Army Regulation 200–1

Environmental Quality

Environmental Protection and Enhancement

Headquarters
Department of the Army
Washington, DC
21 February 1997

UNCLASSIFIED

SUMMARY of CHANGE

AR 200–1
Environmental Protection and Enhancement

This revision--

- Extracts technical and procedural information found in each of the program areas for incorporation into the corresponding DA Pamphlet 200-1 (forthcoming), making this AR strictly a responsibility and policy document (chaps 1 through 15).

- Reflects the transfer of responsibilities previously assigned to the Assistant Chief of Engineers to the Assistant Chief of Staff for Installation Management (ACSIM). (chap 1)

- Includes Civil Works activities under the jurisdiction of the U.S. Army Corp of Engineers (USACE).

- Establishes responsibilities for environmental training (chap 1).

- Requires installations to develop and implement water and wastewater management plans and water conservation plans. Requires installations to develop a groundwater protection plan to include Federal, state and local groundwater protection programs (chap 2).

- Incorporates the requirements established by the Oil Pollution Act (chap 3).

- Allows installation commanders more latitude on disposal of hazardous waste while guarding against improper disposal and future liability (chap 5).

- Reflects a new emphasis on the requirements of the Clean Air Act (chap 6).

- Outlines the scope and policy revisions of requirements governing emissions to the atmosphere, including guidance on ozone-depleting chemicals (chap 6).

- Reflects changes in environmental noise management policy (chap 7).

- Includes asbestos management (chap 8).

- Includes the Radon Reduction Program (chap 9).

- Outlines pollution prevention policy in a new chapter which addresses pollution prevention planning requirements for Army activities (chap 10).

- Includes BRAC Environmental Restoration Program policy (chap 11).

- Establishes new Environmental Technology Program policy and responsibilities (chaps 1 and 12).

- Addresses the increasing automated reporting requirements of the Army Automated Environmental Management Systems (chap 13).

- Defines the Army’s increasing environmental requirements OCONUS (chap 14).

- Elaborates on other Environmental Programs (chap 15).

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Effective 21 March 1997

Environmental Quality

Environmental Protection and Enhancement

History. This printing publishes a revision of this publication. This publication has been reorganized to make it compatible with the Army electronic publishing database. No content has been changed.

Summary. This regulation covers environmental protection and enhancement.

Applicability. This regulation applies to Active Army, Army National Guard, U.S. Army Reserve, and civil works activities that are under the jurisdiction of the U.S. Army Corps of Engineers. It also applies to tenants, such as other Federal agencies, contractor activities, and lessees performing activities in direct support of the Army located on real property under Department of the Army jurisdiction. Installations in foreign countries shall comply with this regulation as noted in Chapter 14 of this regulation. Contracts to operate Government-owned facilities shall reference this regulation and will designate by specific citation the applicable provisions of this regulation.

Proponent and exception authority. The proponent of this regulation is the Assistant Chief of Staff for Installation Management. The proponent has the authority to approve exceptions to this regulation that are consistent with law or regulation. Proponents may delegate the approval authority, in writing, to a director or division chief under their supervision within the proponent agency who holds the grade of colonel or the civilian equivalent.

Army management control process. This regulation contains management control provisions in accordance with AR 11-2 and contains checklists for conducting management control reviews.

Supplementation. Supplementation to this regulation and establishment of command and local forms by Army military organizations are prohibited without prior approval from the Director of Environmental Programs (DAIM-ED). The requirements of such supplements and forms must be consistent with and no less stringent than the requirements in this regulation.

Suggested Improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) through the chain of command to HQDA, DAIM-ED, 0600 Army Pentagon, Washington, DC 20310-0600.

Distribution. Distribution of this regulation is made in accordance with initial distribution number (IDN) 093190, intended for command levels D and E for Active Army, Army National Guard, and U.S. Army Reserve.

Contents (Listed by paragraph and page number)

* This publication supersedes AR 200-1, dated 23 April 1990.

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RESERVED

Chapter 1
Introduction

Section I
General

1–1. Purpose

a. The Army is committed to environmental stewardship in all actions as an integral part of the Army mission. This regulation implements the 'U.S. Army Environmental Strategy into the 21st Century.' This strategy is to:

(1) Focus efforts on pollution prevention where and when possible to reduce or eliminate pollution at the source.

(2) Conserve and preserve natural and cultural resources so they will be available for present and future generations to use.

(3) Give priority to sustained compliance with all applicable environmental laws.

(4) Continue to restore previously contaminated sites deemed as a threat to human health and the environment.

b. This regulation provides a brief overview of environmental programs and requirements. It does not provide a complete listing of requirements or detailed guidance on complying with environmental laws and regulations. In addressing environmental issues, readers must consult the applicable laws, regulations, and guidance documents referenced in this regulation. This regulation supplements Federal, state, and local environmental laws for preserving, protecting, and restoring the quality of the environment. It also integrates pollution prevention, natural and cultural resources, and the National Environmental Policy Act (NEPA) into the Army Environmental Program.

1–2. References

Required and related publications and prescribed and referenced forms are listed in appendix A.

1–3. Explanation of Abbreviations and Terms

Abbreviations and special terms used in this regulation are explained in the glossary.

Section II
Responsibilities

All references to legal requirements in this regulation are intended to refer to laws, regulations and executive orders that, in the opinion of legal counsel, are applicable to the Army. Most environmental laws apply to the Army, but some do not. It is essential that Army counsel be consulted on the applicability of all laws, regulations, and executive orders. Similarly, all permits, agreements, notices of violations, enforcement actions, especially reports of potential liability under para 15-7, require early and close coordination with Army legal counsel. The requirement to consult counsel is considered an essential part of the use of this regulation.

1–4. The Secretary of the Army (SA)

The SA serves as trustee for the natural and cultural resources managed by the Army. The SA is responsible for protecting the quality of the air, land, and water entrusted to the Army.

1–5. The Assistant Secretary of the Army (Installations, Logistics, and Environment) (ASA(IL&E))

The ASA(IL&E) has primary responsibility for the Army's military environmental programs. Those responsibilities are carried out through the Deputy Assistant Secretary of the Army (Environment, Safety, and Occupational Health) who—

a. Develops overall Army environmental policy, guidance, and direction.

b. Serves as the primary point of contact with the Office of the Secretary of Defense (OSD), Congress, other Federal and state agencies, and other components.

c. Appoints Army representative(s) for inter-service and interagency environmental committees.

d. Conducts, in coordination with Assistant Secretary of the Army (Research, Development and Acquisition) ASA(RDA), an annual review of Army environmental research and development efforts.

e. Provides representation on the Overarching Integration Process Team (OIPT) Army System Acquisition Review Council (ASARC) Coordination Team (ACT) to ensure Army materiel in all acquisition categories meet requisite environmental criteria prior to milestone reviews.

f. Provides recommendation to the Milestone Decision Authority regarding program environmental requirements.

g. Manages the Army's Defense Environmental Restoration Account.

h. Serves as Department of Defense (DOD) Executive Agent (EA) for selected OSD programs.

i. Provides supervision and program oversight of the Army Environmental Policy Institute (AEPI).

j. The ASA(I,L&E) will act as co-chair with the ACSIM for the HQ Army EQCC.

1–6. The Assistant Secretary of the Army (Civil Works) (ASA(CW))

The ASA(CW) has primary responsibility for the Army's civil works environmental programs, to include developing and executing a separate civil works budget. The ASA(CW) will—

a. Implement environmental policy, guidance, and direction for civil works programs.

b. Serve as the point of contact with the OSD and other agencies for civil works issues.

c. Appoint civil works representative(s) for inter-service and interagency environmental committees.

1–7. The Assistant Secretary of the Army (Financial Management) (ASA(FM))

The ASA(FM) will issue funding policies for environmental programs, in conjunction with ASA (IL&E) and the Assistant Chief of Staff for Installation Management (ACSIM).

1–8. The Assistant Secretary of the Army (Research, Development, and Acquisition) (ASA(RDA))

The ASA(RDA) will—

a. Plan, program, budget, and execute the Army's Research, Development, Test, and Evaluation (RDT&E) program (including the Environmental Quality Technology (EQT) Program) in a manner that maximizes the ability of the Army to achieve its environmental strategy.

b. Develop policy to ensure procurement of materiel designed to lessen environmental impacts throughout its life-cycle, while ensuring operational effectiveness.

c. Develop policy on acquisition of hazardous material and hazardous materiel.

d. Develop and oversee programs to reduce the volume and toxicity of hazardous materials and ozone-depleting substances used in Army materiel.

e. Lead the annual review of Army environmental research and development efforts, in coordination with ASA(IL&E).

f. Integrate environmental issues into acquisition training programs.

g. Establish procurement policies that encourage acquisition and use of environmentally preferable products and services, products made with recovered material, and products which are energy-efficient.

1–9. The Chief of Staff, Army (CSA)

a. Oversees the execution of the Army military environmental program.

b. Establishes the Headquarters, Department of the Army, Environmental Quality Control Committee (EQCC).

1–10. General Counsel (GC)
The GC provides legal advice to the Office of Secretary of the Army on all environmental matters.

1–11. The Chief, Public Affairs (CPA)
The CPA will—

a. Provide policy, guidance, and oversight for public affairs support to the Army's military and civil works environmental programs.

b. Serve as the point of contact for news media inquiries on Army environmental matters of national importance.

1–12. The Deputy Chief of Staff for Operations and Plans (DCSOPS)
The DCSOPS will—

a. Establish mission-related policies and procedures to support environmental stewardship in all mission, contingency, training, and mobilization plans and operations.

b. Serve as the proponent for the Integrated Training Area Management (ITAM) Program.

c. Coordinate Army staff support for the National Contingency Plan.

1–13. The Deputy Chief of Staff for Logistics (DCSLOG)
The DCSLOG will—

a. Promulgate policy and guidance for all materiel management aspects of the Army Environmental Program, to include integrated logistics support, supply, transportation and maintenance management.

b. Incorporate pollution prevention into all aspects of the DCSLOG mission.

c. Serve as the staff proponent for logistics aspects of the Defense Environmental Security Corporate Information Management (DESCIM) System.

d. Promulgate Integrated Logistics Support policies and guidance to incorporate pollution prevention into materiel maintenance.

1–14. The Assistant Chief of Staff for Installation Management
The ACSIM serves as the Army Staff proponent of the Army Environmental Program and co-chairs the HQ Army EQCC with the ASA(I,L&E).

a. This function will be carried out through the following responsibilities of the Director of Environmental Programs (DEP):

(1) Identify, support, and defend Army military environmental resource requirements.

(2) Promulgate Army military environmental policy and guidance.

(3) Serve as the Executive Agent for the Defense Environmental Security Corporate Information Management (DESCIM) System.

(4) Serve as the Executive Secretary to the HQ EQCC.

(5) Exercise primary Army staff responsibility to oversee, direct, and coordinate the following Army military environmental programs:

(a) Installation Restoration Program.

(b) Formerly Used Defense Sites (FUDS).

(c) Defense-State Memoranda of Agreement/Cooperative Agreement (DSMOA/CA) Program.

(d) Pollution prevention.

(e) Environmental compliance.

(f) Cultural and natural resources.

(g) Pest management.

(h) Environmental training and career development.

(i) Base Realignment and Closure (BRAC) clean-up program.

(j) NEPA requirements.

(k) Environmental Noise Abatement.

(l) Environmental Technology Demonstration and Transfer.

(6) Exercise primary Army staff responsibility to collect and coordinate user requirements for the Army Environmental Quality Technology Program.

(7) Exercise primary Army staff responsibility to integrate efforts of the Environmental Quality Program Pillar Technology Team.

b. Under the direction of the DEP, the Commander, U.S. Army Environmental Center (USAEC), will manage and provide a broad range of technical support and integration services worldwide (i.e., Regional environmental Offices) for the execution of the Army's military environmental programs.

1–15. The Sergeant Major of the Army
The Sergeant Major of the Army will integrate the environmental ethic into the corps of Noncommissioned Officers.

1–16. The Chief, Army Reserve (CAR)
The CAR will develop overall policy and guidance for all Army Reserve assets worldwide. The CAR will—

a. Serve as the primary Army staff adviser for all Army Reserve environmental issues.

b. Ensure adequate funding for all Class I, Class II High, and hazardous waste disposal requirements for the Army Reserve.

c. Ensure environmental policy is implemented within the Army Reserve.

d. Ensure environmental stewardship is incorporated into all aspects of the Army Reserve mission.

1–17. The Judge Advocate General (TJAG)
The TJAG will provide legal advice to the Army on all environmental law matters, except those arising out of civil works activities. The Chief, Environmental Law Division (ELD), will exercise those authorities on behalf of TJAG and specifically will—

a. Serve as legal advisor to the ACSIM and DEP with regard to all environmental matters; advise the Army Secretariat in coordination with the General Counsel.

b. Provide technical channel coordination and advice to all Army environmental law specialists and other Army lawyers involved in environmental matters.

c. Monitor and provide advice regarding environmental legislation and regulatory developments that affect the Army.

d. Review all draft environmental orders, consent agreements, and settlements with Federal, state, or local regulatory officials before signature. Provide assistance to major Army commands (MACOMs) and installations in drafting or negotiating interagency agreements or orders on consent with Federal, state, and local regulators.

e. Be solely responsible for representing the Army in Federal and State litigation and for communicating the Army's position in litigation and settlement with the Department of Justice subject to the general oversight of the General Counsel. Serve as agency counsel for the Army in appropriate administrative cases, hearings, and enforcement actions.

1–18. The Surgeon General (TSG)
a. TSG will develop policy on occupational and public health issues related to Army environmental actions.

b. TSG through the Medical Command (MEDCOM) and the Center for Health Promotion and Preventive Medicine (CHPPM) will—

(1) Plan, organize, budget, and execute medical support to the Army environmental program.

(2) Serve as the decision authority for determinations of public health threat arising from Army environmental activities.

(3) Approve human health risk assessments and review ecological risk assessments used in determining requirements for or extent of environmental mitigation necessary to prevent human and ecological exposures to contaminant releases resulting from Army activities.

(4) Provide policy on the human health and ecological aspects of pollution resulting from Army activities and operations IAW AR 40-5.

(5) Combine environmental awareness and technical information into the training programs sponsored by the Army Medical Department (AMEDD).

(6) Serves as the Lead Agent for the DOD in negotiating services with the Agency for Toxic Substances and Disease Registry.

(7) Issue guidance and establish program requirements addressing AMEDD support to Army environmental programs.

(8) Develop toxicological profiles concerning chemicals and unregulated hazardous substances commonly found on military installations. Develop and propose human health and safety environmental standards for chemical agents and explosive compounds when such standards do not exist.

(9) Identify pollution-related health and ecological effects topics requiring research and development. Initiate the needed research in areas where AMEDD has responsibility.

(10) Advise on human health and ecological aspects of environmental issues, in accordance with DA PAM 40-578.

(11) Promulgate policy on the handling and disposal of the Army's dental, veterinary and medical waste.

c. Under the direction of the MEDCOM, the Commander, U.S. Army Center for Health Promotion and Preventive Medicine (USACHPPM) will provide a broad range of expertise and services in environmental health, occupational health, and preventive medicine to evaluate the health risk aspects of the Army's environmental program.

1–19. The Director of Army Safety

The Director of Army Safety will develop and promulgate policy, procedure, guidance, and training for the safety aspects of the military environmental program, including those for conventional and chemical ordnance and explosives discovered and recovered during environmental restoration activities. Also, provide technical guidance for the implementation and management of the Army's Hazard Communication and Hazardous Materials program requirements.

1–20. MACOM commanders

MACOM commanders, including OCONUS, as used in this regulation include the Chief, National Guard Bureau, and the Commander, U.S. Army Reserve Command. Each MACOM commander will—

a. Provide resources, policy, guidance, and oversight to subordinate commands and activities to execute the Army's environmental program. At a bare minimum, this will include funding for the following: all Class I, Class II High, hazardous waste disposal requirements, cost effective pollution prevention projects as a means to reduce operation costs and avoid environmental liability, and adequate personnel and program management.

b. Establish an EQCC or equivalent.

c. Ensure that environmental impacts of all actions are considered in accordance with AR 200-2.

d. Serve as a member of the CSA EQCC.

1–21. The Commanding General (CG), U.S. Army Forces Command (FORSCOM)

The CG, FORSCOM will—

a. Provide, upon request, personnel/resources support to the National Response Team (NRT) or Regional Response Team (RRT) responding to an environmental emergency. Support will be provided according to AR 500-60 and the National Contingency Plan. The cost of the support will be reimbursed by the requester.

b. Prepare mobilization guidance concerning environmental planning requirements during the build up, deployment, and redeployment phases.

1–22. The CG, U.S. Army Materiel Command (AMC)

The CG, AMC will—

a. Serve as DOD EA for the National Defense Center for Environmental Excellence.

b. Conduct environmental research and development and technical investigations in support of its missions and activities.

c. Support U.S. Army Corps of Engineers (USACE) efforts in developing an integrated Army Environmental Quality S&T program, and manage the portion of that program that supports pollution prevention in the acquisition process and Army industrial facilities worldwide.

d. Execute low-level radioactive waste management, including disposal.

e. Ensure that contracts and operations at Government-Owned, Contractor-Operated (GOCO) facilities include all applicable aspects of the Army environmental program and protect the Army from liability and/or fines assessed due to contractor operations.

f. Ensure Army materiel developers incorporate environmental considerations into the acquisition process and apply life-cycle analysis.

g. Review and revise military specifications, standards, and drawings, when appropriate, to eliminate and/or reduce the use of extremely hazardous substances and toxic chemicals, enhance procurement of products made from recovered materials or that are environmentally preferable, and to avoid the use of ozone-depleting chemicals (ODCs).

h. Execute the Rocky Mountain Arsenal environmental cleanup.

i. Manage efforts to eliminate ODCs used in all Army weapon systems, installations and facilities, with the exception of Civil Works projects.

1–23. The CG, U.S. Army Training and Doctrine Command (TRADOC)

The CG, TRADOC will—

a. Integrate environmental requirements across doctrine, training, leader development, organization, materiel requirements, and soldier support (DTLOMS).

b. Include pollution prevention as a consideration in all requirements documents for new and upgraded Army materiel.

c. Ensure all training procedures, training manuals, and training doctrine include sound environmental practices and procedures.

d. Develop and implement training for Army personnel applicable to environmental and related safety or occupational health training or certification requirements mandated by Federal law or regulation.

e. Ensure students are trained to perform their duties in compliance with applicable laws and regulations, and are trained to respond properly in emergencies.

1–24. The Director, Army National Guard (ARNG)

The Director, ARNG, or designated representative, will sign all ARNG Federal compliance agreements, consent orders, and Environmental Assessments, Findings of No Significant Impact, Environmental Impact Statements, Records of Decision, and other pertinent Federal environmental documentation.

1–25. The CG, U.S. Army Corps of Engineers (USACE)

The CG, USACE will—

a. Provide environmental support to other DOD agencies, ACSIM, other MACOMs, and installation commanders (IC).

b. Provide environmental support to other Federal, state, and local agencies when tasked.

c. Serve as executing agency for assigned projects for the Army Installation Restoration Program and the Base Realignment and Closure Program, performing design and remediation for Army installations and, at selected installations, investigations and studies.

d. Administer the DSMOA/CA program for the Deputy Undersecretary of Defense (Environmental Security). In this capacity, plan, program, budget, negotiate agreements, and reimburse states, possessions, and territories for technical support to DOD installations.

e. Serve as executing agency for the FUDS program. Execute, on behalf of DOD and the Army, all necessary Potentially Responsible Party (PRP) liability agreements and related activities.

f. Plan and develop the Army Environmental Quality S&T program, managing the portion of this program that supports conservation, cleanup, compliance, and non-industrial pollution prevention,

and integrating AMC's acquisition and industrial pollution prevention programs into the total Army program.

g. Incorporate environmental criteria into all new and existing construction design specifications.

h. Develop and conduct environmental training for civil works programs and for military programs assigned as USACE support functions.

i. Under direction of the ASA(CW), execute the Clean Water Act, Section 404 Regulatory Program, and the Hazardous, Toxic, and Radioactive Waste Site Restoration Program in support of other Federal agencies.

j. Manage and execute the civil works Research and Development Program.

k. Provide Army environmental professional career management support services.

1–26. Commandants, U.S. Army Schools

Commandants of all non-TRADOC U.S. Army Schools will ensure integration of environmental awareness into their curricula. Specifically, they will ensure that:

a. Students are trained to perform their duties in compliance with applicable and appropriate environmental laws and regulations.

b. Students are trained to respond properly in emergencies.

1–27. Installation Commanders

Installation Commanders (IC) as used in this regulation include Civil Works commanders, Laboratory Directors, commanders of Field Operating Agencies (FOA), MSC commanders, State Adjutants General, commanders of U.S. Army Reserve Regional Support Commands (RSC), and OCONUS ASG and BSB commanders as appropriate as determined by the MACOM. Civil works commanders include USACE division, district, and laboratory commanders.

a. IC will—

(1) Comply with legally applicable and appropriate Federal, state, and local environmental regulations and requirements of environmental permits. Outside of the U.S. and U.S. territories, comply with country-specific Final Governing Standards (FGS). In the absence of FGS, apply the more protective of standards contained in the Overseas Environmental Baseline Guidance Document (OEBGD) or host-nation standards applicable pursuant to Executive Order 12088 unless an applicable international agreement specifies either a higher or a lower standard for the installation.

(2) Ensure Pollution Prevention Plans are developed and executed.

(3) Appoint an environmental coordinator and ensure an adequate staff exists to support the Army Environmental Program.

(4) Program and budget for resources to execute environmental programs. At a minimum, this will include funding for Class I, Class II High, hazardous waste disposal projects, and adequate personnel and program management.

(5) Identify environmental requirements in the Environmental Program Requirements (EPR) Report (formerly RCS 1383).

(6) Organize and chair the installation EQCC.

(7) Organize and chair the installation Technical Review Committee/Restoration Advisory Board (TRC/RAB), when required.

(8) Identify and report environmental requirements that affect readiness or mission requirements. Execute corrective actions to solve these problems.

(9) Identify state and locally applicable environmental requirements, develop a strategy, and define responsibilities for execution to protect the environment and comply with applicable regulations.

(10) Integrate sensitive activities, including Special Access Programs, into the installation environmental program. Include in the Inter/Intraservice Support Agreement (ISA) procedures which will ensure compliance while meeting security requirements.

(11) Sign permit applications, permits, compliance agreements, and consent orders, except for tenant activities that are treated as separate sources under the Clean Air Act Title V Operating Permit and New Source Review Programs. With the following exceptions, ICs may not delegate this responsibility:

(a) Orders on consent, agreements, and settlements not relating to Civil Works will be sent through command channels to HQDA (DAJA-EL) for review prior to IC signature IAW paragraph 15-8.

(b) General Officers commanding installations with separate garrison or support activity commanders may delegate the responsibility to those commanders.

(c) Civil works commanders may delegate responsibility to the lower levels having technical and budgetary supervision over the activity.

(12) Participate in the regulatory development process when proposed state or local legislation affects the installation.

(13) IAW paragraph 15-7 report immediately any criminal indictment or information, enforcement action, EPA Notice of Potential Liability and or Request for Information Letter issued under CERCLA Section 104(e) or the Resource Conservation and Recovery Act (RCRA) Section 3007, Notice of Intent to Sue, Summons and Complaint, or any similar correspondence from State agencies or litigants exposing Army activities not involving Civil Works to litigation. Support the defense and prosecution of litigation as required by HQDA.

(14) Train installation personnel to perform their jobs in an environmentally responsible manner. Provide legally-required training to appropriate personnel. Train them to respond properly in case of an environmental emergency. Ensure maintenance of training and/or certification records as required by Federal, state or local law or regulation.

(15) Require appointment and training of environmental compliance officers at appropriate organizational levels for all subordinate organizations to ensure required compliance actions take place. Require compliance officer(s) be designated by all tenant commanders. Grant case-by-case exceptions as appropriate for organizations which do not generate hazardous waste or otherwise affect the environment. See glossary for definition of environmental compliance officer. Considerations for compliance officer appointment and information on available training are provided in DA PAM 200-1.

(16) Report regulatory enforcement actions and reportable spills through command channels, in accordance with procedures in DA PAM 200-1.

(17) Investigate regulatory enforcement actions, complaints, spills/releases, and correct systemic problems. Installations will document resolution of enforcement actions to the appropriate Major Army Command (MACOM). Civil works facilities will document resolution to the district or laboratory commander.

(18) Maintain an appropriate public affairs program supporting the Army's environmental protection and enhancement activities.

(19) Refer inquiries from Congress concerning environmental matters through command channels to HQDA, Office of the Chief, Legislative Liaison (OCLL). The policy on civil works congressional relations is promulgated separately.

(20) Submit required environmental reports through command channels.

(21) Conduct an annual internal environmental compliance assessment.

(22) Ensure environmental criteria are incorporated into all new and existing construction projects not designed by USACE.

(23) Coordinate and assist all installation and tenant environmental activities to ensure compliance.

(24) Ensure installation activities and tenants incorporate applicable and appropriate environmental compliance requirements into all contracts.

(25) Apply for and maintain all Federal, state and local environmental permits for tenants of the installation.

(26) Develop and implement a program to track hazardous materials and hazardous waste from 'cradle-to-grave' (i.e., Hazardous Substance Management System (HSMS)).

(27) For installations required to file the Installation Status Report (ISR), Part II, Environment, the annual ISR will fulfill the internal assessment requirement. However, internal assessments are encouraged.

(28) Ensure that requirements of paragraphs 1-29 through 1-33 of this regulation are incorporated into all management systems.

b. Commanders in foreign nations will comply with the applicable country-specific FGS. In the absence of FGS, apply the more protective of standards contained in the Overseas Environmental Baseline Guidance Document (OEBGD) or host-nation standards applicable pursuant to Executive Order 12088 (unless an applicable international agreement specifies either a higher or a lower standard for the installation), and chapter 14 of this regulation.

1–28. Medical Department Activity/Medical Center/Health Service Support Area (MEDDAC/MEDCEN/HSSA) Commanders

MEDDAC/MEDCEN/HSSA Commanders will—

a. Manage and dispose of non-RCRA medical, dental, veterinary and regulated medical wastes in accordance with AR 40-5 and legally applicable and appropriate Federal, state, and local regulations. Provide annual reports to the IC.

b. Advise on health aspects of the installation environmental program and provide technical consultation and support services. Appoint an Installation Medical Authority.

1–29. Tenants, Federal and Non-Federal

a. Tenants on Army properties will comply with installation policies, as well as legally applicable and appropriate Federal, state, and local environmental laws, or country-specific FGS.

b. Tenants with Special Access Programs, or other sensitive activities, will have an Inter/Intraservice Support Agreement with the IC. The ISA will address environmental oversight, to include funding and facility access.

c. Additionally, tenants will—

(1) Pay environmental fines and penalties resulting from their activities. This does not apply to tenants located in foreign nations.

(2) Immediately report spills or releases of petroleum, hazardous substances, or hazardous waste to the IC.

(3) Report all instances of non-compliance to the IC within 24 hours.

(4) Pay for their hazardous waste disposal costs.

(5) Appoint and train (an) environmental compliance officer(s) to ensure operational compliance and coordination with installation environmental staff.

d. Tenants are responsible for the costs of separate environmental permits, fees, and unique costs associated with the environmental aspects of their operations. Tenants should program and budget for these requirements through their own chain of command.

e. Installation Commanders must ensure that the storage, treatment, and disposal of non-DOD hazardous material on their installations complies with 10 USC 2692.

f. Consistent with the procedures established in the ISA, provide representatives of regulatory agencies appropriate access to any facility or activity.

1–30. Managers of GOCO Facilities

Managers of GOCO Facilities will—

a. Ensure that operating contractors assume sole responsibility for management and disposal of contractor-generated solid and hazardous waste.

b. Enforce the environmental aspects of the existing contract.

c. Prohibit the use of on-site hazardous waste treatment, storage, and disposal facilities for non-DOD owned hazardous wastes unless authorized pursuant to 10 USC 2692.

d. Prohibit, storage, treatment, or disposal of non-DOD hazardous material on installations/facilities in accordance with 10 USC 2692.

1–31. Facility Managers or Commanders of Sub-Installations and Supported Facilities

Facility Managers or Commanders of Sub-Installations and Supported Facilities will—

a. Be responsible for environmental compliance for operations under their control.

b. Identify environmental resource needs.

c. Identify and report noncompliance situations to the host installation or Civil Works facility (CWF) for resourcing and resolution.

d. Serve as the local point of contact for regulatory authorities on environmental issues.

e. Provide information to the host installation to complete required reports.

f. Appoint and train environmental compliance officers at appropriate organizational levels to ensure compliance actions take place. Supporting IC may waive this requirement on a case-by-case basis if the facility has insufficient staff or there are no known environmental issues associated with the particular facility.

g. Execute environmental requirements as they affect the facility.

1–32. Unit Commanders

Unit Commanders will—

a. Comply with installation environmental policies and legally applicable and appropriate Federal, state, and local laws and regulations or country specific Final Governing Standards (FGS).

b. Promote environmental stewardship.

c. Ensure environmental concerns are addressed throughout the training cycle.

d. Develop a standard operating procedure covering environmental considerations.

e. Ensure environmental training required by law, regulation, or command policy is conducted as required, so all personnel can perform their duties in compliance with environmental laws and regulations and can respond properly in emergencies. This training may be combined with related mandatory safety and occupational health (SOH) training to avoid duplication of effort.

f. Appoint and train environmental compliance officers at appropriate organizational levels to ensure compliance actions take place.

1–33. Supervisors

Supervisors will—

a. Comply with installation environmental policies and legally applicable and appropriate Federal, state, and local laws and regulations, or country specific FGS.

b. Promote environmental stewardship.

c. Develop a standard operating procedure covering environmental considerations.

d. Ensure environmental training required by law, regulation, or command policy is conducted as required so all personnel can perform their duties in compliance with applicable laws and regulations, and can respond properly in emergencies. This training may be conducted with related mandatory SOH training to avoid duplication of effort.

Chapter 2
Water Resources Management Program

2–1. Scope

a. The Army's water resource management objective is to ensure the availability, conservation, and protection of water resources. It encompasses water supply and pollution abatement at fixed and field facilities.

b. Applicable laws are: the Safe Drinking Water Act (SDWA), as amended; the Clean Water Act (CWA), as amended; Federal Facility Compliance Act of 1992; Marine Protection, Research, and Sanctuaries Act; Coastal Zone Management Act (CZMA); Energy Policy Act of 1992; and state and local laws.

c. The control of oil and hazardous substance spills is discussed in chapter 3 of this regulation.

d. Specific guidance on implementing water resource management policy is provided in DA PAM 200-1.

2–2. Policy

The Army will comply with legally applicable and appropriate Federal, state, and local regulations regarding water resources management. The Army promotes the establishment of management plans to support these requirements. The Army will:

a. Obtain and comply with all required waterworks permits.

b. Provide drinking water which meets applicable laws and regulations, or satisfies Army standards developed for field environments and other military-unique situations.

c. Conserve water resources, including wetlands, estuaries, watersheds, and groundwater.

d. Control or eliminate sources of pollutants and contaminants to protect water resources.

e. Obtain and comply with wastewater discharge permits.

f. Identify and implement pollution prevention initiatives.

g. Participate with regional authorities in the development and implementation of water resource initiatives.

h. Incorporate non-point source (e.g., stormwater runoff, soil erosion) abatement measures in construction, facility operations, and land management activities.

i. Encourage the beneficial reuse of wastewater and sludge.

j. Use regional or municipal water supply and wastewater collection and treatment systems, when economically feasible.

2–3. Drinking Water

a. The Army will provide drinking water to fixed facilities in accordance with the requirements of the SDWA and applicable state and local regulations. Drinking water provided for the field environment and other military-unique operations will meet The Army Surgeon General directives. Drinking water provided on Army watercraft will meet the drinking water quality standards of the SDWA.

(1) The major provisions outlined in the SDWA include:

(a) Primary and Secondary Drinking Water Standards.

(b) Limits on allowable lead content in materials used to distribute water.

(c) Lead Contamination Control Act.

(d) Groundwater source protection programs.

(2) The major provisions of applicable state and local regulations include:

(a) Criteria for operation and maintenance practices.

(b) Plans/programs to safeguard drinking water quality and quantity, both at the source and in the distribution system.

b. Installations and civil works facilities (CWF) will develop and implement water conservation measures in accordance with the Energy Policy Act of 1992, Subpart F (Public Law 102-486), and Executive Order (EO) 12902.

c. The Army will obtain and comply with all necessary National Pollutant Discharge Elimination System (NPDES) permits, water appropriation and use permits, or other permits which may be required for the operation of drinking water treatment systems at both fixed and field facilities.

d. Military installations and activities will monitor, operate, maintain, repair, and upgrade Army water supply, treatment, distribution, and storage systems according to:

(1) AR 40-5.
(2) AR 420-46.
(3) AR 700-136.
(4) TB MED 576.
(5) TB MED 577.
(6) TM 5-660.
(7) TM 5-810-5.
(8) TM 5-813-1 through TM 5-813-8.
(9) USACHPPM TG-179.

2–4. The Clean Water Act

a. The Army will comply with all requirements, substantive and procedural, for control and abatement of water pollution, as outlined in the CWA. The major provisions of the CWA include:

(1) National Pollution Discharge Elimination System (NPDES) Permits.

(2) Pretreatment Standards for discharges to Publicly-Owned Treatment Works (POTWs).

(3) Toxic Water Pollutants.

(4) Sewage Sludge Requirements.

(5) Stormwater.

(6) Non-point Source Pollution Control.

(7) Dredge and Fill Operations.

b. Installations will obtain and comply with all necessary NPDES or state discharge permits.

c. Discharges from industrial activities to Federally-Owned Treatment Works (FOTWs) will comply with the substantive pretreatment requirements applicable to POTWs under the CWA. Army activities should develop a pretreatment program to ensure NPDES permit requirements are met and to improve opportunities for the beneficial use of sewage sludge.

d. Army activities will provide tenant activities information on pretreatment and wastewater guidelines for non-domestic wastewater discharges to FOTWs and POTWs.

e. Discharges to surface waters will be sufficiently free of toxic pollutants such that the discharge will not have an adverse impact on human health and aquatic life or result in the violation of a NPDES permit.

f. Army activities will follow state approved plans for non-point source water pollution control where applicable and appropriate.

g. Army activities will develop a Stormwater Discharge Prevention Plan in accordance with 40 CFR Part 125.

h. Army activities will develop a Spill Prevention Control and Countermeasures Plan (SPCCP) in accordance with the CWA Section 311(j).

i. Ship-board or shore-side oil/water separation will be performed before the discharge of ballast water from watercraft. Effluent limitations from watercraft are prescribed by:

(1) The U.S. Coast Guard (33 Code of Federal Regulations (CFR) 159).

(2) The Environmental Protection Agency (EPA) (40 CFR 140).

(3) Individual states.

(4) Technical Bulletin (TB) 55-1900-206-14.

j. Proposed military or civil works activities involving the discharge of dredged or fill material into waters of the United States, including wetlands, will be coordinated with the local USACE district.

k. Army activities will evaluate the use of innovative/alternative technologies for the treatment of wastewater when proposing projects to construct or upgrade wastewater treatment facilities. Each military construction programming document should reflect the fact that innovative or alternative technology was considered.

l. Active Army, Army Reserve, and Army National Guard installations and facilities will provide copies of all final NPDES permits received from the EPA, or an authorized state, to their major Army commands, State Adjutants General (where appropriate), and the U.S. Army Environmental Center (USAEC). Civil works activities will provide a copy of final NPDES permits to their district Environmental Compliance Coordinator.

m. Military installations and activities will monitor, operate, maintain, repair, and upgrade Army water treatment and collection systems according to:

(1) AR 40-5.
(2) AR 420-46.
(3) TM 5-665.
(4) TM 5-814-1 through 5-814-3.

2–5. Recreational Waters

Guidance on the management of recreational waters at military installations is included in AR 40-5, TB MED 575, and TM 5-662.

2–6. Water Resource Protection and Management

a. The Army will comply with legally applicable and appropriate Federal, state, and local regulations to protect water resources, including wetlands, estuaries, watersheds, and groundwater.

(1) Wetlands and Estuaries.

(a) Any action affecting wetlands will require an environmental assessment in accordance with AR 200-2 (military installations) or ER 200-2-2 (CWF), and applicable and appropriate Federal, state and local laws and regulations. Proposed military or civil works activities involving the discharge of dredged or fill material into wetlands or other waters of the United States will be coordinated with the local USACE district.

(b) EO 11988 and EO 11990 address the actions Federal agencies will take to identify and protect flood plains and wetlands.

(c) The CZMA requires that activities within the coastal zone of any state must be consistent with the state's coastal zone management plan.

(2) Watersheds.

(a) Army activities that affect, water quality within a watershed planning unit will be carried out in a manner that is consistent with the policies established in a plan approved under the CWA.

(b) Army activities will prepare watershed management/protection plans as required by the Surface Water Treatment Rule of the SDWA and in accordance with AR 420-46.

(c) Army activities will ensure that all construction or earth moving operations meet the applicable and appropriate Federal, state or local requirements for soil erosion control.

(d) Installations will take action to reduce natural soil erosion and thereby protect nearby water quality.

(3) Groundwater. Installations will comply with all applicable and appropriate state Wellhead Protection Program requirements, Underground Injection Control Program requirements, and Sole Source Aquifer requirements. Installations should prepare a groundwater protection plan to compile the above requirements and other locally required or pro-actively established measures designed to protect groundwater sources from contamination.

b. Installations will prepare a Water Resources Management Plan (WRMP) in accordance with AR 420-46. The WRMP will include an emergency/contingency plan and a water conservation plan that meet all Federal, state and local regulations pertaining to such plans.

2–7. Certification and Training

a. Operators of water, wastewater, and industrial treatment plants will receive necessary training and meet applicable operator certification requirements or in accordance with applicable OCONUS requirements.

b. Analytical laboratories will be certified per applicable Federal, state, local or OCONUS regulations.

2–8. Municipal/Regional Water System Connections

Army policy is to use regional or municipal water supply and wastewater collection and treatment systems, when economically feasible, rather than construct or operate Army water supply and wastewater systems. Army owned wastewater collection and treatment systems will not be used to serve local communities. A life-cycle cost analysis will be performed whenever the up-grade or construction of a new water supply or wastewater treatment facility is considered. Guidelines for military installations to perform the cost analysis are contained in AR 420-46.

2–9. Regulatory Inspections

When EPA, state, or local regulatory agencies inspect a military activity they will be accompanied by a technical representative designated by the IC, Regional Support Command (RSC), or State Adjutant General. Copies of Enforcement Action(s) (ENF's)/NOV's received as a result of the inspections will be forwarded within 48 hours to the MACOM.

2–10. Technical Assistance

Technical assistance relating to health and environmental aspects of water resources can be obtained from USACHPPM. Technical assistance relating to facility management can be obtained from the U.S. Army Center for Public Works (USACPW).

Table 2–1
Respiratory Protection Equipment for Regulated Areas[1]

OCCUPATIONAL SCENARIO	Employee Exposure Potential Agents (mg/m^3)				
	GD	GA/G	VX	H,HD,HT	L
Unmasked Agent Workers	≤.00003	≤.0001	≤.00001	≤.003	≤.003
Masked Personnel in Routine Operations[2]	>.00003 to ≤.06	>.0001 to ≤.2	>.00001 to ≤.02	(See para 2-5 for mustard and Lewisite operations.)	
Personnel Conducting Emergency Operations or Operations in Unknown Agent Concentrations or in Agent Concentrations which exceed the Concentrations Listed[3]	>.06	>.2	>.02	>.003	>.003

Notes:

[1] A full facepiece, chemical canister, air-purifying protective mask will be onhand for escape. (The M9-, M17, or M40-series masks are acceptable for this purpose. Other masks certified as equivalent may be used.)

[2] NIOSH/MSHA approved pressure demand, full facepiece, SCBA or air supplied respirator with escape air cylinders may be used. Alternatively, a full-facepiece, chemical-canister air- purifying protective mask is acceptable for this purpose (for example, M9-, M17-, or M40-series mask or other mask certified as equivalent) is acceptable.

[3] NIOSH/MSHA approved pressure demand, full facepiece, SCBA or air supplied respirator with HQDA approved protective ensemble. (See paragraph 2-5 for a detailed discussion of specific operational restrictions and monitoring requirements.

Chapter 3
Oil and Hazardous Substances Spills

3–1. Scope

a. This chapter defines policy for the prevention, control, reporting, and contingency planning for spills of oil and hazardous substances. Laws and other applicable guidance to this chapter include: Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA); Emergency Planning and Community Right-To-Know Act of 1986 (EPCRA); Clean Water Act (CWA), as amended; National Oil and Hazardous Substances Pollution Contingency Plan (also known as the National Contingency Plan); RCRA, as amended; Clean Air Act (CAA) Amendments of 1990; Oil Pollution Act of 1990; TSCA, as amended; Provisions of Executive Order 12856; AR 50-6; and the installation Chemical Accident/ Incident Response and Assistance (CAIRA) plan. Related Federal laws and regulations are referenced in appendix A.

b. The Army's goal is to use, generate, transport, store, handle, and dispose of oil and hazardous substances in a manner that protects the environment and public health. Specific guidance to meet this goal is provided in DA PAM 200-1. Civil works implementation guidance is provided in ER 1130-2-434 and in USACE regulations on Spill Planning and Resource Requirements, ER 200-2-3, Environmental Compliance, chapter 5.

3–2. Policy

The Army policy is to prevent spills of oil and hazardous substances and maintain readiness to rapidly respond to spills. A spill is defined as the unpermitted release to the environment of oil or a hazardous substance.

3–3. Major Program Requirements

a. General.

(1) Cooperate with other Federal, state, and local government agencies to ensure that public health and welfare are adequately protected from spills of oil and hazardous substances.

(2) Prohibit the discharge of oil or hazardous substances from land vehicles, aircraft, and watercraft into the environment.

(3) Perform oil and water separation before the discharge of ballast water from watercraft.Treatment and disposal of the waste oil will comply with all applicable requirements.

(4) Ensure the design and operation of oil and hazardous substance handling and storage facilities incorporate provisions to prevent/minimize spill damage.

(a) Construct all new oil and hazardous material storage facilities/systems with a secondary containment system.

(b) Upgrade existing aboveground oil and hazardous material storage facilities/systems to provide secondary containment.If a secondary containment system is not in place, address the facility in a spill contingency plan.

(c) Operate, upgrade and maintain facilities/systems in accordance with specifications.Establish a testing and inspection schedule.

b. Planning.

(1) Include hazardous materials, polychlorinated biphenyls (PCBs), and hazardous waste in spill prevention, control, and countermeasure planning. Evaluate all facilities/systems that handle or manage these items for the potential for environmental damage from a release.

(2) Develop a spill prevention program based on this risk evaluation. This program will include:

(a) Assigned duties and responsibilities for coordination, oversight, and execution.

(b) Preventive maintenance requirements for storage and management systems.

(c) A plan and schedule to perform inspections and monitoring to ensure the proper operation of the facility/system.

(3) An installation SPCCP will be reviewed and signed by an individual with authority to commit the necessary resources (personnel, equipment, and funds) to respond to a release, and certified by a professional engineer familiar with installation operations.

(4) Include spill contingency planning for field exercises and training activities.

(5) Spill contingency planning will be commensurate with the operation, quantity, toxicity, and potential for environmental damage from the materials used or stored at a particular site.

(6) The installation commander will designate, in writing, an On-Scene Coordinator (OSC) responsible for executing spill response.The facility manager will designate, in writing, the OSC at CWF. The local commander will designate in writing the OSC at Regional Command (RC) maintenance facilities.

c. Reporting.

(1) Maintain written procedures on spill notification at potential spill sites or at the office responsible for the facility.

(2) Immediately report the spill or release of oil or hazardous substance to the OSC. Take reasonable actions to eliminate the source and contain the spill in accordance with the Spill Contingency Plan (SCP) and the SPCCP.

(3) The OSC will determine if a spill exceeds reportable quantities and notify regulatory authorities as required. Any spill which requires notification of regulatory authorities, including Local Emergency Planning Committees, will be reported promptly through command channels to the major Army command. Civil works activities will report through command channels to a level appropriate for the issue.

d. Response.

(1) Maintain written procedures on spill response at potential spill sites.

(2) Prepare spill contingency procedures to respond to spills on Army property or caused by Army actions, including coordination with local emergency planning authorities.

(3) Identify Army resources available to assist other state or Federal agencies in response to spills outside the Army property. Provide spill response assistance to outside agencies in accordance with AR 55-355, AR 75-15, and AR 500-60. Guidance for CWF is provided in ER 1130-2-434.

(4) Conduct sufficient training to ensure proper response to spills or releases. This includes annual spill response exercises for the spill response organization. Mandatory training requirements are at 29 CFR Part 1910.120(q).

3–4. Technical Assistance

Technical assistance relating to health and environmental aspects of oil and hazardous substance spills can be obtained from the USACHPPM. Technical assistance relating to facility management can be obtained from the USACPW.

Chapter 4
Hazardous Materials Management

4–1. Scope

a. This chapter defines Army policy for identifying and managing hazardous materials. Related policy guidance may be found in safety, medical, acquisition and logistics regulations. The goals of the Army's hazardous materials program are to reduce risk to public health and the environment, prevent pollution, and comply with applicable toxic substance regulations. Installation supplements involving any hazardous material management shall be coordinated with the installation Environmental Coordinator, Safety Coordinator, and Installation Medical Officer. CWF will coordinate with Environmental Compliance Coordinators and Safety and Occupational Health Offices.

b. The definition of hazardous material varies by Federal, state and local regulations. Check regulations to ensure you are applying the most accurate definition. See the Glossary for the definition of hazardous material as it applies to this regulation.

4–2. Policy

Army military and civil works activities that handle, use, or store hazardous material will:

a. Follow legally applicable and appropriate Federal, state, and local environmental regulations or Final Governing Standards (FGS) and Army environmental quality policies.

b. Apply best management practices to reduce risk to human health and the environment from hazardous materials. These practices will be applied throughout the life cycle of research, development, procurement, production, use, handling, storage, and disposition of the hazardous material.

c. Avoid, reduce, or eliminate the use of hazardous material and the generation of solid or hazardous waste. Apply best management practices, improved procurement practices and inventory control to prevent waste generation through material spoilage, shelf-life expiration or improper inventory control.

d. Minimize use of hazardous materials through pollution prevention actions.

4–3. Major Program Requirements

a. Implement a local hazardous materials management program that identifies hazardous materials management requirements, assigns responsibilities for management, and establishes local operating procedures. Program guidance can be incorporated into management plans or local regulations if hazardous material management program requirements are thoroughly addressed in the document(s).

b. Maintain a current inventory of hazardous materials to comply with:

(1) Community notifications required by Executive Order 12856 and Emergency Planning and Community Right-To-Know Act (EPCRA).

(2) Spill reporting required by the Clean Water Act.

(3) The Occupational Safety and Health Administration Hazard Communication requirements (20 CFR Part 1910.1200).

c. Transport hazardous materials over public highways and on-site areas accessible to the general public IAW the Hazardous Materials Transportation Uniform Safety Act, AR 55-355, Defense Traffic Management Regulation, and applicable and appropriate Federal, state and local regulations. Transportation of hazardous materials in on-site areas accessible to the general public will be conducted in a manner to preclude spills or releases to the environment, and to enhance safety to personnel.

d. Design hazardous materials storage to prevent releases to the environment. The USACE Facilities Standardization Program mandates that new construction of hazardous materials storage facilities conform to the U.S. Army Standard Design for HAZMAT Storage Facilities.

e. Dispose of hazardous materials and containers IAW guidance provided by the installation environmental coordinator or local Defense Reutilization and Marketing Office. CWF guidance is available through the Environmental Compliance Coordinator network.

f. Manage excess or unserviceable hazardous material stocks emphasizing waste minimization techniques such as reuse, recycling, energy recovery, and detoxification.

g. Hazardous or toxic material that is not owned by the Department of Defense may not be stored, disposed, or treated at industrial type facilities on Army owned property except as authorized under 10 U.S. Code (USC) 2692. Authorizations which require approval by the Secretary of the Army, e.g. exceptions 8 and 9, should be forwarded through command channels to HQDA, DAIM-ED. All determinations that proposed storage, treatment, or disposal is authorized by an exception to 10 U.S. Code (USC) 2692 shall be reviewed by Army legal counsel.

h. Use the principles of integrated pest management to achieve pest management objectives with a minimum amount of chemical pesticides. Only Federal, host nation, or state registered pesticides will be used. Pesticides will be used and stored in strict compliance with AR 420-76 for installations and ER 1130-2-413 for CWF.

i. In the absence of specific regulation, best management practices will be used to minimize the amount of hazardous chemicals released to the environment.

j. All hazardous materials purchased by credit card should be accounted for.

k. Develop and implement a program to track hazardous materials and hazardous waste from "cradle-to-grave" (i.e., Hazardous Substance Management System (HSMS)).

4–4. Polychlorinated Biphenyl (PCB) Management

a. Army policy is to manage PCBs in place unless operational, economic, or regulatory considerations justify removal. Economic analysis will include potential environmental damage.

b. The use, management, disposal, and cleanup of PCBs shall comply with 40 CFR Part 761. In the absence of legal requirements, manage PCBs in a manner which is environmentally safe.

c. Train Army military and civil works personnel who handle or may potentially be exposed to PCBs to perform PCB-related responsibilities in a safe and environmentally sound manner.

d. Small PCB capacitors will be disposed or demilitarized by methods which preserve the integrity of the container, as opposed to crushing or other processes which may result in a release of PCBs.

4–5. Storage Tank Systems

a. This section establishes Army policy for the management of tank systems used to store petroleum, oils, lubricants (POL), and hazardous materials in an environmentally safe manner. This regulation does not apply to unregulated tanks with a rated capacity of below 250 gallons. Policy for tank systems used to store hazardous waste is provided in chapter 5.

b. These requirements are in addition to compliance with Federal regulations at 40 CFR Part 280 and with applicable state and local regulations. Many jurisdictions have more stringent tank requirements than Federal standards.

c. Establish local procedures and responsibilities to reduce:

(1) Storage and handling requirements.

(2) The possibility of release.

(3) Damage if a release occurs.

d. Maintain an accurate inventory of all tank systems.

e. Damaged, leaking, or improperly functioning tank systems or pollution prevention devices will be removed from service, reported to the On-Scene Coordinator, and emptied. Complete repair or replacement and verify the integrity and operation of the system before returning it to service. State or local regulation often contains more stringent reporting and response requirements.

f. Interstitial monitoring is the preferred method of leak detection. Where monitoring wells are used, they will be designed and installed to prevent the possibility of creating a conduit to groundwater and will be sampled and analyzed on a regular basis.

g. Evaluate the need for replacement or new tank systems using total life-cycle cost analysis. Military installations will submit drawings and specifications for installing new POL bulk and retail storage and dispensing facilities to the Commander, U.S. Army Petroleum Center. The Petroleum Center may establish evaluation criteria or waive this requirement. Ensure persons supervising tank installations are specifically trained and qualified in tank system installation, and state certified if required.

h. Provide leak detection for regulated underground storage tanks either by retrofit or inventory control procedures (required as of December 1993).

i. Retrofit existing underground storage tanks (USTs) with cathodic protection, catch basins, and overfill warning devices. Regulated USTs must meet specific retrofit or closure requirements as of December 1998.

j. Use double wall construction with interstitial monitoring on all new regulated USTs and all UST systems over 600 gallons capacity. Provide secondary containment for piping. New unregulated UST systems below 600 gallons may use single wall construction with cathodic protection.

k. Retrofit existing above ground storage tank (AST) systems with secondary containment and, for field erected tank systems, leak detection systems. Where this is not feasible, strong contingency procedures must be addressed in spill contingency plans. Construct

new AST systems with cathodic protection, secondary containment, and overfill protection.

l. Piping should be cathodically protected or constructed of fiberglass to meet corrosion protection requirements of 40 CFR Part 280.

4–6. Lead Hazard Management

a. This section prescribes policy for managing lead hazards on Army-controlled property as it pertains to environmental issues. Primary policy for managing lead-contaminated paint, dust, and bare soil is described in AR 420-70. DOD policy governing the cleanup of lead-based paint (LBP) hazards at BRAC properties is described in the DUSD(ES) memorandum, subject: Asbestos, Lead Paint, and Radon Policies at BRAC Properties, 31 OCT 94.

b. Comply with legally applicable and appropriate Federal, state, and local regulations, both substantive and procedural, respecting LBP, LBP activities, and lead hazards.

c. Paints and coatings containing above 0.06% (600 ppm) lead by weight of the total non-volatile content will not be specified, requisitioned, or applied to buildings or structures (residential or nonresidential) to include interior or exterior building surfaces, steel structures, play ground equipment, road lines or curbs. Military installations will turn in existing stocks of lead containing paint to DRMO. CWF will follow Environmental Compliance Coordinator Guidance. Any exception to this requirement must be approved by the MACOM.

d. Manage LBP and lead-contaminated soil in place unless operational, economic, or regulatory requirements dictate its removal.

e. Reduce the release of lead, lead dust, or LBP into the environment from deteriorated paint surfaces, building maintenance, demolition activities, or other sources on Army installations or on Army-controlled property.

f. Refer health-related and exposure issues to the installation Medical Officer.

g. Coordinate LBP procedures, programs, projects, and abatement actions at military activities with the installation Environmental Coordinator, Safety Coordinator, and installation Medical Officer. CWF will coordinate with Environmental Compliance Coordinators and Safety and Occupational Health Offices.

h. Ensure that all persons performing lead-based paint activities are trained and certified by U.S. Environmental Protection Agency accredited training providers in accordance with applicable Federal, state, and local programs.

i. Properly dispose of lead-contaminated waste. Characterize waste contaminated with lead to determine if it is a hazardous waste, special waste, or solid waste and dispose of in accordance with applicable solid and hazardous waste regulations. Treatment of lead contaminated wastes or soils for lead hazards shall ensure that the lead is stabilized, and that the waste or soil passes the Toxicity Characteristic Leaching Procedure (TCLP) before disposal in a nonhazardous waste disposal facility. Any disposal action will be closely coordinated with the appropriate regulatory agencies prior to disposal. See chapter 5.

j. Use only laboratories accredited under the National Lead Laboratory Accreditation Program for the quantitative measurement of lead in paint, dust and soil.

k. Conduct an environmental impact analysis for lead hazard control and LBP activities, as required by AR 200-2.

4–7. Emergency Planning and Community Right-to-Know Act

a. Scope.

(1) The purpose of EPCRA is to provide hazardous chemical release information to local communities, states and the Environmental Protection Agency (EPA) through: Emergency Planning, Section 301-303; Emergency Release Notification, Section 304; Hazardous Chemical Material Safety Data Sheet (MSDS) and Inventory Reporting, Sections 311-312; and Toxic Chemical Release Inventory Reporting, Section 313. EPCRA is also known as Title III of Superfund Amendments and Reauthorization Act of 1986.

(2) There are several categories of chemicals that fall under EPCRA regulation. One category is chemicals for which OSHA regulations (29 CFR Part 1910.1200) require a MSDS because of the following risks: fire, sudden release of pressure, reactivity, immediate health effects, and chronic health effects. Additional categories of EPCRA chemicals include: those listed as Extremely Hazardous Substances in 40 CFR Part 355, appendix A and B; chemicals listed under the Comprehensive Environmental Response, Compensation, and Liability Act, Table 302.4 in 40 CFR Part 302; and Toxic Chemicals as listed in 40 CFR 372.65.

b. Requirements.

(1) Army facilities (military installations and civil works sites) within customs territories of the U.S. will comply with EPCRA. Executive Order 12856 directs Federal agencies to comply with the OSHA hazard communications standard and EPCRA.

(2) Army facilities will prepare an inventory of hazardous substances to comply with EPCRA. This inventory will identify hazardous materials present at the facility and determine their status with respect to regulatory quantity thresholds for each chemical listed or otherwise characterized in EPCRA. See paragraph 4-3(b).

(3) Facilities will submit EPCRA reports to Local Emergency Planning Committees, State Emergency Response Commissions (SERC), local fire departments with jurisdiction over the facility, and EPA if they exceed reporting threshold quantities. Facilities which do not exceed reporting thresholds will document in local files the amount of EPCRA regulated chemical present. A facility may be a Local Emergency Planning Committee when appointed by a State Emergency Response Commission.

(4) Facilities will assemble the best available hazardous substance information in preparing EPCRA reports. Draw information from environmental, logistics, safety, fire protection, operations, preventive medicine staffs, and other sources to include contractors.

4–8. Technical Assistance

Technical assistance relating to health and environmental aspects of hazardous materials management can be obtained from the USACHPPM. Technical assistance relating to facility management can be obtained from the USACPW.

Chapter 5
Hazardous and Solid Waste Management

5–1. Scope

This chapter defines Army policy for managing hazardous and solid wastes. Related policy guidance on solid waste may be found in AR 420-49. The goals of the Army's hazardous and solid waste management programs are to protect the public health and the environment by minimizing the generation of hazardous and solid wastes, developing cost-effective waste management practices, saving energy, and conserving natural resources. Regulations establishing the mechanism for identifying solid wastes that are hazardous are found in 40 CFR Part 261 and applicable state, local, and host nation regulations.

5–2. Policy

Under the Hazardous and Solid Waste Management Program, Army military and civil works activities and tenants will:

a. Comply with legally applicable and appropriate Federal, state, and local regulations, both substantive and procedural requirements, for managing, generating, treating, storing, disposing, and transporting hazardous and solid waste. This includes the terms and conditions of state and Federal hazardous and solid waste permits.

b. Establish local procedures and responsibilities for the execution of the waste management program which emphasizes pollution prevention, chain of command, and individual responsibility to achieve compliance.

c. Minimize waste generation, treatment, and disposal through pollution prevention actions.

(1) By 1999, recycle 50% of non-hazardous solid waste from a 1992 baseline.

(2) By 1999, reduce the disposal of non-hazardous solid waste 50% from a 1992 baseline.

(3) By 1999, reduce the disposal of hazardous waste 50% from a 1992 baseline.

(4) By 1999, reduce total releases and off-site transfers of toxic chemicals 50% from the 1994 Toxic Release Inventory (TRI) baseline.

(5) By 1999, ensure that 75% of DOD acquisition of new, non-tactical vehicles are alternative fueled vehicles (AFVs).

d. Prohibit the storage of hazardous waste in underground storage tanks. Exception to this policy can be approved by the MACOM with concurrence by the IC.

e. Ensure that waste accumulation, storage, or transfer facilities are designed and constructed to prevent releases to the environment and in accordance with applicable solid or hazardous waste, life safety code, and safety regulations, including permitting requirements.

5–3. Major Program Requirements

a. Resource Conservation and Recovery Act (RCRA) compliance.

(1) The obligation to comply with hazardous waste regulations is not altered by funding considerations.

(2) Systematically evaluate waste streams, before treatment or disposal, to determine if they require special handling or disposal methods.

(3) Hazardous waste management procedures for U.S. Army Reserve and National Guard Bureau facilities on an installation will be signed by the installation commander (if supported) and/or the Regional Support Command (RSC) Commander or State Adjutant General. Blanket guidance documents will be used wherever feasible. Small Quantity Generators or Conditionally Exempt Small Quantity Generators, not located on an installation, will report their hazardous waste activities through their support installation or RSC by providing copies of manifest documents to the support installation. The support installation will consolidate information from and forward required reports from supported facilities. If non-DOD tenants require hazardous waste treatment, storage, and disposal facility permits, the contract or lease will contain specific language regarding the operation of the facility, access, damages, and environmental liability. The IC will sign permit applications as the 'Owner,' and the tenant will sign as the operator of the facility.

(4) All RCRA enforcement action taken against the installation or a tenant activity will be reported IAW notification procedure outlined in paragraph 15-7.

(5) Tenants and supported facilities of military installations receiving notices from state or Federal environmental agencies, including ENF(s)/NOV(s), noncompliance or administrative orders or compliance requests, will forward them within 24 hours to the IC with a notification copy to their command.

b. Inventory. Each installation or Army facility generating hazardous waste will maintain an inventory of hazardous waste that is generated, treated, stored, disposed of, or transported off-site by the installation and supported facilities.

c. Transportation.

(1) For military installations, the IC will establish procedures for transporting hazardous waste and maintaining the required records in accordance with Federal, state and local guidelines.

(2) The IC may delegate signatory authority for hazardous waste manifest signature and responsibility for manifest record keeping and documentation requirements for all tenants and activities covered under the Installation Environmental Protection Agency (EPA) Generator Identification number. Only one such number is allowed per installation. The IC will ensure designated signatory authority has completed hazardous material certification training.

d. Hazardous waste permits.

(1) Army activities will seek to minimize the need for Army-owned or operated permitted hazardous waste treatment, storage, and disposal facilities (including Subpart X). Where no alternative exists for on-site treatment, long term storage, or disposal of hazardous waste (such as improved disposal response times, joint use facilities, or contractor facilities), Army installations/CWF will obtain a RCRA permit to treat, store, and dispose of solid and hazardous waste. Requests for new permits and/or renewals of permitted facilities will be fully justified. Requests must include National Environmental Policy Act (NEPA) analysis (as required), needs analysis (see DA PAM 200-1) and appropriate MACOM approval. Appropriate command approval levels include HQDA, Director of Environmental Programs (DEP) approval for installations, civil works district approval for CWF, and Headquarters, U.S. Army Corps of Engineers approval for civil works laboratories.

(2) The IC signs the RCRA hazardous waste permit applications for the installation, subinstallations, and supported facilities as the facility 'owner.' The tenant will sign the permit application as the 'operator.' For the Defense Logistics Agency, the Defense Reutilization and Marketing Service Commander will sign as the 'operator.' For Army Reserve facilities, the RSC Commander will sign. This authority cannot be delegated.

e. Disposal of hazardous waste.

(1) The Environmental Coordinator will advise the IC on means of waste treatment, storage, or disposal in accordance with all legally applicable and appropriate Federal, state, and local regulations. Waste minimization techniques such as recycling and energy recovery will be stressed.

(2) Waste generating activities, including tenants, are responsible for characterizing waste to determine if it is hazardous. Generator knowledge may be used for the unused commercial products or when the hazardous constituents from specific processes are well documented. Laboratory analysis will be used in other cases. Evidence of the basis for waste characterization will be maintained and available for regulatory review. Assistance in characterizing waste may be obtained from the installation environmental coordinator.

(3) Defense Reutilization Marketing Office (DRMO) is the disposal agent for hazardous waste generated by the Army and will be used for hazardous waste storage and disposal with the following exceptions:

(a) Disposal agents other than DRMO may be used to ensure compliance with hazardous waste regulations on a case-by-case basis, with MACOM concurrence, where DRMO is unable to perform the disposal mission in compliance with RCRA. MACOMs will notify HQDA of the particulars and justification in each instance.

(b) Installations may use disposal agents other than DRMO on a routine basis by submitting requests through MACOM channels to HQDA (DEP) for approval. Specific requirements are outlined in DA PAM 200-1. Army tenants on installations belonging to other Federal or Military Services agencies may use hazardous waste disposal services offered by the installation without obtaining special authorization.

(c) Hazardous waste generated incidental to the execution of service or construction contracts may be disposed of by the contractor performing the basic contract.

(d) Existing non-DRMO contracts may be used until their renewal date. Facilities with existing non-DRMO contracts will request exceptions from HQDA(DAIM-ED) through command channels as outlined in DA PAM 200-1, and may continue to operate until HQDA approval.

(e) All contracts for hazardous waste disposal must be reviewed by the installation Environmental Coordinator and the Director of Contracting, and approved by the IC.

(f) The disposal of USACE Civil Works property is not required to be accomplished through the DRMO but may be disposed when considered to be in the best interest of the government.

f. Training. All persons handling or managing solid and hazardous waste will be trained to perform their responsibilities in a safe and environmentally acceptable manner. Also see paragraphs 15-13 and 15-14. Specific training requirements for hazardous waste generators and facilities are located at 40 CFR Part 264.16/265.16 and 20 CFR Part 1910.120(p).

5–4. Waste Minimization

a. Army policy is to reduce the quantity or volume and toxicity of hazardous wastes generated by Army operations and activities, wherever it is economically feasible or environmentally sound (see Chap 10, Pollution Prevention for additional waste minimization guidance).

b. Emphasis will be placed on source reduction and materials substitution methods.

c. Army installations will prepare waste minimization plans as required by Federal, state and local laws and regulations. Waste minimization plans will be incorporated into the Pollution Prevention Plan.

5–5. Conventional Explosive Ordnance Operations

a. Until superseded by other Federal regulation promulgated in accordance with the Federal Facility Compliance Act, Army policy guidance for the application of RCRA to conventional explosive ordnance operations is provided in DASA(ESOH) Memorandum, 1 Nov 93, Subject: Application of the RCRA Hazardous Waste Management Requirements to Conventional Explosive Ordnance Operations-Interim Policy and Guidance which can be found in the DA PAM 200-1..

b. All conventional explosive ordnance operations, whether or not subject to RCRA, must be performed in a manner which will prevent undue damage to the environment.

5–6. Chemical Warfare Agents

a. Handling, use, and disposal of chemical warfare agents and ammunition-related materials will be done in a manner which will protect the environment and IAW AR 50-6, AR 385-61 and DA PAM 50-6.

b. Waste chemical warfare agents or agent contaminated media are subject to the requirements of RCRA and may meet the definition of a hazardous waste.

c. At Formerly Used Defense Sites, excavated chemical material is subject to RCRA and may meet the definition of hazardous waste. The preferred disposition alternative is on-site treatment, if appropriate. Under section 121(e) of the Comprehensive Environmental Response, Compensation and Liability Act, discarded munitions treated on site are not subject to the RCRA permitting and manifesting requirements. Chemical material designated as hazardous waste will be managed in accordance with all applicable RCRA requirements.

d. General policy coordination regarding the disposition of non-stockpile chemical warfare materiel is the responsibility of the Program Manager for Chemical Demilitarization.

5–7. Pesticides

Pesticides, pesticide-related waste, pesticide containers, or residue from pesticide containers will be managed in an environmentally safe and legal manner. Pesticide policy is found in AR 420-76.

5–8. Medical, Dental, and Veterinary Supplies

a. Medical, dental, and veterinary supplies or their containers will be disposed of IAW applicable provisions and implementing regulations of the Medical Waste Tracking Act of 1988, state, interstate, and local requirements, and suggested guidelines provided in the Military Item Disposal Instruction (MIDI) System. See DA PAM 200-1 for additional information.

b. Medical, dental, and veterinary supplies that are in excess of medical facility requirements will be reported through medical supply channels according to AR 40-61.

c. USACHPPM will issue a method of destruction for medical, dental, and veterinary supplies. If the generator does not possess the technical capability or facilities to dispose of the items, the generator will contact the DRMO for disposal.

d. Some medical, dental, and veterinary supplies are RCRA listed or characteristic waste. These items must be managed and disposed of as a hazardous waste.

e. DRMO disposes of all items in Federal supply classes 6505, 6550, 6600 and 6800. This will include routine destruction/disposal of hazardous material and nonhazardous controlled material. DRMO does not accept regulated medical or radioactive waste.

f. Health care facility wastes will be handled, stored, treated, and disposed of, per AR 40-5, AR 40-61 and other applicable regulations.

5–9. Resource Conservation and Recovery Act (RCRA) and the National Environmental Policy Act (NEPA)

In addition to the requirements of the RCRA permitting process, a concurrent NEPA process to analyze and document environmental impacts of alternatives may be required. NEPA requirements for integrating environmental considerations into Army planning and decisionmaking are described in AR 200-2, and civil works requirements are in ER 200-2-2.

5–10. Solid Waste Management

a. Environmental aspects of the Army Solid Waste Management program will be conducted in accordance with this regulation. Additional policy guidance for solid waste management includes reference memorandum, DAIM-FDF-U, 14 Mar 95, Subject: Interim Guidance on Solid Waste Management - AR 420-47 (Draft).

b. Major program requirements.

(1) Integrated solid waste management procedures, techniques, and practices will be used to manage solid waste and will be documented in the installation Integrated Solid Waste Management Plan.

(2) Legally applicable Federal, state, and local environmental regulations will be complied with regarding the management and disposal of solid waste.

(3) Where feasible, installations will obtain solid waste services from municipal utility systems, regional and cooperative systems, private utility companies, and the private sector.

(4) Installations with Army-owned landfills, permitted to operate under Subtitle D of RCRA after 9 October 93 (or other date as specified by EPA extension), will meet the criteria of a 'Municipal Solid Waste Landfill' as defined by 40 CFR 258, or their state-approved program.

(5) Feasibility analyses for new solid waste projects will include an assessment of environmental risk and compliance cost.

(6) Initiatives to privatize ownership and operations will be approved by HQDA.

(7) Army-owned landfills will not be operated as municipal or regional landfills, or used as the landfill for the local community.

(8) Army installations and activities are encouraged to cooperate, to the extent practicable, in recycling programs conducted by the local civilian community.

(9) Army installations are encouraged to consider the use of the direct sales authority provided for in current DA policy. Installations may sell their recyclables directly rather than through the DRMS/DRMO if:

(a) Direct sales is expected to result in increased proceeds, net of cost, increased efficiency or cost effectiveness, or;

(b) The sale of the material will result in the direct return of a usable product containing that material.

(10) Army installations and activities will operate recycling programs when mandated by state or local regulations pursuant AR 420-49.

5–11. Funding Municipal Solid Waste and Hazardous Waste Disposal

a. Installations including OCONUS and CWF will fund waste disposal.

b. Municipal solid waste disposal is a routine cost of doing business and will not be shown as an environmental project on the Environmental Program Requirements (EPR) Report (formerly RCS 1383).

c. Hazardous waste disposal costs are to be identified as an environmental project on the EPR Report.

d. Units, tenants, and activities generating hazardous waste are responsible for the cost of disposal. Installations, including

OCONUS, will implement funding charge-back procedures to recover the cost of hazardous waste disposal.

5–12. Technical Assistance

Technical assistance relating to health and environmental aspects of hazardous and municipal solid waste management can be obtained from the USACHPPM. Technical assistance relating to facility management can be obtained from the USACPW.

Chapter 6
Air Program

6–1. Scope

The Army air program addresses air quality issues associated with exposure to outdoor air pollutants. The purpose of this program is to manage air emissions to protect human health and the environment and to comply with all legally applicable and appropriate Federal, state, and local air quality control regulations. This chapter covers air quality issues addressed by the Clean Air Act, as amended. Issues concerning asbestos and radon are addressed in chapters 8 and 9, respectively. Indoor air quality issues and regulations promulgated by the Occupational Safety and Health Administration.

6–2. Policy

a. It is Army policy to minimize the procurement, use, and emissions of ozone-depleting chemicals (ODCs) to the greatest extent possible. The long-term goal is to eliminate ODCs altogether from the Army's inventory. All Army activities are required to establish, fund, and implement projects to meet this goal. Milestones have been established and are contained in the Army Acquisition Pollution Prevention Support Office publication, 'Strategic Plan for Eliminating Ozone-Depleting Chemicals from U.S. Army Applications' (1995).

b. Federal regulations that implement air quality requirements of the following laws are referenced in appendix A: the Clean Air Act, as amended, the RCRA of 1976, as amended; the Toxic Substances Control Act; the Comprehensive Environmental Response, Compensation, and Liability Act; the Superfund Amendments and Reauthorization Act of 1986; the National Defense Authorization Act of Fiscal Year 1993 (Public Law 102-484).

c. States have been delegated the authority to enforce Federal air quality standards and, in some cases have more stringent requirements than under the Federal programs. Questions arising under state and local air quality programs must be addressed on a case-by-case basis.

6–3. Major Program Requirements

a. The following objectives will be met in pursuit of the goal of the Army air program:

(1) Identify sources of air emissions and determine the type and amount of pollutants being emitted when required by statute or regulation.

(2) Monitor sources of regulated pollutants to ensure compliance with applicable standards when required by statute or regulation.

(3) Comply with all applicable and appropriate Federal, state, interstate, and local requirements respecting the control and abatement of air pollution. Obtain required permits for the construction and/or operation of regulated sources, including, where required, a Federal Title V permit under the CAA.

(4) Procure equipment that meets applicable air quality standards.

(5) Cooperate with Federal, state, and local authorities in achieving the goals of implementation plans.

(6) Obtain or develop training and/or certification for operators of air pollution sources in order to meet statutory and regulatory requirements and minimize emissions from those sources.

(7) Assess the need for and, if necessary, obtain an installation-wide Clean Air Act Title V Operating Permit.

(8) Assess the need for and, if necessary, make written conformity determinations for Army actions.

(9) Meet the applicable work practice and control technology standards under the Clean Air Act Hazardous Air Pollutants Program.

(10) Develop training and technical certification programs meeting the requirements of Section 608 of the CAA.

b. ODC Elimination.

(1) Develop, fund, implement, and maintain plans to meet the Army established goal for the elimination of procurement, use, and emissions of Class I ODCs by the end of Fiscal Year 2003.

(2) Develop, fund, implement, and maintain plans to eliminate procurement, use, and emissions of Class II ODCs.

(3) Comply with all provisions of the National Defense Authorization Act for Fiscal Year 1993, Section 326. The memorandums implementing this law are listed in appendix A.

(4) Document all current and projected ODC-related costs through the EPR Report process.

(5) Reduce ODC use in all applications to zero as substitutes that meet applicable standards become available.

6–4. Technical Assistance

Technical assistance related to the health aspects of air pollution can be obtained from the USACHPPM. Technical assistance relating to facility management can be obtained from the USACPW.

Chapter 7
Environmental Noise Management Program

7–1. Scope

a. This chapter defines the objectives of the Army's Environmental Noise Management Program (ENMP) which incorporates and replaces the Installation Compatible Use Zone Program (ICUZ).

b. The goals of the Army's Environmental Noise Management Program are to:

(1) Control environmental noise to protect the health and welfare of people, on- and off- post/CWF, impacted by all Army-produced noise, including on- and off-post/CWF noise sources.

(2) Reduce community annoyance from environmental noise to the extent feasible, consistent with Army training and materiel testing activities.

c. This chapter supplements the following:

(1) The Quiet Communities Act of 1978;

(2) The Noise Control Act of 1972, as amended;

(3) Federal regulations issued per above Acts;

(4) AR 95-1.

(5) TM 5-803-4.

d. Federal regulations that implement the above laws are referenced in appendix A.

e. The policies and guidance provided in this chapter pertain to the control of environmental noise within the U.S.

f. Policies and guidance related to the control of hearing hazards and industrial noise are contained in AR 40-5 and DA PAM 40-501.

g. The responsibilities for the Army's Environmental Noise Management Program are defined in chapter 1.

7–2. Policy

The Army environmental noise policies are based on land use compatibilities as indicated by objective noise levels. Under the environmental noise program, the Army will:

a. Continually evaluate the impact of noise that may be produced by ongoing and proposed Army actions/activities, and minimize impacts and annoyance to the greatest extent practicable.

b. Comply with applicable Federal laws and regulations respecting the management of environmental noise. Questions regarding the applicability of state and local laws and regulations should be referred to the command legal officer and through channels to HQDA, Environmental Law Division for ultimate resolution.

c. Maintain an active environmental noise management program

to protect the present and future operational capabilities of the installation or facility. Encroachment problems are caused by land uses that are not compatible with the existing and future noise environments, both on and off the installation/CWF. Predictions for long-range planning purposes can be made for several years into the future.

d. Assess the effect of noise from both on-post/CWF and off-post/CWF sources and identify mitigation measures for incompatible land uses.

e. Reduce interior noise to acceptable levels through architectural and engineering controls for buildings with sensitive activities such as medical treatment, education, and general living.

f. Maintain a noise complaint management program. Noise complaints will be handled with integrity, sensitivity, and timeliness.

g. Monitor the noise environment to verify levels that have produced major public and/or political controversy. Short-term monitoring can be used for this purpose. Long-term monitoring is useful for complaint and damage claim management.

h. Develop and procure weapons systems and other military combat equipment that produces less noise, when consistent with operational requirements.

i. Procure commercially manufactured products, or those adapted for general military use that produce less noise, and comply with regulatory noise emissions standards.

j. Consider acquisition of property rights solely on the basis of incompatible noise levels only after all practical means of achieving acceptable levels have been exhausted, and the operational integrity of the mission is threatened.

7–3. Major Program Requirements

a. Noise descriptors and compatibility.

(1) The day-night level (DNL) is the primary descriptor. The DNL is the time weighted energy average sound level with a 10 decibel (dB) penalty added to the nighttime levels (2200 to 0700 hours). The annual average is used for all activities. For special operations, such as Army National Guard and other part-time operations, additional analyses may be required in accordance with applicable and appropriate Federal, state and local laws and regulations.

(a) Noise from transportation sources, such as vehicles and aircraft, and from continuous sources, such as generators, will be assessed using the A-weighted DNL (ADNL).

(b) Impulsive noise resulting from armor, artillery and demolition activities will be assessed in terms of the C-weighted DNL (CDNL).

(c) Noise from small arms ranges will be assessed using the peak unweighted sound level until the international standard procedure currently being developed is approved.

(2) The primary means of noise assessment will be through mathematical modeling and computer simulation. Noise maps will be prepared showing noise zones I, II, and III. These noise zones are defined in Table 7-1.

Table 7–1
Noise Limits

Noise Zone	Population Highly Annoyed	Transportation ADNL	Impulsive CDNL	Small Arms dBP
I	≤15 %	≤65 dBA	≤62 dBC	≤87 dBP
II	15 % - 39 %	65 - 75 dBA	62 - 70 dBC	87-104 dBP
III	>39 %	>75 dBA	>70 dBC	>104 dBP

Legend for Table 7-1:
dBA = decibels, A-weighted
dBC = decibels, C-weighted
dBP = decibels, unweighted
≤= less than
>= greater than

(3) Noise-sensitive land uses, such as housing, schools, and medical facilities, are compatible with the noise environment in zone I, normally incompatible in zone II, and incompatible in zone III.

b. Supplemental noise assessment. Even though a noise assessment for an existing situation or proposed action may indicate land use compatibility, in the following cases there may be increased public perception of noise and adverse community reaction to increased noise. Compatibility determinations should be supplemented by a description of the projected noise increase and potential public reaction:

(1) Where the noise environment is determined by a few infrequent and very high-level noise sources (e.g., blasts with C-weighted sound exposure levels in excess of 110 dB).

(2) If single event noise levels from the proposed action are 10 dB or more greater than the existing levels.

(3) In areas where the ADNL is between 60 and 65 dB, and a proposed action is projected to increase the DNL by 3 dB or more.

(4) In areas where the ADNL is above 65 dB, and the proposed action is projected to increase the DNL by 1.5 dB or more.

7–4. Related Programs and Issues

The following programs and issues are related to the Environmental Noise Management Program:

a. Environmental noise can adversely affect wildlife (threatened and endangered species) and domestic animals and is becoming a concern at many installations and facilities. There are no standards or programmatic methodologies to address noise impacts to wildlife and domestic animals. These noise impacts will be studied and addressed on an as-needed basis as part of the Army's environmental noise management and natural resources programs, including assessments required to comply with the Endangered Species Act, and AR 200-3.

b. Vibration is an element of impulsive noise that can cause annoyance and structural damage. Unlike noise, vibration cannot be assessed with mathematical modeling and computer simulation. It will be assessed on an as-needed basis (e.g., response to damage complaints, damage to historic structures) with on-site monitoring.

c. Clear Zones, Accident Potential Zone I (APZ I) and Accident Potential Zone II (APZ II) are a component of land use compatibility at Army airfields (see TM-5-803-7). These zones extend immediately beyond the end of airfield runways and along approach and departure flight paths. The zones identify areas which statistically have higher potential for aircraft accidents. For this reason, these areas should remain undeveloped in order to limit the adverse effects of a possible aircraft accident. The application of these zones would result in increased safety of the general public.

7–5. Technical Assistance

Technical assistance related to the health aspects of environmental noise can be obtained from USACHPPM. Technical assistance relating to facility management can be obtained from the USACPW.

Chapter 8
Asbestos Management

8–1. Scope

a. The objective of the Army Asbestos Management Program is to prevent human exposure to asbestos hazards on Army-owned or leased properties through proactive policies which comply with all applicable laws and regulations. The Program applies to friable and nonfriable asbestos-containing materials.

b. The Asbestos Management Program has environmental, facilities engineering, and occupational safety and health components. This regulation contains the environmental policy for asbestos management. The facilities engineering policy is contained in AR 420-70; the occupational safety and health policy is contained in TB MED 513. The overall implementation of these policies will be published in forthcoming technical manual (Installation Asbestos

Program Management). Abatement guide specifications are contained in USACE Guide Specification CEGS-02080.

8–2. Policy

Army installations, activities, tenants, and CWFs will:

a. Comply with all legally applicable and appropriate Federal, state, and local laws and regulations.

b. Exclude asbestos from all procurements and uses where asbestos-free substitute materials exist.

c. Minimize asbestos releases to the utmost extent possible.

d. Establish and execute Asbestos Management Plans (AMPs).

e. Establish Asbestos Management Teams (AMTs).

f. Program and budget resources to identify, manage, and control exposure to asbestos.

g. Conduct periodic installation/CWF-wide (excluding outgrants) surveys to identify the existence, extent, and condition of all asbestos. As a priority, conduct asbestos surveys in all housing units and in those buildings which will be renovated, demolished, or transferred from Army use.

h. Perform an exposure assessment and risk assessment for all locations containing asbestos.

i. Take immediate corrective action where a possible asbestos-related health hazard has been identified.

j. Notify facility occupants of any asbestos-related health hazard.

k. Assess the relative health risks for alternative control actions. Asbestos should not be removed for the sole purpose of eliminating asbestos.

8–3. Asbestos Management Plan

An AMP will be developed and executed by the AMT. The AMP and AMT will be described in forthcoming technical manual (Installation Asbestos Program Management). As a minimum, an AMP will include:

a. A complete review of Operation and Maintenance (O&M) schedules, design plans, and specifications. This task will identify facilities that are scheduled for repair, alteration, demolition, or transfer.

b. An installation/CWF-wide (excluding outgrants) survey of all structures.

c. An exposure assessment and risk assessment of each location containing asbestos.

d. Preparation and implementation of an asbestos abatement plan for each location containing asbestos.

e. Preparation and implementation of a special O&M plan for each location containing asbestos.

f. Provisions for worker education/training programs. Personnel should meet the mandatory training requirements specified in 40 CFR Part 763, Model Accreditation Program for the particular type of work they are to perform.

g. A National Environmental Policy Act (NEPA) environmental impact analysis of the AMP, as described in AR 200-2 or ER 200-2-2 (CWF).

8–4. Technical Assistance

Technical assistance relating to health and environmental aspects of asbestos management can be obtained from the USACHPPM. Technical assistance relating to facility management can be obtained from the USACPW.

Chapter 9
Radon Reduction Program

9–1. Scope

a. This chapter contains policy for identifying, assessing, and mitigating indoor levels of radon in U.S. Army facilities. See DA PAM 200-1 for procedures and facility priorities for radon assessments and mitigation.

b. The objective of the Army Radon Reduction Program is to reduce health risk from exposure to radon.

9–2. Policy

Army installations and civil works facilities will:

a. Comply with legal regulations concerning elevated indoor radon levels applicable to Army operations.

b. Maintain and update records of radon assessments conducted under the Army Radon Reduction Program. See DA PAM 200-1 for instructions.

c. Ensure occupants of Priority One facilities which contain elevated radon levels are notified in writing of specific test results, planned or executed mitigation, and results of mitigation efforts. Facility managers will distribute assessment results for Priority Two and Three facilities with elevated radon levels.

d. Attach radon test results to real property records. Attach complete record when property is transferred.

e. Measure radon in newly constructed Army facilities.

f. Measure radon in facilities converted to housing and in continuously occupied structures prior to occupancy.

g. Identify elevated radon levels to the Installation Medical Officer or the Civil Works District Safety and Occupational Health Officer.

h. Follow U.S. Army Center for Public Works guidance on mitigation of elevated radon levels.

i. Use USACE design criteria for radon reduction in new construction.

j. ICs will designate their facilities as priority 1, 2, or 3 in accordance with definitions and parameters in DA PAM 200-1.

9–3. Technical Assistance

Technical assistance relating to health and environmental aspects of radon can be obtained from the USACHPPM. Technical assistance relating to facility management can be obtained from the USACPW.

Chapter 10
Pollution Prevention

10–1. Scope

a. Pollution prevention is any mechanism that successfully and cost-effectively avoids, prevents, or reduces the sources of pollutant discharges or emissions other than the traditional method of treating pollution at the discharge end of a pipe or stack. The Army's pollution prevention program is multi-media in that the objective is to reduce or eliminate the impact that any Army operation or activity may have on the total environment, including impacts to air, surface waters, ground waters, and soils, through reduction or elimination of wastes, more efficient use of raw materials or energy, and/or reduced emissions of toxic materials to the environment.

b. Pollution prevention concentrates on, but is not limited to:

(1) Modifying manufacturing processes, maintenance or other industrial practices;

(2) Modifying product designs;

(3) Recycling, especially in-process, closed loop;

(4) Preventing disposal and transfer of pollution between media;

(5) Promoting the acquisition and use of environmentally preferable products and services and implementation of preference programs favoring the procurement of items containing recovered materials;

(6) Increasing energy efficiency and materials conservation; and

(7) Necessary training promoting use of nontoxic substances.

c. Although the primary focus is on source reduction, pollution prevention can be accomplished at any stage of the pollution management hierarchy. Any technique that meets the intent of the above definition may be involved, such as: material substitution; process modification, waste stream segregation; improved procurement practices and inventory control; good housekeeping or best management practices; proper storage; and employee training.

d. The Army's primary pollution prevention goal is to reduce

reliance on products or processes that generate environmentally degrading impacts to as near zero as feasible. This will reduce or avoid future operating costs and liability associated with environmental compliance and cleanup, and from unnecessary generation of waste; as well as avoid disruption of mission operations due to regulatory compliance problems. Specific objectives include:

(1) Reduce, in accordance with Executive Order 12856, total release and disposal of toxic chemicals at least 50 percent by 31 December 1999 (compared to a 1994 baseline).

(2) Minimize the use of environmentally degrading materials and processes in all life cycle phases of new weapons system acquisition programs, in management, logistics support and modification of existing weapons systems, and throughout installation/civil works facility management.

(3) Develop cost-effective approaches to eliminating or reducing contamination to all environmental media, to reducing energy use, and to conserving natural resources.

(4) Instill the pollution prevention ethic throughout the Army community and into all mission areas.

10–2. Policy

a. Pollution prevention is the Army's preferred approach to maintaining compliance with environmental laws and regulations. When both preventive and control approaches are available to deal with an environmentally degrading activity, preventive measures must be used unless mitigating circumstances (such as excessive cost or time and technology limitations) exist and can be documented.

b. Pollution prevention should be used to complement, and eventually replace to the maximum extent possible, traditional pollution control and cleanup orientations in Army environmental program management.

c. Pollution will be prevented or reduced at the source. Wastes and by-products that cannot be eliminated will be recycled. Pollutants that cannot be recycled will be treated to minimize environmental hazards. Disposal or other release to the environment will be employed only as a last resort and will be conducted in an environmentally safe manner.

d. All Army missions, operations, and products will incorporate pollution prevention planning throughout the mission, operation, or product life-cycle.

10–3. Major Program Requirements

a. All MACOMs, Army installations, National Guard state commands, Army Reserve commands and civil works facilities will:

(1) Conduct a Pollution Prevention Opportunity Assessment and establish a Pollution Prevention Plan. This plan will identify a systematic approach to reduce all adverse environmental impacts.

(2) Establish a Pollution Prevention Program to implement the Pollution Prevention Plan.

(3) Accomplish TRI reporting in accordance with Executive Order 12856.

(4) Develop and implement an affirmative procurement program for all designated EPA guideline items containing recovered materials (see 40 CFR Part 247).

b. The Army will, at the earliest possible stage, incorporate cost-effective pollution prevention principles and planning into operations, training, doctrine and plan development, logistical activities, infrastructure management, base operations, health and medical activities, contingency operations, industrial operations, and research, development, test and evaluation activities.

c. DA PAM 200-1 provides more specific pollution prevention program planning and execution guidance.

d. All Army acquisition programs will comply with all relevant and appropriate guidance to fully address environmental concerns in the acquisition process.

10–4. Technical Assistance

Technical assistance related to weapon system acquisition, support and maintenance can be obtained from the Army Acquisition Pollution Prevention Support Office. Technical assistance relating to health and environmental aspects of pollution prevention planning can be obtained from USACHPPM. Technical assistance relating to pollution prevention opportunity assessments for facility management can be obtained from the USACPW.

Chapter 11
Environmental Restoration Programs

11–1. Scope

a. The goals and objectives of the Army's environmental restoration programs are to protect human health and the environment, clean up contaminated sites as quickly as resources permit, and to expedite cleanup to facilitate disposal of excess Army properties for local reuse. This chapter contains the policy for the Army's environmental restoration programs. Procedures for implementing these programs are found in the corresponding chapter of the DA PAM 200-1.

b. Regulations that pertain to the Army's environmental restoration program are referenced in appendix A.

c. This chapter applies to:

(1) The Installation Restoration Program (IRP) for real property under U.S. jurisdiction and currently controlled by the Army to include:

(a) Active, semi-active, and inactive U.S. Army and U.S. Army Reserve installations, and activities.

(b) Federally-owned or leased Army National Guard installations, activities, and properties.

(c) Contractor activities, lessees, and other tenants on Army installations or facilities.

(2) The Formerly Used Defense Sites (FUDS) program for real property formerly owned by, leased to, possessed by, or otherwise under the operational control of the Secretary of Defense or the military components that predated the Department of Defense. A site, which is neither an active nor a former DOD property, may be considered for FUDS eligibility if it is suspected of being contaminated wholly or in part by previous DOD controlled activities.

(3) The Base Realignment and Closure (BRAC) Cleanup program for realignment and closure of real property. This is mandated by base realignment and closure legislation and funded by the Base Closure Account.

d. The guidance in this chapter does not apply to:

(1) Contractor-owned and contractor-operated facilities that are not on real property controlled by the Army.

(2) Properties controlled by the civil works functions of the U.S. Army Corps of Engineers (USACE).

(3) Installations in foreign nations.

11–2. Policy

The Army will:

a. Comply with Federal, state, local, and DOD requirements for the cleanup of contamination from hazardous substances.

b. Establish a program to accomplish early and continued public involvement in the IR, BRAC and FUDS cleanup programs.

c. Keep the U.S. Environmental Protection Agency (EPA) and state regulatory agencies informed of IR, BRAC and FUDS cleanup program activities.

11–3. Defense Environmental Restoration Program (DERP)

a. The DERP provides for the cleanup of DOD hazardous waste sites, except where funded by BRAC, consistent with the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), National Contingency Plan, and Executive Order 12580, the RCRA, sections 3004u, 3004v, and 3008h for past activities at non-permitted sites. The DERP also provides for limited activities to reduce the amount of hazardous waste generated, as well as building demolition and debris removal at FUDS. Detection and clearance of UXO on active or inactive DOD military ranges is not eligible for the DERP unless it can be verified to present an

imminent threat to human safety and is specifically approved for inclusion in the program by DUSD(ES).

b. Funding for the Defense State Memoranda of Agreement/Cooperative Agreement (DSMOA/CA) Program and the Memorandum of Understanding (MOU) between the DOD and the Agency for Toxic Substances and Disease Registry (ATSDR) is provided through DERP defense appropriations.

c. Exceptions to policy contained in the DOD DERP Program Management Guidance must be requested in writing and forwarded through the chain of command to HQDA (DAIM-ED-R) for review and coordination. Approvals will be forwarded by the Director of Environmental Programs (DEP) to the OASA(I,L&E).

11–4. Defense Environmental Restoration Program - Formerly Used Defense Sites (FUDS)

a. The FUDS program addresses contamination from hazardous and toxic materials (hazardous materials, hazardous materiel, hazardous substances, or hazardous waste), including abandoned ordnance and explosive waste, chemical, biological, and low-level radioactive wastes at FUDS. Also included in the FUDS program are:

(1) Correction of environmental contamination at or resulting from a FUDS creating an imminent and substantial endangerment to the public health or environment.

(2) The demolition and removal of unsafe buildings and structures at FUDS that were unsafe when released from DOD control and that have not been beneficially used since transfer by the Federal government to state and local governments or native corporations in Alaska.

b. The Deputy Undersecretary of Defense (Environmental Security) (DUSD(ES)) establishes the overall program policy and budget guidance. Regardless of which military service formerly controlled the property, the Army has been designated by DUSD(ES) to administer this program. The Assistant Secretary of the Army (Installations, Logistics, and Environment) (ASA(IL&E)) and Assistant Chief of Staff for Installation Management (ACSIM) are, respectively, the Army Secretariat and Army Staff proponents for the FUDS program. The FUDS program is managed and executed by the USACE. It is separate from the Army's IRP for active sites.

c. Environmental restoration actions necessary at DERP-FUDS which are adjacent to an active installation should be the responsibility of the Army. Prior to initiation of those environmental restoration activities, the DOD component controlling the active installation retains the 'right of first refusal' to accept the restoration responsibility. If the DOD component does not exercise its right of first refusal, the Army will proceed to execute DERP-FUDS responsibilities at the site. However, once accepted, the DOD component will execute all appropriate actions through long-term Operations and Maintenance as required.

d. General policy on management and execution of the FUDS program is provided in the DOD's DERP-FUDS Charter. Specific FUDS execution policy and procedures are provided in the USACE's DERP-FUDS Program Manual.

11–5. Installation Restoration Program (IRP) -Active Sites

The IRP-Active Sites addresses contamination from hazardous and toxic materials including chemical, biological, and low-level radiological wastes at active installations.

a. The ASA (IL&E) and the ACSIM are, respectively, the Army Secretariat and the Army Staff proponents for the IRP.

b. The key responsibilities for IRP implementation are delegated to:

(1) The U.S. Army Environmental Center (USAEC) for program execution, guidance, planning, oversight, and reporting.

(2) The MACOMs for response action implementation at installations within their command.

(3) Installation commanders in their role as real property and activity managers.

(4) Remedial project managers for oversight of individual sites through the IRP process.

(5) USACE for execution of projects.

c. Specific policy and guidance on management and execution of the IRP is provided in the current Installation Restoration Program Management Plan and the Installation Restoration Program Guidance and Procedures Manual.

11–6. Base Realignment and Closure (BRAC) Program

a. The BRAC program is patterned after the Army's IRP. Differences between the BRAC program and IRP are discussed in DA PAM 200-1.

b. The BRAC cleanup program will comply with the DUSD(ES) policy guidance for Fast Track Cleanup.

c. The ACSIM BRAC Office (DAIM-BO) has Army staff responsibility for execution of the fast track cleanup at closing installations.

d. The DEP provides environmental cleanup support to DAIM-BO. USAEC is the program manager. USACE executes assigned projects.

e. MACOM commanders are responsible for executing the BRAC cleanup program and initiating property disposal.

f. Where required by ACSIM, the MACOM will appoint a BRAC Environmental Coordinator in accordance with the current DUSD(ES) Fast Track Cleanup guidance.

g. When implemented, BRAC installations will submit the Installation Status report Part II (Environment) until closure.

11–7. Defense Environmental Restoration Account (DERA) Funding

DERA is a DOD transfer account which funds DERP. DERA funds may be transferred from the central DOD account to any appropriations account. Once transferred to a particular appropriation, the funds are merged. DERA funds are then available for the same purpose and for the same time period as the account or fund to which they have been transferred. These funds must be used for the restoration projects in the approved IRP Annual Work Plan. USAEC is program manager for the annual appropriation and determines, with MACOM input, its use and distribution among the MACOMs.

a. DOD has established programming and reporting policy that is unique to DERA, including:

(1) Programming at the installation site-specific level.

(2) DOD priorities for eligible projects.

(3) Programming through the headquarters of the military services.

(4) Semi-annual reporting of data used to report Measures of Merit and Program Management Indicators.

b. The ACSIM, through the DEP, has oversight responsibility for all aspects of planning, programming, budgeting, and execution of Army DERA funds. The Deputy Assistant Secretary of the Army (Environment, Safety and Occupational Health) (DASA(ESOH)) provides information for the DOD and the President's budget submissions, based on the approved environmental restoration work plans and the IR, DSMOA and FUDS 5-year programs. Army activities and executive agencies identify DERA requirements through command channels. Additional policies regarding use of funds are contained in the current DOD DERP Program Management Guidance.

c. Draft annual work plans and five-year programs for the IR, FUDS, and DSMOA/CA programs are submitted through the DEP to the ACSIM for approval. The DEP combines these work plans and prepares program and budget submissions. The DASA(ESOH) concurs with work plans prior to execution of plans.

11–8. BRAC Funding

a. The BRAC cleanup program is funded from the Base Closure Account (BCA) funds. At closing installations, cleanup requirements consist of previously identified DERA requirements plus those cleanup actions required for property transfer. DERA funds transferred to meet previously identified DERA requirements plus additional funds from the Army's Total Obligation Authority (TOA) for the additional requirements constitute the BCA.

b. BCA funds are managed by DAIM-BO.

11–9. DERP and BRAC Cleanup Program Concept

a. Screening for past use of hazardous substances and the potential for contamination (or reassessment, if appropriate) will be conducted at:

(1) All active Army installations and sub-installations as identified by the MACOMs and National Guard Bureau (NGB).

(2) Other properties either controlled by the Army or formerly controlled by DOD where contamination seems likely, based on the nature of known activities.

(3) All Army sites identified for closure, partial closure and realignment under the BRAC legislation.

b. IRP and BRAC projects will be conducted in accordance with the Installation Action Plan (IAP)/BRAC Cleanup Plans (BCP) approved by the IC.

c. The USAEC is the program manager for IR and BRAC cleanup programs. The IC selects the lead executing agent to provide environmental restoration services in support of these programs. Executing organizations shall coordinate the restoration/cleanup program fully with USAEC, MACOMs, MSCs, and the installation as appropriate in accordance with the current Installation Restoration Program Management Plan for active sites and BRAC environmental guidance for base closure sites.

d. USACE is the program manager responsible for the execution of the FUDS program.

e. The Surgeon General is the approving authority for human health and ecological risk assessments.

11–10. Off Site Response Action

In fulfilling its CERCLA responsibilities according to EO 12580, the Army has the authority to conduct response actions outside the installation boundary. Because of the lack of Army control over this off-site property, potential legal and technical complexity, sensitivity, and the necessity for increased public involvement, the DASA(ESOH) must be notified through the chain-of-command prior to initiating any off-site CERCLA response actions. This notification requirement does not apply to FUDS.

11–11. Army Facilities and FUDS Properties Included on the National Priorities List (NPL)

a. When EPA proposes a site for the NPL, the IC must provide comments to the proposal.

b. The IC will take all necessary actions in accordance with the National Contingency Plan to ensure that an NPL site does not present a risk to human health and environment. The IC will initiate action to have the site expeditiously delisted from the NPL by EPA.

c. A Federal Facilities Agreement/Interagency Agreement should be negotiated at NPL/proposed NPL sites. The IC should ensure that the agreement focuses on only those sites which have released contaminants or have a high potential for release. The agreement should not require investigation of all sites. Clean areas should be identified as requiring no further action.

d. The executing agency for FUDS shall comply with the above requirements at FUDS where it accepts responsibility for directly undertaking all environmental restoration activities required at a site and the property owner assents to the Executive Agent undertaking such activities on its property.

11–12. MOU Between Department of Defense and the Agency for Toxic Substances and Disease Registry

a. Under CERCLA Section 104, the ATSDR is required to conduct 'Health Assessments and other Health Related Activities' for sites listed or proposed on the NPL. Health assessments are based on site investigations, remedial investigations, human health risk assessment, other public health evaluation data, and studies submitted to ATSDR.

b. ATSDR may also perform health assessments under CERCLA for sites where individuals have been exposed to a hazardous substance for which the probable source of the exposure is a CERCLA release.

c. ATSDR may perform health assessments for non-NPL sites if petitioned by 'a licensed physician or any other individual.'

d. DOD has entered into a MOU with ATSDR that delineates the responsibilities and procedures under which ATSDR and DOD will conduct activities mandated in CERCLA. The MOU is the single document governing the relationship between DOD and ATSDR (Refer to DOD-ATSDR MOU (DUSD(ES), 14 Jun 1993). Refer to the Installation Restoration Program Guidance and Procedure Manual for additional information about the role of ATSDR in DOD cleanup activities.

11–13. Defense and State Memorandum of Agreement (DSMOA)/Cooperative Agreement (CA)

a. DOD, through the DSMOA/CA program, involves State/Territorial governments in the environmental restoration of DOD installations to include IRP (Active Sites and FUDS) and the BRAC cleanup. DOD executes the DSMOA/CA Program for all military services through HQUSACE. The DUSD(ES) has given the Army the authority to negotiate DSMOAs and recommend approval of DSMOAs to the DUSD(ES).

b. Authority for this program is contained in 10 U.S.C. 2701(d) which allows the Secretary of Defense to enter into agreements on a reimbursable basis with states/territories to support cleanup efforts at DOD installations. Specific criteria, funding information, and services eligible for state reimbursement for this program are contained in 57 Federal Register 28835, dated 29 Jun 1992.

c. Installations with issues related to state environmental regulatory support should forward the issues through the MACOM to the ACSIM.

11–14. Public Participation and Community Relations

Because of the potential impact of the IR, BRAC, and FUDS programs on the health, environment, and economic well being of the local community, the IC shall fully support public involvement in the restoration activities.

a. The IC shall establish a Technical Review Committee (TRC) or Restoration Advisory Board (RAB) when applicable to allow the local community an opportunity to participate in the remedy selection process. A RAB will be formed at all BRAC installations where closure involves the transfer of property to the community.

b. The IC shall designate an Army official as chairperson for the TRC or as co-chairperson for the RAB.

c. The IC is responsible for identifying interest in the cleanup program and RAB formation. This shall be accomplished through community involvement/outreach techniques to educate and solicit feedback from the community.

(1) The IC shall establish a RAB where community interest is sufficient and sustained.

(2) Indicators of sufficient interest include a request from local government or a petition from at least 50 local residents to form a RAB.

(3) Sufficient and sustained community interest is a must for any RAB regardless of the basis of its formation.

(4) If it is determined that there is not sufficient interest, outreach efforts taken shall be documented. Follow-up procedures shall also be established to monitor community interest on an ongoing basis.

d. At installations on the NPL, a RAB will meet the requirements of 10 USC 2705(d) for a TRC.

e. The executing agency for FUDS shall comply with the above requirements at FUDS where it accepts responsibility for directly undertaking all environmental restoration activities required at a site and the property owner assents to the Executive Agent undertaking such activities on its property.

11–15. Congressional Relations

The Army will cooperate with members of Congress, state, and

local elected officials in providing information pertaining to the IRP/BCP and FUDS programs.

11–16. Safety and Health

Safety and health requirements for environmental restoration activities shall be in accordance with OSHA regulations 29 CFR 1910.120 and 29 CFR 1926.65. USACE conducted environmental restoration activities shall be performed in accordance with ER 385-1-92 and EM 385-1-1.

Chapter 12
Environmental Quality Technology Program

12–1. Scope

This chapter includes the policy, strategy, and responsibilities for the Army Environmental Quality Technology (EQT) Program. Program management structure, strategic plan development, and program development methodologies are found in the corresponding chapter of DA PAM 200-1.

12–2. Policy

a. The EQT program policy is to support the Army's Environmental Strategy by providing technology products through a partnership between users and the technology community. The user community is comprised of personnel who execute the Army's missions from facilities, installations, depot activities, acquisition and weapon system program offices, and MACOMs. The technology community is composed of researchers, research managers, technology transfer coordinators, technology demonstrators and evaluators, and others who provide technology products to the user.

b. The EQT program is part of the Army Research, Development, Test, and Evaluation (RDT&E) program and is normally supported by Army environmental RDT&E programs such as the Environmental Security Technology Certification Program. The Army EQT program is included in the Defense Project Reliance program and is represented in the Tri-Service EQT Strategic Plan.

c. The EQT program will be developed to satisfy high priority user requirements, as set forth in a ranked set of user environmental need statements.

12–3. EQT Program Strategy

The EQT program strategy is to identify and document validated user requirements; build strategic plans listing all RDT&E and implementation efforts required to satisfy those user requirements; plan, program and budget the required RDT&E projects identified in the strategic plans; and work with the technology implementors for demonstration/validation and field implementation of new EQT program technologies.

12–4. EQT Program Responsibilities

a. User Needs. The ACSIM, as the Army staff element responsible for implementation of environmental policy, is responsible for the identification and prioritization of EQT need statements for all Army Environmental Strategy Pillars. These needs will be reviewed, modified, and approved by the user community periodically to reflect new and resolved problems and priorities.

b. EQT Program Planning, Budgeting and Execution. The Deputy Assistant Secretary of the Army for Research and Technology (DAS(R&T)) is responsible for planning, programming, budgeting and execution of the EQ technology base (6.1 through 6.3) research and development program. In coordination with the Assistant Secretary of the Army (Research, Development and Acquisition) and the Assistant Secretary of the Army (Installations, Logistics and Environment), the ACSIM fosters technology evaluation, demonstration, and implementation. To effectively manage the EQT program, it is recognized that integration of user needs, science and technology efforts, and technology transfer and implementation must occur.

Chapter 13
Automated Environmental Management Systems

13–1. Scope

a. This chapter describes the Army's Automated Environmental Management Information Systems (AAEMIS) for military applications. Civil Works policies, systems and reporting requirements are separately promulgated by USACE. The goal of the AAEMIS is to provide program managers with readily accessible information on environmental programs while minimizing paper reporting and short notice taskings to installations. This goal is achieved through the following automated data bases and systems:

(1) Environmental Program Requirements (EPR) Report (formerly RCS 1383).

(2) Army Compliance Tracking System (ACTS) Report.

(3) Defense Environmental Network and Information Exchange (DENIX).

(4) Installation Restoration Data Management Information System (IRDMIS).

(5) Tank Management System (TANKMAN).

(6) Defense Site Environmental Restoration Tracking System (DSERTS).

(7) Environmental Compliance Assessment System (ECAS).

(8) Installation Status Report (ISR) Part II.

b. AAEMIS responsibilities, descriptions, and reporting requirements follow. Procedures for report submissions and accessing AAEMIS data are contained in DA PAM 200-1.

13–2. Responsibilities

a. The Director of Environmental Programs (DEP) will:

(1) Establish Army AAEMIS policies and procedures.

(2) Review and update systems periodically.

(3) Approve the release of data from AAEMIS outside the Army.

(4) Will ensure that all reoccurring data calls and reports will have a requirements control symbol (RCS).

b. The Commander, U.S. Army Environmental Center (USAEC), will:

(1) Provide technical and functional oversight of all Army AAEMIS.

(2) Consolidate, store, and distribute all data submitted to HQDA through Army AAEMIS.

(3) Will ensure that installations, MSCs, and MACOMs are fully represented on AAEMIS's user groups, during automation testing, and on configuration boards.

c. HQDA Report Program Managers will:

(1) Oversee the official Army AAEMIS data bases.

(2) Maintain operational control of the system and serve as point of contact on all matters involving AAEMIS.

(3) Ensure that MACOMs submit timely, accurate data.

(4) Provide management reports to HQDA, MACOMs, major subordinate commands (MSC), and installations as requested.

(5) Develop improvements and modifications to AAEMIS.

(6) Establish and chair the MACOM/Installation AAEMIS User Groups.

(7) Develop functional and procedural guidance for the AAEMIS.

d. MACOM AAEMIS Report Program Managers will be appointed by each MACOM. They will ensure that:

(1) AAEMIS report submission dates are met with accurate and complete information.

(2) Subordinate commands submit timely, accurate data.

(3) AAEMIS users are informed of available training at USAEC-sanctioned courses and are requesting sufficient quotas through the Army Training Resources and Requirements System.

(4) Corrections deemed necessary by HQDA are completed.

13–3. User Assistance

USAEC is the administrator of the AAEMIS. Installations will coordinate with MACOM Report Program Managers for policy guidance and will call the USAEC Environmental Data Management Support Center (EDMS) for technical software problems. DA PAM 200-1 contains current addresses and phone numbers.

13–4. Data and Report Distribution

Data and reports are procurement sensitive and will be handled accordingly. Distribution of reports or data within MACOMs or subcommands is at the discretion of the concerned commanders. Distribution of reports or data outside the Army is at the discretion of the DEP.

13–5. Environmental Program Requirements (EPR) Report (formerly RCS 1383).

a. The EPR Report supports programming, budgeting, and execution by tracking environmental requirements in all program areas and in all appropriations. It includes all projects and activities necessary to alleviate imminent environmental threats to human health; to comply with requirements of legal mandates, agreements and judgements; and to sustain environmental stewardship. This includes the personnel, training, and other recurring requirements necessary to effectively manage and monitor compliance, conservation, pollution prevention, and cleanup program actions.

b. The EPR Report satisfies the requirements of Executive Order 12088. This mandate requires Federal agencies to submit to the U.S. Environmental Protection Agency detailed plans to show that they are budgeting sufficient funds to achieve and maintain compliance with environmental laws.

c. The following activities will submit a EPR Report:

(1) All active Army installations, including those in foreign nations, will submit reports through MSCs to MACOMs.

(2) Army National Guard (ARNG) state commands will submit reports to NGB for all ARNG Federally- owned facilities, Federally-supported facilities, and Federal armories within that state.

(3) Regional Support Commanders (RSCs) will submit reports to U.S. Army Reserve Command (USARC) for all facilities/centers under their command.

(4) MACOMs will submit reports to USAEC. Reports will be submitted by DENIX file transfer. If DENIX or other electronic file transfer is not available, a diskette will be mailed to USAEC.

(5) Tenant activities will coordinate EPR Report requirements with the host installation environmental manager. Environmental requirements will be programmed and budgeted within the tenant's operating accounts, unless otherwise specified in the Installation Service Support Agreement (ISSA). Tenant organizations must also report environmental requirements directly to their MACOM. A separate database must be established for tenant environmental requirements if environmental funds from another MACOM will be used to finance the projects. The tenant's report may be prepared by the host installation environmental office if an MOU/ISSA has been established to cover the requirement.

(6) USACE Districts will provide technical support and input to installations in development of EPR Reports.

13–6. Army Compliance Tracking System Report

a. ACTS is the automated system used to collect installation environmental information for reporting to Department of Defense (DOD) and HQDA policy makers, thereby minimizing short suspense taskings to installations. ACTS was developed specifically to provide an automated tool to collect Defense Environmental Management Information System (DEMIS) report requirements. The Defense Authorization Act of 1990 mandated the collection of data on the DOD environmental program, and the DEMIS report fulfills this requirement.

b. The following activities will submit ACTS reports:

(1) All active Army (CONUS) installations and installations within U.S. jurisdiction will submit reports through MSCs to MACOMs.

(2) ARNG state commands, will submit reports to NGB for all ARNG Federally-owned facilities, Federally-supported facilities, and federal armories within that state.

(3) RSCs will submit reports to USARC for all facilities/centers under their command.

(4) MACOMs will submit reports to USAEC for all subcommands and installations within the United States. Reports will be submitted by DENIX file transfer. If DENIX or other electronic file transfer is not available, diskettes will be mailed to USAEC. Paper copy submissions of enforcement actions and fines will be submitted in accordance with DA PAM 200-1.

(5) MACOMs in foreign nations will submit reports upon implementation.

13–7. Defense Environmental Network and Information Exchange (DENIX)

a. The DENIX is an electronic bulletin board system (BBS). The DENIX was adopted to provide DOD personnel an electronic communication system and discussion forum to exchange environmental information.

b. Responsibilities.

(1) The USAEC will provide representatives to participate as voting members on the DENIX Configuration Management Board. Those representatives will ensure that the Army's functional and technical needs are adequately depicted in the DENIX.

(2) The USAEC will chair the Army's Functional Data Management Board whose purpose is to discuss the content and form of Army information posted to the DENIX.

(3) MACOM, MSC, and installation commanders (IC) will encourage the use of DENIX as a means to electronically transfer data for review, coordination, approval, and submission. They will also encourage the sharing of environmental information through the electronic mail and notes capabilities available through DENIX.

(4) The USAEC, through the U.S. Army Construction Engineering Research Laboratory (USACERL), will propose, execute, and manage all research and development efforts to enhance the usefulness of the DENIX. They will also provide interim support for the operation and maintenance of the DENIX.

13–8. Installation Restoration Data Management Information System (IRDMIS)

a. The IRDMIS is the ultimate repository of sampling data collected in support of the Installation Restoration (IR) and Base Realignment and Closure (BRAC) activities of the USAEC. The database was specifically created to manage data from environmental chemical analysis and geotechnical efforts performed at USAEC executed projects. The IRDMIS system is maintained at USAEC, and can be accessed remotely by all users registered with USAEC. The IRDMIS system is generally limited to USAEC executed projects, and IRDMIS may not include complete data for projects for which design and remediation is done by USACE following investigations and studies by USAEC.

b. All organizations executing environmental sampling efforts on USAEC executed projects must submit these data to IRDMIS. These organizations include environmental consulting firms, analytical laboratories, installations, and USAEC personnel. Data from non-USAEC projects can be accepted on a case-by-case basis.

c. Data acceptable for IRDMIS.

(1) Environmental chemical data in the media groundwater, surface water, soil, sediment, buildings, and process equipment.

(2) Chemical quality assurance data from the analytical laboratories following USAEC validated procedures.

(3) Bore log data from the drilling of monitoring wells, test holes, etc.

(4) Well construction data from monitoring wells and production wells.

(5) Groundwater elevation data from monitoring wells.

(6) Map data showing the locations of all environmental samples.

13–9. Tank Management (TANKMAN) System

a. The TANKMAN system was developed to provide installations with an on-line, or real-time, management tool that would provide real-time data on above ground and underground storage tanks (ASTs and USTs). TANKMAN will also be used as an upward reporting mechanism to the DEP through USAEC. The use of TANKMAN software will standardize data reporting requirements into a master Army data base. The TANKMAN software is a stand alone system that runs on personal computers and laptops.

b. Reporting requirements.

(1) All active Army installations, including those in foreign nations, will submit reports through MSCs to MACOMs.

(2) ARNG state commands will submit reports to NGB for all ARNG Federally-owned facilities, Federally-supported facilities, and Federal armories within that state.

(3) RSCs will submit reports to USARC for all facilities/centers under their command.

(4) MACOMs will submit reports to USAEC via DENIX file transfer. Should DENIX or other electronic file transfer not be available, MACOMs will mail diskettes.

(5) Installations which elect not to use TANKMAN as their local tank management tool may submit required installation information and data fields on computer disk through their MACOM in accordance with instructions in DA PAM 200-1.

13–10. Defense Site Environmental Restoration Tracking System (DSERTS)

a. DSERTS is a personal computer program used by the Army for collecting environmental restoration information on sites addressed by the IR and BRAC Programs. This information is required by the DOD Restoration Management Information System (RMIS). The information collected with DSERTS is transferred to the RMIS format and submitted to DOD. The DOD uses the RMIS information to prepare the Defense Environmental Restoration Program Annual Report to Congress. The Army uses information from the DSERTS for reporting site status at the DOD in progress reviews and as the basis of sites addressed in the Installation Action Plans or Base Closure Plans.

b. The following activities which have past, present, or planned restoration activities will submit DSERTS information to USAEC:

(1) MACOMs, for all CONUS active and BRAC Army installations.

(2) ARNG, for all Federally-owned National Guard properties.

(3) RSCs for all U.S. Army Reserve Center properties.

13–11. Environmental Compliance Assessment System (ECAS) Software

a. ECAS software is used to create a data base of findings from environmental compliance assessments. This data is used to:

(1) Produce the Environmental Compliance Assessment Report (ECAR).

(2) Create a corrective action tracking system for installations and MACOMs.

(3) Facilitate Army-wide environmental trend analysis.

b. Reporting requirements. MACOMs, including those in foreign nations, will ensure that ECAS data and final reports are forwarded to the DEP through USAEC.

13–12. Installation Status Report (ISR) Part II

A separate Army regulation will be forthcoming on ISR. In the interim, Army installations are to adhere to current policy and guidance regarding ISR.

Chapter 14
Army Environmental Program in Foreign Countries

14–1. Scope

a. This chapter clarifies those environmental requirements and standards that are applicable to Army MACOMs, installations, facilities, and activities located or operating in foreign countries not including operations connected with actual or threatened hostilities, peacekeeping missions or relief operations.

b. The goal of the Army Environmental program in foreign countries is to ensure compliance with applicable standards and regulations which adequately preserve, protect, and enhance environmental quality and human health and ensure long term access to the air, land and water needed to protect U.S. interests.

14–2. Policy

a. The U.S. Army in foreign nations will comply with environmental standards defined by the following documents:

(1) Applicable international agreements such as treaties, Status of Forces Agreements (SOFAs), supplementary or other bilateral and multilateral agreements,

(2) Country-specific Final Governing Standards (FGS) or, in the absence of FGS, the Overseas Environmental Baseline Guidance Document (OEBGD).

(3) EO 12088.

b. The documents listed above define the primary environmental standards for Army MACOMs in foreign countries. These standards take precedence over requirements of this regulation unless otherwise noted in this chapter.

14–3. Major Program Requirements

a. Definitions.

(1) FGS: The FGS are a comprehensive set of substantive environmental provisions with which all DOD components will comply in a given foreign nation. The FGS are developed through a comparative analysis of standards in the OEBGD, generally applicable host-nation laws, and relevant international agreements. The FGS generally will include the standards found to be more protective of human health and the environment.

(2) International Agreement: An international agreement is a multilateral or bilateral treaty, a base rights or access agreement, a Status of Forces Agreement (SOFA), or practices and standards established pursuant to such agreement.

(3) OEBGD: The OEBGD contains specific substantive criteria which DOD considers to be the minimum standards that DOD facilities will use for protection of the environment. It is these standards that are used by Executive Agents during the comparative analysis process for development of FGS. Also, the OEBGD contains implementing guidance for Executive Agents, Installation Commanders and DOD components.

(4) Executive Agent: Executive Agents are designated by the Office of the Secretary of Defense and are responsible for developing and maintaining the FGS for specified foreign nations. Executive Agents are also responsible for consulting with host-nation authorities on environmental issues, as required to maintain effective cooperation on environmental matters.

b. Supplementary Criteria in FGS: Only the Executive Agent can amend FGS. In cases where installations deem it necessary to adhere to a more protective criteria than FGS provides, the installation commander shall consult with the appropriate Executive Agent before proceeding.

c. Waivers to FGS/OEBGD: Waivers to an applicable FGS (or OEBGD) standard my only be granted by the delegated Executive Agent. Waivers may only be requested in accordance with the applicable DOD directive or instruction and as specified by the applicable Unified Command's Waiver Policy.

d. MACOM Regulations: MACOMs with installations in foreign nations may supplement this regulation with procedures to help installations implement applicable standards (FGS/OEBGD) and implement MACOM programs.

e. Hazardous Waste Disposal: The Army will not dispose of a hazardous waste in a foreign nation unless the disposal meets or exceeds the criteria of the FGS, or in the absence of the FGS, the OEBGD, and has otherwise received explicit or implicit concurrence of the appropriate host-nation authorities. When these conditions cannot be met, the waste will be returned to the United States or to

another foreign territory where the FGS or OEBGD criteria can be met. Other disposal arrangements must be approved by DOD. In addition to compliance standards for disposal, the Army will comply with the provisions of the SOFA, and other applicable international agreements respecting the shipping and storage of hazardous wastes.

f. Environmental protection committees will be established in accordance with the OEBGD, FGS and chapter 15 of this regulation regarding Environmental Quality Control Committees (EQCC).

14–4. Compliance

a. Compliance Standards

(1) Compliance at locations with FGS: The Army will comply with the current country-specific FGS developed by the DOD Executive Agent.

(2) Locations with no FGS: Army facilities in a foreign nation with no FGS will comply with applicable international agreements, the OEBGD, Executive Order 12088, and in the case of conflicting requirements, will comply with the standard that is the more protective of human health or the environment.

b. Environmental compliance assessments will be conducted using the Environmental Compliance Assessment System (ECAS) in accord with the country-specific FGS and chapters 13 and 15 of this regulation.

14–5. Pollution Prevention

a. Army installations in foreign nations will consider methods to prevent or reduce pollution at the source; recycle wastes and by-products that cannot be prevented; treat pollutants that cannot be recycled to minimize environmental hazards; and employ disposal or other release into the environment only as a last resort and in an environmentally safe manner.

b. Army installations in foreign nations will develop a pollution prevention program, develop, implement and update a pollution prevention plan and consider cost-effective pollution prevention in all activities.

14–6. Cleanup (Restoration)

a. Comply with comprehensive DOD environmental restoration policy, applicable DA Supplemental Policy, and Executive Agent developed country-specific cleanup policy when published.

b. In the interim, the Army will use the DOD policy on installations or facilities identified for return to the host nation (DEPSECDEF memorandum, 18 OCT 95). This policy states that, U.S. funds will not be spent for environmental restoration beyond the minimum necessary to sustain current operations or eliminate known imminent and substantial dangers to human health and safety, unless required by applicable U.S. law, treaty, or international agreement.

c. Depending on the terms of the governing international agreement, actual or anticipated environmental cleanup costs for U.S. caused environmental contamination may be included in the host nation's overall damage claim.

d. No instruction in this section shall be construed to override the obligation to provide emergency response and corrective action for oil or hazardous substance releases, such as spill contingencies and UST removal actions.

14–7. Conservation

a. The Army will conserve, protect, restore, and enhance natural and cultural resources, using all practical means consistent with Army missions. Army commanders shall identify natural and cultural resources which require special protection efforts and train staff in the protection and stewardship of those resources. The Army will comply with pertinent international agreements, treaties, SOFAs, and the FGS or OEBGD.

b. Army commanders shall take into account the effect of any undertaking that might adversely impact a property listed on the World Heritage List or a host nation's equivalent of the U.S. National Register of Historic Places. Every effort will be made to avoid or mitigate any adverse effect prior to an undertaking, as prescribed by the National Historic Preservation Act, section 402.

c. Army commanders shall take into consideration the effects of any undertaking that might affect internationally protected animal and plant species and their habitat, or reflected in a host nation's equivalent of the U.S. Endangered Species Act. Every effort will be made to avoid or minimize adverse effects on such resources prior to an undertaking, as set forth in the ESA and Army policy (AR 200-3, chapter 11).

14–8. Environmental Considerations

a. Army agencies that control actions outside the United States will consider the environmental effects of their actions and prepare environmental documents as specified in Executive Order 12114.

b. Environmental considerations shall be integrated into planning and decision making for all Army operations to minimize the environmental consequences of operations and document the results of any predecisional environmental impact reviews.

(1) Army deployments to fixed facilities require compliance with the country-specific FGS or OEBGD, SOFAs, treaties, and international agreements.

(2) Army deployments to field settings require compliance with all applicable regulations and standards, including SOFAs, treaties, and international agreements.

(3) Environmental considerations shall be integrated into planning and decision making for all deployments by units from other U.S. components or foreign countries to installations used and maintained by the Army.

c. Army components participating in joint operations or deployments shall comply with applicable exercise or contingency specific environmental plans as discussed in JCS Publication 4-04.

14–9. Environmental Training

a. Major commands in foreign nations will notify the U.S. Army Environmental Center (USAEC) and coordinate with HQ TRADOC and their respective Executive Agent in establishing new environmental training programs. This coordination is required to avoid duplication of training development within and among Army MACOMs, and to determine opportunities to consolidate common requirements of the Defense Services within various host nations. Requirements for notification/coordination do not replace or supersede normal approval authorities for establishment of courses in schools or for development and distribution of Army-wide training or awareness products.

b. Commanders will provide environmental training to ensure adequate understanding and compliance with pertinent FGS or OEBGD standards. Army commanders must consider training requirements under host nation laws and any general environmental awareness training needed to ensure compliance with overall environmental requirements of DOD or the host nation. Development of written plans is recommended. Such plans identify persons and positions requiring environmental management and/or operational training.

c. Copies of environmental training plans will be forwarded through channels to USAEC for evaluation of potential for standardized training plans for specific commands and/or host nations.

14–10. Automated Reporting

Army installations in foreign countries will report environmental data as directed in chapter 13 of this regulation. Specific automated systems used outside the U.S. are the Environmental Program Requirements (EPR) Report (formerly RCS 1383), DENIX, TANKMAN, and ECAS.

Chapter 15
Other Environmental Programs and Requirements

15–1. Scope

This chapter provides summaries of environmental programs and

requirements not addressed previously in this regulation. Use command channels to resolve any applicability issues.

15–2. National Environmental Policy Act (NEPA) Requirements

The Army will plan and conduct peacetime mission activities to minimize adverse impacts on the environment. NEPA requires Army decision makers to consider the environmental effects of their proposed programs, projects, and actions before initiating them. In some cases the Army must develop written descriptions of these considerations and provide opportunity for public review. Army requirements for compliance with NEPA and its implementing Federal regulations are addressed for military activities in AR 200-2. Civil works requirements are addressed in ER 200-2-2.

15–3. Natural Resources Management

Natural resources management includes the integrated and cooperative management of our nation's resources to provide for optimum biological diversity and multiple use, consistent with conservation stewardship and the Army mission. The Army's policy and guidance on natural resources are described in AR 200-3 (formerly AR 420-74). Civil works requirements are described in ER 1130-2-400.

15–4. Cultural Resource Management

The Army's goal is to manage the cultural resources under Army control in compliance with the Federal laws and in a spirit of stewardship of America's historic and cultural heritage. Cultural resources include those places, objects, documents, collections, and customs covered by several public laws and regulations. Compliance with these laws will be integrated with NEPA compliance and with planning and execution of any undertakings, projects, activities or programs that may affect cultural resources. The Army's policy and guidance for military activities, is provided in AR 420-40. Civil works guidance is contained in ER 1130-2-433 and ER 1105-2-100.

15–5. Natural Resource Damage Assessment (NRDA)

Under Section 107(f) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Section 311 (f)(5) of the CWA, or Section 1006 of the Oil Pollution Act, natural resource trustee officials can seek compensation from Army facilities for injury to natural resources if they have been adversely affected by release of a hazardous substance or discharge of oil. The Army, as natural resource trustee or co-trustee for Army property, can seek compensation for natural resource damages caused by non-DOD entities. The NRDA process cannot be completed before selection of the remedial alternative. The data which is collected and evaluated for ecological assessments under the environmental restoration programs (chapter 11) can provide some information needed for a NRDA.

15–6. Real Property Acquisition, Outgrant and Disposal Transactions

a. Applicability. The installation commander (IC)/Army proponent for a prospective real property transaction within the United States, its territories and possessions will comply with the requirements of this section. Real property transactions covered by this section are acquisitions, sales divesting title, transfers of jurisdiction between agencies, and leases. It is not applicable to reassignments within DA, permits, licenses, and easements, except where extraordinary circumstances exist.

b. Requirements. It is Army policy to prepare an EBS to determine the environmental conditions of properties being considered for acquisition, outgrants, and disposals. Reassignments within DA, easements, licenses, and permits do not require an EBS. However, an EBS may be performed if desired by the Army or where extraordinary circumstances exist. The EBS is used to identify the potential environmental contamination liabilities associated with the real property transactions and to support a Finding of Suitability to Transfer (FOST), Finding of Suitability to Lease (FOSL) or an Environmental Condition of Property (ECOP). A FOST and FOSL are required for sales divesting title, and leases. An ECOP is required for transfers of jurisdictions between agencies. Only an EBS is required for acquisitions. EBSs, FOSTs, FOSLs and ECOPs shall be completed in accordance with DA PAM 200-1. Differences in requirements, staffing and regulatory involvement for FOSTs and FOSLs at base realignment and closure sites versus active sites are provided in DA PAM 200-1. The Army proponent will also follow the procedures found in AR 405-10, AR 405-80, and AR 405-90.

c. Non Army Initiated Actions. For real property transactions initiated by non-Army parties:

(1) The non-Army party is responsible for the funding and completion of the EBS.

(2) The IC/Army proponent will ensure completion of the EBS and should participate actively when a non-Army party conducts the EBS.

(3) The Army may prepare the EBS, even though the non-Army party initiated the transaction, if the transaction would be in the best interest of the Army.

(4) If a transaction stems from specific legislation, the entity with whom the property will be transferred shall conduct the EBS pursuant to this chapter.

d. Use in Other Documents. Information provided by the EBS will be integrated and documented by reference or actual text in the appropriate NEPA document prepared in accordance with AR 200-2. The EBS fulfills Army obligation under 42 U.S.C. 9620(h) (CERCLA) and will also be used by real estate components in preparing a Report of Availability for a lease, or Report of Excess for disposal actions. For acquisitions, the EBS preserves the CERCLA innocent landowner defense.

e. Review and Approval. The installation, MSC, or MACOM shall initiate, review and approve EBSs. For properties in DOD Environmental Condition of Property (ECP) categories 1-3, the MACOM has the authority to approve FOSTs and FOSLs. All other FOSTs and FOSLs shall be approved by DASA(ESOH) unless specific authority for approval for these FOSTs and FOSLs in further delegated to the MACOM. All ECOPs shall be approved by the MACOM. Refer to DA PAM 200-1 for further staffing guidance and approval authority for FOSTs, FOSLs, and ECOPs.

f. Lease Termination. Upon termination of any lease, the Army proponent and grantee will jointly conduct a final EBS, funded by the grantee, to ascertain any changes in the environmental condition of the subject property. If the grantee does not participate, the IC/Army proponent will conduct the final EBS and provide a copy to the grantee. The grantee shall be made aware of this procedure in the original outgrant document.

g. Lease Renewals. For renewal of existing leases which have previously had an EBS, or other versions of environmental documents, the IC/Army proponent must ascertain if environmental conditions have changed. If an environmentally significant change has occurred it will be documented as an amendment to the EBS. (An environmentally significant change involves the storage of a hazardous substance for a year or more, a known release of such substance, or its disposal on the property.) The revised EBS will be processed IAW paragraph 15-6e above. A copy of the revised EBS shall be provided to the grantee. Existing outgrants will not be renewed unless the EBS requirements are met.

15–7. Reporting Potential Liability of Army Activities and People

a. Commanders will immediately forward criminal indictments or information against Army and civilian personnel for violations of environmental laws through command channels. Criminal actions involving Civil Works activities or personnel will be reported to the Director of Civil works. Other criminal actions will be reported to the DEP and ELD.

b. Any enforcement action(s) (ENF's) will be reported to USAEC through ACTS or the Compliance Deficiency Management Module if and when available within 48 hours and any fine or penalty within 24 hours IAW DA PAM 200-1.

c. Any actual or likely ENF not involving Civil Works that involves a fine, penalty, fee, tax, media attention, or has potential or

off-post impact will be reported through technical legal channels through the MACOM ELS to ELD within 48 hours, followed by written notification within 7 days, and report of significant development thereafter.

d. Upon service of any summons and complaint or other process or pleadings commencing civil litigation against the United States or a soldier or employee arising out of their duties, the local staff judge advocate, counsel, or legal advisor will immediately and directly notify ELD HQDA IAW AR 27-40 or, in Civil Works matters, the Chief Counsel, USACE.

e. An EPA Notice of Potential Liability and/or Request for Information Letter issued under CERCLA Section 104(e) or RCRA Section 3007, Notice of Intent to Sue under any law, and any similar correspondence from state agencies or litigations potentially exposing Army activities not involving Civil Works to litigation shall be immediately reported through command channels to ELD or, matters involving Civil Works, to the Chief Counsel, USACE.

15–8. Environmental Agreements

Environmental Agreements are formal agreements between ICs or U.S. Army Corps of Engineers (USACE) commanders, and Federal, state, and local environmental regulators to evaluate, identify, or correct actual or potential environmental deficiencies. Environmental agreements include but are not limited to orders on consent, compliance agreements, consent agreements, settlements, federal facility agreements, and interagency agreements. Agreements will be forwarded through command channels to ELD for review prior to signature.

15–9. Environmental Compliance Assessments

a. Installation commanders (ICs), including CWF managers, will use environmental compliance assessments, in combination with regulatory agency inspections and sound, day-to-day operating procedures at environmentally sensitive operations, as a means of attaining, sustaining and monitoring compliance with applicable environmental regulations. ICs will use two assessment types: external and internal. Both assessment types shall consider tenants and outgrants as well as host activities.

b. External Assessments.

(1) Installation external assessments shall be conducted on a three year cycle, as a minimum. CWF assessments are conducted on a minimum five year cycle. Deviation from these cycles requires appropriate MACOM justification and HQDA approval for military installations, and USACE division approval for CWFs.

(2) MACOMs and components, in coordination with USAEC, will select their assessor and develop a schedule for their military installations to be assessed.

(3) External assessments shall be conducted using a team of independent assessors not associated with the installation/CWF having the necessary organizational and subject matter expertise.

(4) External assessments shall be conducted using standard USAEC approved protocols for military installations and HQUSACE approved assessment protocols for CWFs.

(5) Army installations will develop a management and funding plan to correct the deficiencies identified in external assessments. All appropriate environmental funding requirements will be included in the installation or CWF Environmental Program Requirements (EPR) Report (formerly RCS 1383). The management and funding plan will be reviewed and updated annually.

(6) The USAEC shall centrally program and fund external assessments at active Army installations and coordinate the overall military program. HQUSACE shall provide program support to CWFs.

c. Internal Assessments.

(1) For installations required to file the Installation Status Report (ISR), Part II, Environment, the annual ISR will fulfill the internal assessment requirement. However, internal assessments, in accord with requirements in paragraph (2) below, are encouraged.

(2) For installations not required to complete the ISR, Part II and for CWF activities:

(a) Internal assessments shall be conducted on an annual basis, with the exception of that year an external assessment is conducted. Deviation from this cycle requires appropriate MACOM justification and HQDA approval for military installations. Assessments should be conducted by installation/CWF personnel.

(b) Army installations shall use the applicable USAEC or HQUSACE approved protocols and other publications in conducting the assessments.

(c) At a minimum, internal assessments shall: review and follow-up on the corrective action and funding plan resulting from the last external and subsequent internal assessment; review corrective actions relating to regulatory violations received since the last assessment (internal or external); assess compliance with any new regulatory requirements; and address any special emphasis areas specified by higher command.

(d) Any new environmental requirements identified during the internal assessment shall be included in the installation EPR Report.

(e) Installations shall notify their respective MACOM when their internal assessment has been completed. CWFs will notify their districts. The results of the internal assessment will be used to complete appropriate command inspection reports (e.g., CW Performance Measures).

d. The installation EQCC or CWF manager will provide appropriate staff support and will participate in reviewing the assessment results.

e. Releasability: All draft assessment reports and supporting papers are internal working documents until the report is finalized. The draft documents must be marked "For Official Use Only" (FOUO) and distribution will be handled accordingly. All requests for release of final reports will be referred to the appropriate installation commander (military) or Freedom of Information Officer.

15–10. The Consolidated Army Military Awards Program

Nomination procedures for these awards are provided in DA PAM 200-1.

a. Secretary of the Army (SA) Environmental Quality Award.

(1) The SA presents an Environmental Quality Award to an individual and two installations each year. The award is given to an industrial installation and to a non-industrial installation. Industrial installations are defined as those with a primary mission of producing, maintaining, or rehabilitating military materiel. This award is based on the achievements made during the 2 calendar years prior to the calendar year of the awards ceremony.

(2) The purpose of this award is to recognize efforts made to protect human health and the environment by achieving full and sustained compliance with all applicable environmental requirements, especially those for environmental planning, waste management, and pollution control, and identifying and addressing, in a timely and cost effective manner, the threats posed by contamination from past DOD operations.

b. SA Natural Resources Conservation Award.

(1) The SA presents the Natural Resources Conservation Award to an individual and two installations each year. The award will be given to a small installation and to a large installation. Small installations are defined as installations with 10,000 acres of land or less. This award is based on achievements made during the 3 calendar years prior to the calendar year of the awards ceremony.

(2) The purpose of this award is to recognize efforts to promote natural resources conservation, including the identification, protection, and restoration of biological resources and habitats; the sound management and use of the land and its resources; and the promotion of the conservation ethic.

c. SA Pollution Prevention Award.

(1) The SA will present an annual Pollution Prevention award to two installations and an Acquisition Team. The installation pollution prevention award will be given each year to an industrial installation and to a non-industrial installation. The Acquisition Team award will be presented to a team working within the acquisition and procurement community from any level of the Army. The team must be 1 to 5 individuals who work together on a common project or initiative. The award shall be based on the achievements made

during the 2 calendar years prior to the calendar year of the awards ceremony.

(2) The purpose of the installation Pollution Prevention award is to recognize efforts to prevent pollution at the source, including practices that reduce or eliminate the creation of pollutants through increased efficiency in the use of raw materials, energy, water, or other resources. The purpose of the Acquisition Team award is to recognize efforts to incorporate pollution prevention in acquisition practices.

d. SA Recycling Award.

(1) The SA will present Recycling Awards to an individual or team and to two installations each year. The installation award will be given to an industrial installation and to a non-industrial installation. The team must be 1 to 5 individuals who work together on a common project or initiative. The awards shall be based on the achievements made during the 2 calendar years prior to the calendar year of the awards ceremony.

(2) The purpose of this award is to recognize efforts to prevent pollution. This includes practices that reduce the creation of pollutants through efforts to divert materials from a waste stream by recycling. The size of the installation is not a factor in award selection.

e. SA Environmental Cleanup Award. The SA will present an Environmental Cleanup Award to an installation each year. The award shall be based on the achievements made during the 2 calendar years prior to the calendar year of the awards ceremony.

(1) This award recognizes efforts to protect human health and environment by cleaning up identified Army sites, in a timely, cost-efficient, and responsive manner.

(2) Honorable Mentions may be awarded to installations that have shown exemplary achievement in the following categories:

(a) Fast Track Cleanup.

(b) Innovative Cleanup Technology/Development.

(c) Restoration Advisory Boards/Community Outreach.

(d) Opportunities for Small and Disadvantaged Businesses in Environmental Cleanup.

(e) Reducing Risk to Human Health and Environment.

f. SA Cultural Resources Award.

(1) The SA will present a Cultural Resources Award to an individual and an installation each year. The awards shall be based on the achievements made during the 2 calendar years prior to the calendar year of the awards ceremony.

(2) The Cultural Resources award recognizes leadership in compliance, management and stewardship of National Register properties, Native American cultural items and sites, and archeological resources.

g. For those award categories in which the SECDEF also has an environmental award, the Army award winners will be the Army nominees.

15–11. Environmental Quality Control Committee (EQCC)

a. Policy. Installations, major subordinate commands, and MACOMs will establish EQCCs. In overseas areas, the EQCC may be organized at the military community level. The EQCC will include major and sub-installations and tenant activities.

(1) Government-owned contractor-operated installations. MACOMs will establish guidance and instructions for the formation of EQCCs at Government-owned contractor-operated installations. This will include the services of operating personnel in an advisory capacity.

(2) USACE Divisions/Districts and CWF. USACE commanders will establish EQCCs. CWF facility managers are encouraged but not required to do so. Membership in either case should be modified to reflect USACE missions and functions.

b. Members and functions. The EQCC will consist of members representing the operational, engineering, planning, resource management, legal, medical, and safety interests of the command, including military installation tenant activities. The EQCC coordinates activities of the environmental programs covered in this regulation. The EQCC advises the command on environmental priorities, policies, strategies, and programs.

15–12. Construction Site Selection Surveys

Environmental surveys will be conducted before construction site selection IAW AR 415-15 and AR 210-20. Every effort will be made to ensure that builders and future occupants of military facilities will not be exposed to environmental health and safety risks. These risks may result from sites contaminated by hazardous substances or unexploded ordnance.

15–13. Army Environmental Training Program

a. All Army-wide environmental training and environmental awareness programs and products will be developed and executed in accordance with the strategy described in DA PAM 200-1.

b. MACOMs and other proponents of environmental training and awareness programs tailored for specific functional areas, career programs, and/or MACOMs will notify and coordinate new environmental course development with HQ TRADOC. Coordination is required to ensure conservation of Army resources and avoid unnecessary duplication. Requirements for notification/coordination do not replace or supersede normal approval authorities for establishment of courses in schools or for development and distribution of Army-wide training or awareness products.

15–14. Installation/State Environmental Training Plans

a. In order to identify and avoid unnecessary and costly duplication among mandatory environmental, safety, and occupational health training requirements, ICs should develop and implement a comprehensive environmental training and awareness program. The program should address, at minimum, training required by law or regulation, compliance agreements, and/or permits, as well as training for environmental compliance officers appointed in accordance with paragraphs 1-27a(15), 1-29c(5), 1-31f or 1-32f of this regulation. Training for environmental compliance officers should be commensurate with their specific environmental duties. Guidance and information on training for environmental compliance officers is provided in DA PAM 200-1. The program and any supporting written plan(s) which are already in place or may be developed should cover installation organizations or CWF, tenants, and supported Reserve Components. State Adjutant Generals may develop generic programs/plans for National Guard installations/facilities within their state which would be modified by local commanders/facility managers to address site-specific organizations and requirements. USACE commanders and directors may develop similar generic plans for site specific adaptation throughout their organization. Similarly, Regional Support Commands may, in coordination with supporting installations, develop generic programs/plans for Reserve facilities within a particular state which would be modified by facility managers to address site-specific organizations and requirements. A written training plan need not be published separately if guidance is incorporated within a general installation environmental requirements document. However, sufficient written detail should be provided to enable unit commanders and all military and civilian personnel with supervisory responsibilities to determine which of their soldiers/employees require which type of training. Guidance on program/plan development is found in DA PAM 200-1.

b. ICs will notify the USAEC, through their MACOMs, and coordinate development of new environmental courses tailored for their installations/facilities with their respective MACOM environmental offices. Coordination is required to ensure conservation of Army resources and avoid unnecessary duplication. Requirements for notification/coordination do not replace or supersede normal approval authorities for establishment of courses in schools or for development and distribution of Army-wide training or awareness products.

c. Commanders of all organizations and units will encourage environmental awareness for all employees and soldiers and require specific technical environmental training for appropriate personnel to achieve compliance and improve pollution prevention, restoration,

and resource conservation efforts within the Army. Training Circular (TC) 5-400, Unit Leaders' Handbook for Environmental Stewardship, is specifically intended for environmental awareness support in military units. Other awareness resources for soldiers and units are described in DA PAM 200-1.

d. All training mandated by Federal law or regulation should be obtained from approved/accredited Federal or state programs when required by OSHA or EPA or by state regulations.

15–15. Army Energy Program

Policy and regulatory guidance for the Army Energy Program are provided in AR 11-27 and the Army Energy Resources Management Plan. The program's objectives are:

a. Ensure the availability and supply of energy to the Army. This is in accordance with mission, readiness, environmental programs, and quality of life priorities.

b. Participate in the national effort to conserve energy resources. The effort should not degrade readiness, the environment, and quality of life.

c. Participate in research and development efforts for new and improved energy technologies. These efforts contribute to readiness and energy conservation and pollution prevention.

15–16. National Security Emergencies and Exemptions

a. In applying for environmental permits, ICs should anticipate and allow for mission surge conditions that could result in times of national security emergencies, including but not limited to contingency operations, suppression of insurrection, humanitarian and civic assistance, peace-keeping activities, and disaster relief. In cases where mission surge conditions could potentially exceed permit limitations or other environmental requirements, the IC should request a national security exemption in accordance with this paragraph.

b. In national security emergencies, the requirements of this regulation remain in effect unless waived in accordance with this paragraph by Headquarters, Department of the Army.

c. If an IC anticipates that surge conditions could result in a violation of Federal, state, or local environmental law or regulation, as soon a practicable, the IC should consult with the appropriate Federal, state, or local authorities on a mutually agreeable course of action. If a satisfactory resolution can not be agreed upon, the IC will submit a request for a national security exemption to the MACOM. The MACOM will forward the request with its recommendation to the ACSIM (DAIM-ED). The request shall include:

(1) Identification of the action requiring exemption;

(2) The statute(s) from which an exemption is sought;

(3) The applicable statutory exemption provision(s);

(4) Adequate supporting information and justification for the exemption; and

(5) Any alternatives considered and the reasons they were not adopted.

d. The ACSIM will forward the request with a recommendation to the Assistant Secretary of the Army (Installation, Logistics, and Environment), who is responsible for transmitting the request through OSD to the appropriate approval authority for decision. Civil Works requests will be routed through USACE channels to the Assistant Secretary of the Army (Civil Works).

e. In the event a request for an exemption is denied or cannot be granted in the time available, the ACSIM will provide the IC who submitted the request with specific guidance on how to resolve any potential conflict between mission requirements and Federal, state, or local law or regulation.

f. CWFs will report in accordance with ER 500-1-28.

15–17. Integrated Training Area Management (ITAM)

a. The ITAM program is a training management program which falls under the responsibility of the HQDA, ODCSOPS. The ITAM program seeks to achieve optimum, sustainable use of Army lands by implementing a uniform management/decision-making process that includes:

(1) Inventorying and monitoring land conditions.

(2) Integrating training requirements with land capacity.

(3) Providing for the repair and rehabilitation of training lands.

(4) Educating land users on proper environmental stewardship.

b. ITAM compliments the Army's conservation program by providing core resources which support the effective management of the Army's training lands.

15–18. Pest Management Program

The Army Pest Management Program is designed to protect health, property and resources from damage and/or disease transmitted by animals, plants and insects. For matters involving preventive medicine and public health, the Army policy and guidance in provided in AR 420-76 and AR 40-5.

Appendix A
References

Section I
Required Publications

AR 11–27
Army Energy Program. (Cited in para 15-15.)

AR 40–61
Medical Logistics Policies and Procedures. (Cited in para 5-8.)

AR 50–6
Nuclear and Chemical Weapons and Material, Chemical Surety. (Cited in paras 3-1 and 5-6.)

AR 55–355
Defense Traffic Management Regulation. (Cited in paras 3-3 and 4-3.)

AR 75–15
Responsibilities and Procedures for Explosive Ordnance Disposal. (Cited in para 3-3.)

AR 95–1
Army Aviation: Flight Regulations. (Cited in para 7-1.)

AR 200–2
Environmental Effects of Army Actions. (Cited in paras 1-20, 2-6, 5-9, 8-3, 15-2, and 15-7.)

AR 200–3
Natural Resources - Land, Forest and Wildlife Management. (Cited in paras 14-7, 15-3, and 15-5.)

AR 210–20
Master Planning for Army Installations. (Cited in para 15-12.)

AR 385–10
Army Safety Program. (Cited in para 6-1.)

AR 385–61
Safety Studies and Reviews of Chemical Agents and Associated Weapon Systems. (Cited in para 5-6.)

AR 405–10
Acquisition of Real Property and Interests Therein. (Cited in para 15-6.)

AR 405–80
Granting Use of Real Estate. (Cited in para 15-6.)

AR 405–90
Disposal of Real Estate. (Cited in para 15-6.)

AR 415–15
Army Military Construction, Program Development and execution. (Cited in para 15-12.)

AR 420–40
Historic Preservation. (Cited in para 15-4.)

AR 420–46
Water Supply and Wastewater. (Cited in paras 2-3, 2-4, 2-6, and 2-8.)

AR 420–47
Solid and Hazardous Waste Management. (Cited in paras 5-1 and 5-10.)

AR 420–49
Heating, Energy Selection and Fuel Storage, Distribution, and Dispensing Systems. (Cited in paras 5-1 and 5-10.)

AR 420–70
Buildings and Structures. (Cited in paras 4-6 and 8-1.)

AR 420–76
Pest Management. (Cited in paras 4-3, 5-7 and 15-18.)

AR 500–60
Disaster Relief. (Cited in paras 1-21 and 3-3.)

AR 700–136
Tactical Land Based Water Resources Management in Contingency Operations. (Cited in para 2-3.)

TB 55–1900–206–14
Control and Abatement of Pollution by Army Watercraft. (Cited in para 2-4.)

TB MED 513
Occupational and Environmental Health Guidelines for the Evaluation and Control of Asbestos Exposure. (Cited in para 8-1.)

TB MED 575
Swimming Pools and Bathing Facilities. (Cited in para 2-5.)

TB MED 576
Occupational and Environmental Health: Sanitary Control and Surveillance of Water Supplies at Fixed Installations. (Cited in para 2-3.)

TB MED 577
Occupational and Environmental Health: Sanitary Control and Surveillance of Field Water Supplies. (Cited in para 2-3.)

TC 5–400
Unit Leaders' Handbook for Environmental Stewardship. (Cited in 15-14.)

TM 5–660
Maintenance and Operation of Water Supply, Treatment, and Distributions Systems. (Cited in para 2-3.)

TM 5–662
Swimming Pool Operation and Maintenance. (Cited in para 2-5.)

TM 5–665
Operation and Maintenance of Domestic and Industrial Wastewater Systems. (Cited in para 2-4.)

TM 5–803–4
Planning of Army Aviation Facilities. (Cited in para 7-1.)

TM 5–803–7
Civil Engineering Program: Airfield Heliport Planning & Criteria. (Cited in para 7-4.)

TM 5–810–5
Plumbing. (Cited in para 2-3.)

TM 5–813–1 through 8
Water Supply Sources. (Cited in para 3-3.)

TM 5–814–1 through 3
Sanitary and Industrial Wastewater Collection. (Cited in para 2-4.)

Section II
Related Publications

A related publication is merely a source of additional information. The user does not have to read it to understand this regulation.

AR 5–4
Department of the Army Productivity Improvement Program.

AR 10–5
Organization and Functions, Headquarters, Department of the Army.

AR 10–87
Major Army Commands in the Continental United States.

AR 25–55
The Department of the Army Freedom of Information Act Program.

AR 37–1
Army Accounting and Fund Control.

AR 40–5
Preventive Medicine.

AR 40–7
Use of Investigational Drugs and Devices in Humans and the Use of Schedule I Controlled Drug Substances.

AR 40–13
Medical Support-Nuclear/ Chemical Accidents and Incidents.

AR 40–14
Occupational Ionizing Radiation Personnel Dosimetry.

AR 40–40
Documentation Accompanying Patients Aboard Military Common Carriers.

AR 40–574
Aerial Dispersal of Pesticides.

AR 50–5
Nuclear and Chemical Weapons and Material-Nuclear Surety.

AR 55–228
Transportation by Water of Explosives and Hazardous Cargo.

AR 56–9
Watercraft.

AR 70–1
Army Acquisition Policy.

AR 70–65
Management of Controlled Substances, Ethyl Alcohol and Hazardous Biological Substances in Army Research, Development, Test, and Evaluation Facilities.

AR 75–1
Malfunctions Involving Ammunition and Explosives.

AR 75–14
Interservice Responsibilities for Explosive Ordnance Disposal.

AR 360–61
Community Relations.

AR 360–81
Command Information Program.

AR 385–11
Ionizing Radiation Protection (Licensing, Control, Transportation, Disposal, and Radiation Safety).

AR 385–16
System Safety Engineering and Management.

AR 385–40
Accident Reporting and Records.

AR 385–60
Coordination with Department of Defense Explosives Safety Board.

AR 385–64
Ammunition and Explosives Safety Standards.

AR 385–80
Nuclear Reactor Health and Safety Program.

AR 420–10
Management of Installation Directorate of Engineering and Housing and Personnel.

AR 700–141
Hazardous Materials Information System (HMIS) (RCS DD-FM&P(A,Q,&AR)1486);

AR 710–2
Inventory Management Supply Policy Below the Wholesale Level.

AR 725–50
Requisitioning, Receipt, and Issue System.

AR 740–32
Responsibilities for Technical Escort of Dangerous Materials.

AR 755 series
Disposal of Supplies and Equipment.

AR 750–1
Army Material Maintenance Policy and Retail Maintenance Operations.

CEGS–02080
U.S. Corps of Engineers Guidance Specification for Military Construction and Asbestos Abatement.

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(WG84) Assessment of Community Response to High Energy Impulsive Sounds, National Research Council (1981)

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Hearing Conservation.

DA PAM 40–578
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Environmental Protection and Enhancement.

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Coordination of Army Development with State and Local Governments.

EM 385–1–1
Safety and Occupational Health Requirements Manual.

EO 11514
Protection and Enhancement of Environmental Quality.

EO 11988
Floodplain Management.

EO 11990
Protection of Wetlands.

EO 12088
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EO 12580
Superfund Implementation.

EO 12759
Federal Energy Management.

EO 12780
Federal Agency Recycling and the Counsel on Federal Recycling and Procurement Policy.

EO 12843
Procurement Requirements and Policies for Federal Agencies for Ozone-Depleting Substances.

EO 12844
Federal Use of Alternatively Fueled Vehicles.

EO 12845
Requiring Agencies to Purchase Energy-Efficient Computer Equipment.

EO 12856
Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements.

EO 12873
Federal Acquisition, Recycling, and Waste Prevention.

EO 12902
Energy Efficiency and Water Conservation at Federal Facilities.

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Asbestos/NESHAP Regulated Asbestos Containing Materials Guidance.

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EPA Document No. 560/5–85–018
Asbestos in Buildings-Guidance for Service and Maintenance Personnel.

EPA Document No. 560/5–85–024
Guidance for Controlling Asbestos-Containing Materials in Buildings.

EPA–560–OPTS–86–001
A Guide to Respiratory Protection for the Asbestos Abatement Industry.

EPA Document No. 600/4–85–049
Measuring Airborne Asbestos Following an Abatement Action.

EPA Document No. 600/9–79–045
NPDES Best Management Practices Guidance Document.

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Safety and Health Document Requirements for Hazardous, Toxic, and Radioactive Waste and Ordnance and Explosive Waste.

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Cultural Resources.

ER 1130–2–400
Natural Resources.

ER 1130–2–413
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ER 1130–2–434
Hazardous Substances.

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IEC Publication 804 (1985)
Integrating-Averaging Sound Level Meters.

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Environmental Considerations.

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Marking for Shipment and Storage. (This publication may be obtained from Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA 19120-5009.)

MIL–STD 1474(B)(MI)
Noise Limits for Army Material. (This publication may be obtained from Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA 19120-5009).

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Public Law 92–574
The Noise Control Act of 1972.

Public Law 95–609
The Quiet Communities Act of 1978.

Public Law 99–145, section 1412
Destruction of Existing Stockpile of Lethal Chemical Weapons.

Public Law 101–637
Asbestos School Hazard Abatement Reauthorization Act.

Public Law 102–486
Water Conservation.

Public Law 102–484
National Defense Authorization Act of FY 1993.

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Residential Lead Based Paint Hazard Reduction Act.

Supply Bulletin (SB) 8–75 series.
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TB MED 576
Occupational and Environmental Health: Sanitary Control and Surveillance of Water Supplies at Fixed Installations.

TB MED 577
Occupational and Environmental Health: Sanitary Control and Surveillance of Field Water Supplies.

TM 3–250
Storage, Shipment, Handling and Disposal of Chemical Agents and Hazardous Chemicals.

TM 3–261
Handling and Disposal of Unwanted Radioactive Material.

TM 5–629
Weed Control and Plant Growth Regulation.

TM 5–630
Natural Resources - Land Management.

TM 5–632
Military Entomology Operational Handbook.

TM 5–633
Natural Resources - Fish and Wildlife Management.

TM 5–801–1
Historic Preservation; Administrative Procedures.

TM 5–801–2
Historic Preservation; Maintenance Procedures.

TM 5–814–5
Sanitary Landfills.

TM 38–250
Preparing of Hazardous Materials for Military Air Shipment.

TM 38–410
Storage and Handling of Hazardous Materials.

USACERL IR N–10
User Manual: Interim Procedure for Planning Rotary Wing Aircraft Traffic Patterns and Siting Noise Sensitive Land Uses (USACER (USACERL)). Available under AD No. A031450 from Technical Information Service (NTIS), Springfield, VA 22151.

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Predicting the Noise Impact in the Vicinity of Small-Arms Ranges, Construction Engineering Research Laboratory (USACERL, October 1978). Available under AD No. A062718 from NTIS, Springfield, VA 22151.

USACERL TR–E–17
Predicting Community Response to Blast Noise (USACERL, December 1973) Available under AD No. 773690 from NTIS, Springfield, VA 22151.

USACERL TR–N–30
Environmental Noise Impact Analysis for Army Military Activities: User Manual (USACERL, November 1977). Available under AD No. A047969 for NTIS, Springfield, VA 22151.

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Noise Map Airfield Contour Data Collection.

USACHPPM TG–126
Waste Disposal Instructions.

USACHPPM TG–164
Radon Reduction Procedure.

USACHPPM TG–135
Database for Assessing the Noise of Small Arms.

USACHPPM TG–179
Guidance for Providing Safe Drinking Water at Army Installations.

USACHPPM TG–197
Developing an Integrated Solid Waste Management Plan.

USACHPPM Technical Guide No. 198
Childhood Lead Poisoning Prevention/LBP Management Program on DOD Installations.

Note. Copies of the following may be found in your legal office or law library compiled under 'U.S. Code Congressional and Administrative News.'

Anti–Deficiency Act (31 USC 1341)

Archeological Resources Protection Act of 1979 (16 USC 470 aa–11)

Atomic Energy Act (42 USC 2011, et seq)

Aviation Safety and Noise Abatement Act of 1979
(as codified in scattered sections of 49 USC)

Clean Air Act,
As amended (42 USC 7401, et seq)

Comprehensive Environmental Response, Compensation, and Liability Act of 1980
As amended (CERCLA, Superfund)(42 USC 9601 et seq)

Emergency Planning and Community Right–to–Know Act, 42 USC 11001

Endangered Species Act of 1973

EPCRA Calculation Manual, U.S. Army Environmental Center

EPCRA Technical Notes, U.S. Army Environmental Center

Federal Facility Compliance Act of 1992
(PL 102-386, 1991)

Federal Property and Administrative Services Act of 1949 (40 USC 484)

Hazardous Material Transportation Act

Marine Protection, Research, and Sanctuaries Act (MPRSA) of 1972
As amended (Ocean Dumping) (16 USC 1401, et seq)

Military Construction Authorization Act FY 1975
(As codified in scattered sections of 3 USC, 10 USC, 18 USC, and 30 USC)

Military Procurement Act of 1979
(As amended (as codified in scattered sections of 10 USC)

National Environmental Policy Act (NEPA) of 1969
As amended (42 USC 321, et seq)

National Oil and Hazardous Substances Pollution Contingency Plan
(40 CFR 300)

Noise Control Act of 1972
(42 USC 4901) (PL 92-574)

Occupational Safety and Health Act of 1970
(29 CFR 1910.20)

Quiet Communities Act of 1978
(PL 95-609)

RCRA
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River and Harbor Act of 1889 (33 USC 401, et seq)

Safe Drinking Water Act, as amended(42 USC 1441, et seq)

Superfund Amendment and Reauthorization Act (SARA) of 1986
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Toxic Substances Control Act (TSCA)
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Note. CFRs may be found in your legal office or law library. Copies may be purchased from the Superintendent of Documents. Government Printing Office, Washington, D. C. 20402.

10 CFR
Energy.

10 CFR 20
Nuclear Regulatory Commission Standards for Protection Against Radiation.

24 CFR 51
Department of Housing and Urban Development Environmental Criteria and Standards.

29 CFR 1910.120
OSHA Hazardous Waste Operations.

29 CFR 1910.1200
OSHA regulation on Hazard Communication (Worker Right-to-Know).

32 CFR 60
National Register of Historic Places.

32 CFR 229
Archeological Resources Protection Act of 1979: Final Uniform Regulations.

33 CFR 153–157
Coast Guard Regulations on Oil Spills (includes Pollution Control, Oil Transfer Facilities, Vessel Design, Oil Transfer Operations, and Vessels Carrying Oil in Domestic Trade).

33 CFR 159
Coast Guard Regulations on Marine Sanitation Devices.

33 CFR 209
Army Corps of Engineers Regulations on Navigable Waters.

40 CFR
Protection of Environment.

40 CFR 125
EPA Regulations on Criteria and Standards for the National Pollution Discharge Elimination System.

40 CFR 140
Marine Sanitation Device Standard.

40 CFR 141
National Primary Drinking Water Regulations.

40 CFR 143
Secondary Drinking Water Regulations.

40 CFR 202
EPA Noise Emission Standards for Motor Carriers Engaged in Interstate Commerce.

40 CFR 204
EPA Noise Emission Standards for Portable Air Compressor.

40 CFR 205
EPA Noise Emission Standards for Transportation Equipment.

40 CFR 225
Corps of Engineers Dredged Material Permits.

40 CFR 240–241
Environmental Protection Agency Guidelines for the Thermal Processing of Solid Wastes and for the Land Disposal of Solid Wastes.

