



10/17/2006

VX Proposal Halted by Legislation

The 2007 National Defense Authorization Act, approved by Congress and signed by the President October 17, 2006 includes a provision that suspends the Army's proposal to bring VX nerve agent waste to New Jersey and the Delaware River. New Jersey's Congressional Representatives, Congressman Rob Andrews, Congressman Jim Saxton and Congressman Frank LoBiondo, worked to get the language into the law in order to protect New Jersey residents and the River. The General Accounting Office will conduct an analysis of the costs and benefits of the Army's proposal to transport VX nerve agent waste, hydrolysate, from the Army's Newport Indiana storage facility to Dupont in Salem County, NJ for processing and discharge into the Delaware River. The GAO will also assess the rationale for the Army's rejection of other alternatives for VX destruction -- one of these methods is destruction on site in Indiana by super critical water oxidation, which does not produce any toxic residue requiring discharge to a waterway. The proposed transport of VX is on hold until 60 days after the report is done and no earlier than February 2007. VX waste cannot be accepted by Dupont unless NJ's Department of Environmental Protection issues a permit to the Dupont Chambers Works for the process. The language in the Act follows:

SEC. 922. COMPTROLLER GENERAL REVIEW OF COST-BENEFIT ANALYSIS OF OFF-SITE VERSUS ON-SITE TREATMENT AND DISPOSAL OF HYDROLYSATE DERIVED FROM NEUTRALIZATION OF VX NERVE GAS AT NEWPORT CHEMICAL DEPOT, INDIANA.

- (a) Review Required- Not later than December 1, 2006, the Comptroller General shall submit to Congress a report containing a review of the cost-benefit analysis prepared by the Secretary of the Army entitled 'Cost-Benefit Analysis of Off-Site Versus On-Site Treatment and Disposal of Newport Caustic Hydrolysate' and dated April 24, 2006.
- (b) Content of Review- In conducting the review under subsection (a), the Comptroller General shall consider and assess at a minimum the following matters:
- (1) The adequacy of the rationale contained in the cost-benefit analysis referred to in subsection (a) in dismissing five of the eight technologies for hydrolysate treatment directed for consideration on page 116 of the Report of the Committee on Armed Services of the House of Representatives on H.R. 1815 (House Report 109-89).
 - (2) The rationale for the failure of the Secretary of the Army to consider other technical solutions, such as constructing a wastewater disposal system at the Newport Chemical Depot.
 - (3) The adequacy of the cost-benefit analysis presented for the three technologies considered.
- (c) Limitation on Transport Pending Report- The Secretary of the Army may not transport neutralized bulk nerve agent (other than those small quantities necessary for laboratory evaluation of the disposal process) from the Newport Chemical Depot to the State of New Jersey until the earlier of--
- (1) the end of the 60-day period beginning on the date on which the report required by subsection (a) is submitted; or
 - (2) February 1, 2007.