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May 25, 2000

The Honorable Jeff Sessions
United States Senate
Washington, DC 20510

The Honorable Bob Riley
United States House of Representatives
Washington, DC 20515

Dear Senator Sessions and Congressman Riley:

We, the undersigned members of the Calhoun County Commission, are writing to you in response to the leak of GB vapor that occurred recently at the Tooele Chemical Agent facility in rural Tooele County, Utah. According to press reports in Utah and Alabama, the amount of nerve agent released into the atmosphere was three and one-half times the amount authorized by the permit issued to the facility by the Utah Department of Environmental Quality. Furthermore, Army officials at the Tooele facility failed to notify local emergency management personnel until more than three and one-half hours after the release occurred. Myron Lee of the Tooele Department of Environmental Management was quoted as saying Army officials failed to promptly notify anyone because of "disbelief" the event had occurred, even though alarms sounded immediately after the release was detected by sensors atop the incinerators stacks. The standard operating procedure for the Tooele facility and the same procedure that is supposed to be followed at the chemical agent incinerator being constructed at Bynum is for the Army to notify local emergency management personnel and elected officials within minutes of a release.

The May 17th edition of the Deseret News in Salt Lake City also reports that the managers of the Tooele incineration facility attempted to refire the incinerator's furnace one hour after the first leak occurred, even though the incinerator's alarm had gone off and the incinerator had been shut down. This action caused additional nerve agent to be released into the atmosphere and violated the Army's procedures for the facility, which state the afterburner is not to be restarted until after the problem had been identified and

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corrected. This action also violated the terms of the plant's operating permit issued by the State of Utah.

The Army has not ordered any blood tests for the workers at the facility because the Army "believes" no one was exposed to any nerve agent. The Army also has claimed this release was not a major event, even though four similar releases from the Army's first incinerator at Johnston Atoll Island in the Pacific Ocean caused the United States Environmental Protection Agency to levy a \$250,000 fine against the Army. According to the Army, the Tooele facility was to have benefited from the experiences at Johnston Atoll. The Army has stated that the numerous modifications which have been made prior to the construction of the Tooele incinerator have made the incinerator at Tooele fail-proof. Last week's release strongly suggests otherwise.

As you know, the Army has consistently maintained that its incineration technology and program methodology will work in every community where the technology is scheduled to be deployed. The incinerators at Johnston Atoll and Tooele County, Utah, are located in very remote, isolated areas far away from population centers. The Bynum incinerator, however, is being constructed at a site that has more than 75,000 people living within 10 miles of the facility. Clearly the risks in our community are much greater than those at Johnston Atoll and Tooele.

We understand the Army is conducting an investigation of last week's release at Tooele facility. The Army has been a partner in this community for the past fifty years. While we have a great deal of respect for the Army, we do not believe that leaving this investigation to the Army alone will satisfy our concerns for several reasons.

First, the Army has already invested more than \$800 million at the Bynum site. This comes on top of the billions the Army spent at Johnston Atoll and Tooele and the billions more it intends to spend on incinerators at sites in Oregon, Arkansas, and Colorado. The Army simply has too much at stake here and is far too involved with the current program to be objective in its evaluation of last week's events at the Tooele incinerator.

Second, the Army has not been entirely forthcoming with our community about the manner in which a "major event" at the Bynum stockpile or incinerator would affect our community. For instance, it is generally known that a study conducted by the National Research Council (Reutter-Wade Report) entitled "Review of the Acute Human-Toxicity Estimates for Selected Chemical-Warfare Agents" found that some of the agents stored at Bynum are twice as toxic as originally estimated. To our knowledge these findings have not been applied to the Protective Action Recommendations prepared by Innovative Emergency Management, the Army contractor which prepared the recommendations that are to be used by our local emergency management officials. Instead, Innovative Emergency Management continues to use the lower toxicity levels in formulating its recommendations.

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For the past eight years, the Army has watched as we have developed plans for evacuating our citizenry. We have conducted hundreds of meetings and carried out numerous simulations and rehearsals for evacuation. Army officials gave us no guidance and always said the decision about what action should be taken to protect our citizens would be left up to us, even though the Army controlled all of the technical information. Not once during the past eight years did the Army ever tell us that evacuation would not be an option. Now, with the incinerator substantially complete and with test incineration of chemical agents scheduled to begin next year, the Army has recently released a report prepared by Innovative Emergency Management, the Army's private contractor, that concludes that in more than ninety-five percent of the computer simulations regarding potential scenarios surrounding the release of chemical agents at Bynum, there will not be sufficient time for residents in the greater Anniston-Oxford-Saks-Weaver area to evacuate before a plume of chemical agent reaches them. The study recommends that local EMA officials disregard the evacuation approach and instead tell citizens to stay in their homes and close their windows and doors. The study, however, does not address how local residents can be certain the agent will not seep into their dwellings or how long they will have to remain in their homes before it will be safe to go outside. When confronted with these questions, the Army says it simply does not have the answers.

Given the Army's apparent lack of candor with the community regarding its ability to evacuate in the event of a major problem at the Bynum incinerator and the Army's deep commitment to the current technology, we ask that you use your positions as members of the Senate Armed Services Committee and House Armed Services Committee respectively to get the United States General Accounting Office to conduct an independent investigation of the Tooele release incident, as well as the failure of the Army's incinerator technology and the breakdown of local notification procedures. We also ask that you get the GAO to investigate the current Qualitative Risk Assessments (QRA), which serve as the basis of all protection planning, and the current Most Credible Events (MCE), the chemical events most likely to occur in our community, to determine if they are still valid. These factors are extremely important and serve as the foundation on which protective action decision-making will be accomplished. Site-specific QRAs and MCEs are of paramount significance to a community such as ours which is heavily populated with most people residing a short distance from the stockpile and incinerator. In order that we might be able to receive some independent assessment of the situation, we also ask that you request the GAO give this matter immediate priority and that a preliminary final report be prepared and made available to share with us within ninety days.

We are fortunate to have both of you serving on the primary jurisdictional committees that authorize and oversee every activity of the Army's chemical weapons program. Therefore, we ask that you secure immediate public oversight hearings in Washington so that members of these two committees can scrutinize the Army's activities in open session, on the record.

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The purpose of this letter is not to attempt to stop the Bynum incinerator from going forward. Rather, we are only seeking answers to a series of vexing questions surrounding the recent event at Tooele and the release of the study conducted by the Army's private contractor that concludes evacuation is not the option we had been led to believe was available to protect our citizens. The people of Calhoun County must be allowed to learn the magnitude of the risk our community will be assuming during the five years the incinerator is in operation. To do anything less would be an act of gross unfairness on the part of the federal government.

We are grateful to have such dedicated public servants as yourselves in positions that will allow us to obtain these answers promptly before the testing of chemical agents commences at the Bynum incinerator. We look forward to working with you closely and eagerly await your reply.

Sincerely,



Robert W. Downing, Chairman



James A. Dunn, Commissioner



James Eli Henderson, Commissioner



Randy Wood, Commissioner



Lea Fite, Commissioner

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