40 CFR 243
Environmental Protection Agency Guidelines for Solid Waste Storage and Collection.

40 CFR 245
Environmental Protection Agency Guidelines for Resource Recovery Facilities.

40 CFR 246
Environmental Protection Agency Guidelines Source Separation for Materials Recovery.

40 CFR 247
EPA's Comprehensive Guideline for Procurement of Products Containing Recovered Materials.

40 CFR 258
Solid Waste.

40 CFR 262
Standards Applicable to Generators of Hazardous Waste.

40 CFR 264/265
Standards Applicable to Hazardous Waste Treatment, Storage, and Disposal Facilities (permitted and interim status, respectively).

40 CFR 273
EPA Standards for Universal Waste Management.

40 CFR 280
Storage Tank Systems.

40 CFR 302
Emergency Planning and Notification.

40 CFR 372
Toxic Chemical Release Reporting.

40 CFR 1080
EPA Air Emission Standards for Tank, Surface Impoundments, and Containers.

48 CFR 6
Federal Acquisition Regulations System Competition Requirements.

49 CFR
Water Transportation.

49 CFR 171
Hazardous Materials Regulation: General Information, Regulations, and Definitions.

49 CFR 172
Hazardous Materials Tables and Hazardous Materials Communications Regulations.

49 CFR 173
Shippers General Requirements for Shipment and Packaging.

49 CFR 174
Carriage by Rail.

49 CFR 175
Carriage by Aircraft.

49 CFR 176
Carriage by Vessel.

49 CFR 177
Carriage by Public Highway.

49 CFR 178
Shipping Container Specifications.

10 USC 2692
Hazardous Materials.

10 USC 2705(d)
Restoration Advisory Board.

42 USC 9617
CERCLA (Public Participation).

42 USC 9620
CERCLA (Federal Facilities).

Section III
Prescribed Forms
This section contains no entries.

Section IV
Referenced Forms
This section contains no entries.

Appendix B
Installation Management Control Evaluation Process

B–1. Function.
Environmental Management.

B–2. Key Management Controls.
a. Program Performance.

(1) Does the installation have an Environmental Quality Control Committee, formally constituted and chaired by the IC, which provides a forum to enhance, address and resolve environmental issues?

(2) Is a multidisciplinary program in place to identify and proactively control environmental risks?

(3) Does the installation have pollution prevention policies and programs in place and operating to reduce pollution through source reduction, reuse or recycling?

(4) Does the installation have a hazardous waste and spill contingency plan in place which is consistent with potential health and environmental risks?

(5) Are personnel trained sufficiently to execute their duties in an environmentally safe manner and to respond properly in case of environmental emergency?

(6) Are problems which are identified through internal audits, complaints, spills or enforcement actions investigated to determine systemic causes and promptly corrected?

b. Environmental Condition.

(1) Are all solid waste streams systematically characterized to determine if they are hazardous? Is the basis for the determination (i.e. generator knowledge or analytical results) documented and the waste disposed of properly?

(2) Are projects, activities and work requests coordinated with the environmental officer?

(3) Is NEPA analysis and documentation routinely prepared as an integral part of the planning process?

c. Mission Impact. Are management practices in place in order to improve the C-rating of mission critical environmental areas?

d. Compliance.

(1) Are all known legal requirements identified on the Environmental Program Requirements (EPR) Report (formerly RCS 1383) and funded in the current year, as well as program management projects necessary to achieve or sustain compliance?

(2) Are required reports, and records complete and accurate? Is required reporting submitted to regulators and/or higher headquarters in a timely manner?

(3) Are physical inspections conducted on a regular basis? Do they detect environmental problems and are they tracked to ensure corrective action?

B–3. Management Control Evaluation Process.
The ISR Part II (Environment) will be used to evaluate and document key management controls. Completion of ISR Part II (Environment) and associated corrective action plan will meet the requirements of a management control evaluation program.

B–4. Comments.
To help make this a better tool for evaluating management controls,

submit comments to HQDA, Director of Environmental Programs (DAIM-ED), 600 Army Pentagon, Washington, DC 20310-0600.

Glossary

Section I
Abbreviations

AAEMIS
Army Automated Environmental Management Information System

ACSIM
Assistant Chief of Staff for Installation Management

ACTS
Army Compliance Tracking System

ADNL
A-weighted day-night level

AEPI
Army Environmental Policy Institute

AMC
Army Materiel Command

AMEDD
Army Medical Department

AMP
Asbestos Management Plan

AMT
Asbestos Management Team

AR
Army Regulation

ARNG
Army National Guard

ARRP
Army Radon Reduction Program

ASA(CW)
Assistant Secretary of the Army (Civil Works)

ASA(FM)
Assistant Secretary of the Army (Financial Management)

ASA(IL&E)
Assistant Secretary of the Army (Installations, Logistics, and Environment)

ASA(RDA)
Assistant Secretary of the Army (Research, Development, and Acquisition)

AST
above ground storage tank

ATSDR
Agency for Toxic Substances and Disease Registry

BBS
bulletin board system

BRAC
Base Realignment and Closure

CA
cooperative agreement

CAIRA
Chemical Accident/Incident Response and Assistance

CAR
Chief, Army Reserve

CDNL
C-weighted day-night level

CERCLA
Comprehensive Environmental Response, Compensation , and Liability Act

CFR
Code of Federal Regulations

CG
Commanding General

CONUS
Continental United States

CPA
Chief, Public Affairs

CSA
Chief of Staff, Army

CWA
Clean Water Act

CWF
Civil Works facility

CZMA
Coastal Zone Management Act

DA
Department of the Army

DASA(ESOH)
Deputy Assistant Secretary of the Army (Environment, Safety, and Occupational Health)

dB
decibel

DCSLOG
Deputy Chief of Staff for Logistics

DCSOPS
Deputy Chief of Staff for Operations and Plans

DEMIS
Defense Environmental Management Information System

DENIX
Defense Environmental Network and Information Exchange

DEP
Director of Environmental Programs

DERA
Defense Environmental Restoration Account

DERP
Defense Environmental Restoration Program

DESCIM
Defense Environmental Security Corporate Information Management

DNL
day-night level

DOD
Department of Defense

DRMO
Defense Reutilization and Marketing Office

DSERTS
Defense Site Environmental Restoration Tracking System

DSMOA
Defense-State Memoranda of Agreement

DTLOMS
doctrine, training, leader development, organization, materiel requirements, and soldier support

DUSD(ES)
Deputy Under Secretary of Defense (Environmental Security)

EA
Executive Agent

EBS
Environmental Baseline Survey

ECAR
Environmental Compliance Assessment Report

ECAS
Environmental Compliance Assessment System

ELD
Environmental Law Division

ELS
Environmental Law Specialist

ENF
Enforcement Action

ENMP
Environmental Noise Management Program

EO
Executive Order

EPA
Environmental Protection Agency

EPCRA
Emergency Planning and Community Right-to-Know Act

EQCC
Environmental Quality Control Committee

EQT
Environmental Quality Technology

ER
Engineer Regulation

ESC
EQT Steering Committee

FFCA
Federal Facilities Compliance Act

FGS
Final Governing Standards

FORSCOM
U.S. Army Forces Command

FOSL
Finding of Suitability to Lease

FOST
Finding of Suitability to Transfer

FOTW
Federally-Owned Treatment Works

FUDS
Formerly Used Defense Sites

GOCO
government-owned, contractor-operated

HMIS
Hazardous Material Information System

HSMS
Hazardous Substance Management System

HQDA
Headquarters, Department of the Army

IAP
Installation Action Plan

IC
Installation Commander

ICUZ
Installation Compatible Use Zone

IRDMIS
Installation Restoration Data Management Information System

IRP
Installation Restoration Program

ITAM
Integrated Training Area Management

JCS
Joint Chiefs of Staff

LBP
lead-based paint

LEPC
Local Emergency Planning Committee

MACOM
major Army command

MEDCEN
medical center

MEDCOM
Medical Command

MEDDAC
medical department activity

MIDI
Military Item Disposal Instruction System

MOU
memorandum of understanding

MPRSA
Marine Protection, Research, and Sanctuaries Act

MSC
major subordinate command

MSDS
Material Safety Data Sheet

NCP
National Contingency Plan

NEPA
National Environmental Policy Act

NGB
National Guard Bureau

NPDES
National Pollutant Discharge Elimination System

NPL
National Priorities List

NRDA
Natural Resource Damage Assessment

NRT
National Response Team

OCLL
Office of the Chief, Legislative Liaison

OCONUS
outside the continental United States

ODC
ozone-depleting chemical

OEBGD
Overseas Environmental Baseline Guidance Document

OGC
Office of General Counsel

O&M
operations and maintenance

OMB
Office of Management and Budget

OSC
On-Scene Coordinator

OSD
Office of the Secretary of Defense

OSHA
Occupational Safety and Health Administration

PCB
polychlorinated biphenyl

POL
petroleum, oil, lubricants

POTW
Publicly-Owned Treatment Works

PRP
Potentially Responsible Party

PTT
Pillar Technology Teams

RAB
Restoration Advisory Board

RCRA
Resource Conservation and Recovery Act

RCS
Report Control System

RDT&E
Research, Development, Test, and Evaluation

RMIS
Restoration Management Information Management System

RRT
Regional Response Team

RSC
Regional Support Command

SA
Secretary of the Army

SCP
Spill Contingency Plan

SDWA
Safe Drinking Water Act

SECDEF
Secretary of Defense

SERC
State Emergency Response Commission

SOFA
Status of Forces Agreement

SPCCP
Spill Prevention, Control and Countermeasures Plan

TANKMAN
Tank Management

TB
technical bulletin

TB MED
technical bulletin, medical

TCLP
Toxicity Characteristic Leaching Procedure

TJAG
The Judge Advocate General

TM
technical manual

TRADOC
Training and Doctrine Command

TRC
Technical Review Committee

TRI
Toxic Release Inventory

TSG
The Surgeon General

USACE
U.S. Army Corps of Engineers

USACERL
U.S. Army Construction Engineering Research Laboratories

USACHPPM
U.S. Army Center for Health Promotion and Preventive Medicine

USACPW
U.S. Army Center for Public works

USAEC
U.S. Army Environmental Center

USC
U.S. Code

UST
underground storage tank

Section II
Terms

A-weighted sound level
The A-weighted sound level is a quantity in decibels, read from sound level meter with A-weighing circuitry. The A-scale weighing discriminates against the lower frequencies according to a relationship approximating the auditory sensitivity of human ear. A-weighted sound level measures the approximate relative annoyance of many common sounds.

Acquisition, Real Estate
Obtain, use, or control real property by purchase, condemnation, donation, exchange, easement, license, lease, permit, revestment and recapture as defined in AR 405-10.

Acquisition, Life Cycle
Applies to processes and procedures by which defense services identify requirements; conduct research, development, test and evaluation; develop logistics support; field and ultimately dispose of materiel systems and equipment; and upgrade existing systems/equipment.

Activity
A unit, organization, or installation that performs a function or mission.

Army Proponent
The Army unit, element, or organization responsible for initiating or carrying out the proposed action.

C-weighted sound level
The C-weighted sound level is a quantity, in decibels, read from a sound level meter with C-weighing circuitry. The C-scale incorporates slight de-emphasis of the low and high frequency portion of the audible spectrum. The C-weighted sound level measures the additional annoyance caused by the low frequency vibration of structures.

Chemical warfare agent
A substance which, because of its chemical properties, is used in military operations to kill, seriously injure, or incapacitate humans or animals or deny use of indigenous resources.

Class I and Class II ozone depleting chemicals (ODCs)
Class I ODCs have a greater ozone-depletion potential than Class II ODCs. Class II ODCs are generally considered safer than Class I ODCs. Class I and Class II are defined in the Clean Air Act Amendments of 1990. (See 40 CFR part 82, Appendix A and B).

Compliance Agreement
Any negotiated agreement between regulatory officials and regulatee for the purpose of attaining or maintaining compliance. Regulatee must have participated and influenced the terms of the agreement.

Conditionally Exempt Small Quantity Generator
A hazardous waste generator is a conditionally exempt small quantity generator in a calendar month if he generates no more than 100 kg of hazardous waste (or no more than 1 kilogram of acutely hazardous waste) in that month. Additional storage and other limitations apply. Subject to reduced management requirements. Reference 40 CFR 261.5.

Construction
Any land disturbing activity.

Contaminant
An undesirable substance (physical, chemical, biological, or radiological) not normally present, or an unusually high concentration of a naturally occurring substance in water or soil.

Customs Territory of the United States
The U.S. customs territories include the Commonwealths of Puerto Rico and the Northern Mariana Islands, territories Guam and American Samoa, the United States Virgin Islands, and any other territory or possession over which the United States has jurisdiction. This term is used to determine who must comply with EPCRA and pollution prevention requirements in Executive Order 12856.

dBA
Sound level in decibels, measured using the A-weighted network of a sound level meter. The A-weighting scaled closely resembles the frequency response of human hearing and, therefore, provides a good indication of the impact of noise produced by transportation activities.

Decibel (dB)
A unit measuring of sound pressure level.

dBC
Sound level in decibels, measured using the C-weighted network of a sound level meter. The C-weighting scale measures more of the low frequency components of this noise than the A-weighting does. These low frequency components can cause buildings and windows to rattle and shake.

dBP
Sound level in decibels, measured using the unweighted peak network of a sound level meter. The dBP weights all frequencies of the noise equally.

Discharge
A term that includes the accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying, or dumping of a substance, into or on any land or water (40 CFR section 260.10).

Discharge classifications (for oil)
The classifications of accidental discharges listed below, provided to guide the OSC, are criteria for general response actions. They are not criteria for reporting, nor do they imply associated degrees of hazard to the public health or welfare, nor are they measures of environmental damage. However, a discharge that is a substantial threat to the public health or welfare, or results in critical public concern, will be classed as a major discharge. Discharges are quantitatively measured as follows-

a. Minor discharge: A discharge to the inland waters or less than 1,000 gallons of oil; or a discharge of less than 10,000 gallons of oil to the coastal waters.

b. Medium discharge: A discharge of 1, 000 gallons to 10,000 gallons of oil to the inland waters, or a discharge of 10,000 to 100,000 gallons of oil to coastal waters.

c. Major discharge: A discharge of more than 10,000 gallons of oil to the inland

waters, or more than 100,000 gallons of oil to the coastal waters.

Disposal (Waste)
The discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water. The act is such that the solid waste or hazardous waste, or any constituent thereof, may enter the environment or be emitted into the air or discharged into any waters, including ground water (40 CFR section 260. 10).

Disposal (Real Property)
Any authorized method of permanently divesting DA of control of and responsibility for real property. Reference AR 405-90 for definition of real property.

Domestic sewage
Waste and wastewater from humans or from household operations that are discharged to or otherwise enter treatment works.

Effluent limitation
Any restriction established by the EPA on quantities, rates, and concentrations of chemical, physical, biological and other constituents which are discharged from point sources, other than new sources, into navigable waters, the waters of the contiguous zone or the ocean.

Emission standards
Limits on the quality of emissions that may be discharged to the atmosphere from any regulated source, established by Federal, state, local, and host nation authorities.

Enforcement action
Any written notice of a violation of any environmental law from a regulatory official having legal enforcement authority. Examples include Warning Letter, Notice of Noncompliance (NON), Notice of Violation (NOV), Notice of Significant Noncompliance (NOSN), Compliance Order (CO), Administrative Order (AO), Compliance Notice Order (CNO), Finding of Violation (FOV).

Environment
All of the following are elements of the environment:

a. Navigable waters.
b. Near-shore and open waters and any other surface water.
c. Groundwater.
d. Drinking water supply.
e. Land surface or subsurface area.
f. Ambient air.
g. Vegetation.
h. Wildlife.
i. Humans.

Environmental audit
An environmental compliance review of facility operations, practices, and records to assess and verify compliance with Federal, state, and local environmental regulations. These reviews are not audits as defined in DOD Directive 7600.2.

Environmental awareness training
Environmental knowledge conveyed by written information, hands-on training, or formal presentations. It is often provided outside a normal school classroom or regularly-scheduled class. It has limited applicability to teaching competence in specific job skills. It is intended to promote an environmental stewardship ethic and create an understanding of the importance of performing job skills in accordance with appropriate environmental requirements. It also encourages consultation with environmental staff and Army or local compliance publications to determine specific procedures.

Environmental Compliance Officer
Person assigned at a TDA or TO&E organization or unit to accomplish environmental compliance requirements on behalf of his or her responsible commander, director, or supervisor. Designated person also coordinates with supporting permanent installation environmental staff for requirements clarification and assistance. In the National Guard, coordination is with ARNG state environmental staff; in the Reserves, with Regional Support Command environmental staff. Organizational levels, and required grade or rank, suitable for assignment of compliance officer duties will be determined by the commander. For TO&E units, commanders should consider mandatory Federal training requirements as well as mission workloads in determining assignment of compliance officers at Battalion and unit (Company, Battery, Troop) level. In garrison, Directorates, compliance officers have generally been required at the Division level (Branch level if the organization generates hazardous waste).

Environmental enhancement
Actions taken to improve the environment. These actions include measures intended to abate environmental pollution and to meet environmental quality standards.

Environmental Law Specialist
A judge advocate or civilian attorney not under the qualifying authority of the Chief Counsel, USACE, who is assigned to environmental law duties by a staff or command judge advocate or command or chief counsel.

Environmental noise
The outdoor noise environment consisting of the noise, including ambient noise, from all sources. The noise environment of the work place is not considered environmental noise.

Environmental pollution
The condition resulting from the presence of chemical, mineral, radioactive, or biological substances that-

a. Alter the natural environment.
b. Adversely affect human health or the quality of life, biosystems, the environment, structures and equipment, recreational opportunities, aesthetics, and or natural beauty.

Environmental pollution control standards of general applicability in the host country or jurisdiction

a. These standards are the substantive pollution control standards applicable, in effect, and uniformly enforced according to-

(1) National pollution control laws of the host country, or,

(2) Regulations issued by host government agencies to implement national laws.

b. This term does not include pollution control standards enacted or adopted by local governmental units or political subdivisions that are the national pollution control laws that the host nation implements.

Environmental training
Instruction whose primary purpose is to provide measurable competence for doing specific environmental jobs or tasks. Some may be mandated by law or regulation. Commonly taught in a classroom, by such methods as lecture, discussion, or practical exercise. However, other methods may also be used. Environmental training includes both separate environmental courses and environmental content in non-environmental courses.

EPA Identification Number
The number assigned by EPA to each hazardous waste generator, transporter, and treatment, storage or disposal facility. Reference 40 CFR 260.10; 264.11; 265.11.

Estuary
Regions of interaction between rivers and near-shore ocean waters, where tidal action and river flow mix fresh and salt water. Such areas include bays, mouths of rivers, salt marshes, and lagoons. These brackish water ecosystems shelter and feed marine life, birds, and wildlife.

Extremely hazardous substance
A substance included in appendix A or B of 40 CFR 355.

Facility
Facilities include buildings, structures, public works, civil works, equipment aircraft, vessels, and other vehicles and property under control of, or constructed or manufactured for leasing to the Army.

Federally-owned treatment works
A facility that is owned and operated by a department, agency, or instrumentality of the Federal government treating wastewater, a majority of which is domestic sewage, prior to discharge in accordance with a permit issued under section 402 of the Federal Water Pollution Control Act.

Federally permitted release

a. Federally permitted releases include-

(1) Discharges in compliance with permits

issued under the FWPCAA; the Marine Protection, Research, and Sanctuaries Act of 1972; or the RCRA, as amended.

(2) Injection of fluids for enhanced oil recovery as authorized under the applicable State laws.

(3) Introduction of any pollutant into publicly-owned treatment works when such pollutant is specified and in compliance with applicable CWA pretreatment standards.

(4) Release of source, special nuclear or byproduct material in compliance with a legally enforceable license, permit, regulation, or order issued pursuant to the Atomic Energy Act of 1954.

b. See the national contingency plan for a more detailed definition.

Fees
Monetary charges by a regulator for some type of service. Examples include permits, registrations, inspections.

Fine
Any monetary penalty or assessment levied for violation of any environmental law or regulation.

Formerly Used Defense Sites (FUDS)
Those properties previously owned, leased or otherwise possessed or used by DOD for military purposes; or those properties conveyed to a contractor for industrial purposes under an official permit (Government owned-contractor operated) and later legally disposed of.

Groundwater
Water contained within the earth's subsurface that is under pressure equal to or greater than atmospheric pressure.

Harmful discharge (of oil)
Harmful discharges are such that they do at least one of the following-

a. Violate applicable water quality standards.

b. Cause a film or sheen upon, or discoloration of, the surface of the water or adjoining shorelines.

Hazardous chemical
A hazardous chemical is defined in 40 CFR 335 and 370 which implement EPCRA. Those sections define hazardous chemical as defined under 29 CFR 1910.1200(c), except that such term does not include the following substances:

a. Any food, food additive, color additive, drug, or cosmetic regulated by the Food and Drug Administration.

b. Any substance present as a solid in any manufactured item to the extent exposure to the substance does not occur under normal conditions of use.

c. Any substance to the extent it is used for personal, family, or household purposes, or is present in the same form and concentration as a product packaged for distribution and used by the general public.

d. Any substance to the extent it is used in a research laboratory or a hospital or other medical facility under the direct supervision of a technically qualified individual.

e. Any substance to the extent it is used in routine agricultural operations or is a fertilizer held for sale by a retailer to the ultimate customer.

Hazardous material
A material as defined by Federal Standard, Material Safety Data, Transportation Data and Disposal Data for Hazardous Materials Furnished to Government Activities ((FED-STD-313C, 3 April 96) (The General Services Administration has authorized the use of this federal standard by all federal agencies)).

a. Any item or chemical which is a 'health hazard' or "physical hazard" as defined by OSHA in 29 CFR 1910.1200, which includes the following:

(1) Chemicals which are carcinogens, toxic, or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, nephrotoxins, neurotoxins, agents which act on the hematopoietic system, and agents which damage the lungs, skin, eyes, or mucus membranes.

(2) Chemicals which are combustible liquids, compressed gases, explosives, flammable liquids, flammable solids, organic peroxides, oxidizers, pyrophorics, unstable (reactive) or water-reactive.

(3) Chemicals which in the course of normal handling, use, or storage operations may produce or release dusts, gases, fumes, vapors, mists or smoke which have any of the above characteristics.

b. Any item or chemical which is reportable or potentially reportable or notifiable as inventory under the requirements of the Hazardous Chemical Reporting (40 CFR Part 370), or as an environmental release under the reporting requirements of the Toxic Chemical Release Reporting: Community Right To Know (40 CFR Part 372), which include chemicals with special characteristics which in the opinion of the manufacturer can cause harm to people, plants, or animals when released by spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other receptacles).

c. Any item or chemical which, when being transported or moved, is a risk to public safety or an environmental hazard and is regulated as such by one or more of the following:

(1) Department of Transportation Hazardous Materials Regulations (49 CFR 100-180).

(2) International Maritime Dangerous Goods Code of the International Maritime Organization.

(3) Dangerous Goods Regulations of the International Air Transport Association.

(4) Technical Instructions of the International Civil Aviation Organization.

(5) U.S. