provides, for your benefit, a quick reference relative to the composition of materials in each of the conventional weapons relative to the materials specifically referenced in the subject question (ammonium picrate, M30 propellant, other propellants, potassium nitrate, nitrocellulose, and Tritonal/

picrate, M30 propellant, other propellants, potassium nitrate, nitrocellulose, and Tritonal/ TNT mixtures). Within this same file folder, you will also find the Technical Data Package (TDP) in a separate file (Explo 2010 TDP.pdf) for the same conventional weapon that more fully identifies the composition of materials or constituents in the conventional weapon. The TDP under the same file folder (Explo Contract W52P1J-10-C-0025) will confirm or corroborate the materials or constituents of the Projectile Charge 155mm: M119.

In addition, you will find that under the GDOTS Contract W52P1J-05-C-0075 file folder on the enclosed Compact Disc (CD-R EPA Questions) that the Army shipped Bombs Directly to Explo Systems as the identified subcontract place of performance under the GDOTS Contract W52P1J-05-C-0075. Within the file folder for this GDOTS Contract W52P1J-05-C-0075 you will find a Microsoft (MS) Office Excel spreadsheet (GDOTS 2005 Shipping.xls) that includes the shipments of General Purpose Bombs to Explo Systems Camp Minden facility. Within this same GDOTS Contract W52P1J-05-C-0075 file folder you will find a Microsoft (MS) Office Excel spreadsheet (GDOTS 2005 NSN List with Compounds.xlsx). This spreadsheet provides, for your benefit, a quick reference relative to the composition of materials in each of the General Purpose Bombs relative to the materials specifically referenced in the subject question (ammonium picrate, M30 propellant, other propellants, potassium nitrate, nitrocellulose, and Tritonal/ TNT mixtures). Within this same GDOTS Contract W52P1J-05-C-0075 file folder, you will also find Technical Data Packages (TDPs) in a separate file (GDOTS 2005 TDP.pdf) for each of these same General Purpose Bombs that more fully identifies the composition of materials or constituents in each of the various General Purpose Bombs delivered to the Explo Systems facility.

4. Please provide copies of all contracts, sub-contracts, and agreements you have with the General Dynamics or with Explo Systems, Inc., that include activities pertaining to the materials including but not limited to ammonium nitrate, M30 propellant, other propellants, potassium nitrate, nitrocellulose, Tritonal/TNT Mixtures and M6 Propellant.

Army Response: The Army has previously provided to the EPA known Demilitarization and Recycling contracts involving General Dynamics Ordnance and Tactical Systems (GDOTS) or Explo Systems, Inc. These contracts were provided via CD on February 21, 2013, to Paige Delgado, and George Malone, EPA Region VI. This CD included contractual documents for the following contracts:

W52P1J10C0025 is a firm fixed-price contract with Explo Systems, Inc. for the Demilitarization and Recycling of Charge, Propelling, 155MM, M119A2.

W52P1J05C0075 is a firm fixed-price contract with General Dynamics Ordnance and Tactical Systems, Inc. for the Demilitarization and Recycling of 6 families of conventional ammunition. These families included: Bombs, CBU's, Separate Loading Propelling Charges (Prop Chg), High Explosive, Improved Conventional Munitions (ICM), High Explosive D Loaded Munitions (Expl D), and Pyrotechnics (Pyro) to include Pyro sub-families: Projectile 105 & 155m, Mortar & Hand Gren, Photo Flash and Flare.

W52P1J07D0003 is an Indefinite Deliver Indefinite Quantity contract with Explo Systems, Inc. for demilitarization of various artillery booster and fuzes. The demilitarization was coordinated with the Munitions Assessment Renovation Inspection and Demilitarization (MARID) team activities at Talon Manufacturing Inc. in West Virginia and performance was primarily at the Catenary Coal Company in Eskdale, West Virginia. The Army did not ship any munitions items, or components of munitions items to either Explo's Camp Minden facility or a GDOTS facility under this contract.

W52P1J11C0027 is a firm fixed-price contract with General Dynamics Ordnance and Tactical Systems, Inc. for the Demilitarization and Recycling of the following Families of Conventional Ammunition: Depleted Uranium (DU) 105MM, Explosive Cartridge(HE), Explosive D 5 Inch, Explosive D 6 Inch d 8 Inch, Dye Filled Explosive D, Cluster Bomb Units (CBU), Improved Conventional Munitions (ICM), Medium Caliber, 106MM CTG's, Fuzes.

The same contracts are reproduced again on the enclosed Compact Disc (CD-R EPA Questions) provided with these written responses. These contracts are found under the file folders with folder names corresponding to the respective contract numbers (as an example, Explo Contract W52P1J-10-C-0025). As previously explained the Army does not have copies of subcontracts between GDOTS and Explo Systems, Inc. In the recently received letter dated May 17th from General Dynamics, GDOTS did provide Ms. Christine Carson, Contracting Officer portions of Purchase Orders with Explo Systems, Inc. As also indicated in response to Question No. 1, this letter, along with enclosures, was copied to Paige Delgado, Federal On-Scene Coordinator, EPA Region VI, and LT John Porter, Louisiana State Police. GDOTS is the appropriate source for complete and accurate subcontracts between GDOTS and Explo Systems, Inc.

5. Please provide information and documents related to the transport of conventional weapons which contained or generated the materials including but not limited to ammonium nitrate, M30 propellant, other propellants, potassium nitrate, nitrocellulose, Tritonal/TNT Mixtures that the Army sent to any General Dynamics

facility or to the Explo facility. How much was transported, when was it transported, who selected the facility to transport the materials?

Army Response: The information and documents responsive to this question related to the transport of conventional weapons that the Army sent to any General Dynamics facility or to the Explo facility is provided on the enclosed Compact Disc (CD-R EPA Questions). Under each of the file folders named in accordance with the contracts provided in response to Question 4 for both GDOTS and Explo Systems there is a Microsoft (MS) Office Excel spreadsheet (GDOTS 2005 Shipping.xls, GDOTS 2011 Shipping.xls and Explo 2010 Shipping.xls). These spreadsheets include the shipping or transport information for each configuration of conventional munitions shipped under the respective contract. In the contracts with various configurations of munitions each configuration is identified under a separate Tab of the spreadsheet. In each spreadsheet Row 1 will identify the location where each configuration of conventional munitions was shipped. In the spreadsheet Column H identifies the quantity shipped, and Column I identifies the date of shipment. In each case the Prime Contractor for each contract selected the place of performance, and correspondingly where the materials were to be shipped or transported. For example, under GDOTS Contract W52P1J-11-C-0027 (spreadsheet GDOTS 2011 Shipping.xls) GDOTS identified GDOTS Marion, Illinois facility as the place of performance for CTG 105MM APFSDS-T M774 (DU), and the spreadsheet reflects those conventional munitions were shipped to this location with the quantity and date for each shipment. The spreadsheet files under each Contract file folder on the enclosed Compact Disc (CD-R EPA Questions) are applied in the same manner for each of the conventional weapons that were the subject of each separate contract.

6. Provide documentation on the associated "Condition Code" for all materials that were sent for demilitarization through/to General Dynamics and/or Explo Systems.

Army Response: The information and documents responsive to this question related to the associated "Condition Code" for all materials that were sent for demilitarization and recycling is also identified in the Microsoft (MS) Office Excel spreadsheets (GDOTS 2005 Shipping.xls, GDOTS 2011 Shipping.xls and Explo 2010 Shipping.xls) relative to each contract. The Condition Code (CC) is identified under Column E of these spreadsheets which include the shipping or transport information for each configuration of the conventional munitions transported. For example, under GDOTS Contract W52P1J-11-C-0027 (spreadsheet GDOTS 2011 Shipping.xls) GDOTS identified GDOTS Marion, Illinois facility as the place of performance for CTG 105MM APFSDS-T M774 (DU), and the spreadsheet indicates the quantity of 30 each shipped on January 2012 was in Condition Code A, while the quantity of 195 shipped March 2012 was in Condition Code E. The spreadsheet files under each Contract file folder on the enclosed Compact Disc (CD-R EPA Questions) are applied in the same manner to find the Condition Code for

each of the conventional weapons shipments to either a GDOTS or Explo facility that were the subject of each separate contract. For a definition of Ammunition Condition Codes see SB 742-1 Ammunition Surveillance Procedures Manual Appendix C attached with these question responses.

SB 742-1 Ammunition Surveillance Procedures Manual

APPENDIX C

AMMUNITION CONDITION CODES

Definition:

CODE A SERVICEABLE (ISSUABLE WITHOUT QUALIFICATION)

New, used, repaired, or reconditioned materiel, which is serviceable and issuable to all customers without limitation or restriction. Includes materiel with more than 6 months shelf-life remaining

Normal incidental requirements for additional packaging, packing, or marking, etc., that can be accomplished at time of issue (without additional resources or manpower or causing a delay) does not constitute a restriction.

CODE B SERVICEABLE (ISSUABLE WITH QUALIFICATION)

New, used, repaired, or reconditioned materiel which is serviceable and issuable for its intended purpose; however it is restricted from issue to specific units, activities, or geographical areas by reason of its limited usefulness or short service-life expectancy. Includes materiel with 3 through 6 months shelf-life remaining.

Normal incidental requirements for additional packaging, packing, or marking, etc., that can be accomplished at the time of issue (without additional resources or manpower or causing a delay) does not constitute a restriction. Includes items restricted from or to specific missions.

CODE C SERVICEABLE (PRIORITY OF ISSUE)

Items that are serviceable and issuable to selected customers, but which must be issued before conditions A and B materiel to avoid loss as usable assets. Includes materiel with less than 3 months shelf-life remaining.

CODE D SERVICEABLE (TEST/ MODIFICATION)

Serviceable materiel that requires test, alteration, modification, conversion, or disassembly. This does not include items that must be inspected or tested immediately prior to issue.

CODE E UNSERVICEABLE (LIMITED RESTORATION)

Materiel which involves only limited expense or effort to restore to serviceable condition and that is accomplished in the storage activity where the stock is located.

Minor maintenance is exterior to the round or munitions. Includes all repair of external surfaces and repair or replacement of packaging, packing, palletization, and marking.

CODE F UNSERVICEABLE (REPAIRABLE)

Economically repairable materiel which requires repair, overhaul, or reconditioning (includes repairable items which are radioactively contaminated).

Major maintenance usually requires replacement of end item components or modification.

CODE G UNSERVICEABLE (INCOMPLETE)

Materiel requiring additional parts or components to complete the end item prior to issue.

CODE H UNSERVICEABLE (CONDEMNED)

Materiel which has been determined to be unserviceable and does not meet repair criteria (includes condemned items that are radioactively contaminated).

Includes material determined to be uneconomically repairable. Includes Army materiel that became unserviceable by reason of shelf/ service life expiration.

CODE J SUSPENDED (IN STOCK)

Materiel in stock, which has been suspended from issue and use pending condition classification or analysis, where the true condition is not known.

Includes Temporarily Suspended material pending serviceability determination. Army ammunition that has missed two scheduled periodic inspections is included. Includes Air Force materiel that is identified and held for future test/surveillance requirements, either destructive or nondestructive in nature. May contain formerly serviceable assets that became unserviceable by reason of being reserved for test or shelf/service-life has expired.

CODE K SUSPENDED (RETURNS)

Materiel returned from customers or users and awaiting condition classification.

Includes items that have been identified by stock number and item name, but not examined for condition. Stocks in this CC will be inspected and properly classified as to condition according to the appropriate regulations. When more time is required, an extension of time may be granted by the applicable accountable supply distribution activity.

CODE L SUSPENDED (LITIGATION)

Materiel held pending litigation or negotiation with contractors or common carriers.

CODE M SUSPENDED (IN WORK)

Materiel identified on inventory control records but which has been turned over to a maintenance facility or contractor for processing.

CODE N SUSPENDED (SUITABLE FOR EMERGENCY COMBAT USE)

Ammunition stocks suspended from issue except for emergency combat use.

CODE P UNSERVICEABLE (RECLAMATION)

Materiel determined to be unserviceable, uneconomically repairable as a result of physical inspection, tear-down, or engineering decision. Item contains serviceable components or assemblies to be reclaimed.

Assigned as directed by the owning Service

CODE Q SUSPENDED (QUALITY DEFICIENT EXHIBITS)

This code is for intra-Air Force use only. Quality Deficient exhibits returned by customer/user as directed by the inventory manager due to technical deficiencies reported by Quality Deficiency Report. Exhibit requires technical or engineering analysis to determine cause of failure to perform IAW specifications.

CODE R SUSPENDED (RECLAIMED ITEMS, AWAITING CONDITION DETERMINATION)

Assets turned in by reclamation activities, which do not have the capability (e.g., skills, manpower, or test equipment) to determine the materiel condition. Actual condition shall be determined prior to induction into maintenance activities for repair/modification.

CODE S UNSERVICEABLE (SCRAP)

Material that has no value except for its basic materiel content. no stock shall be recorded as on hand in Supply Condition Code S. This code is used only on transaction involving shipments to DRMOs. Materiel shall not be transferred to Supply Condition Code S prior to turn-in to DRMOs if materiel is recorded in Supply Condition Code A thru H at the time materiel is determined excess. Materiel identified by NSN shall not be identified by this supply condition code.

CODE V WASTE MILITARY MUNITIONS

Material identified as Waste, Military Munitions
Assignment will only occur under the coordinated
authority of a designated DOD or Service Designated
Disposition Authority (DDA). prior to the custodial CCV
request, the WMM must meet criteria of WMM under
the DOD Military Munitions Rule Implementation
Policy and must have a current inspection

ENCLOSURE B
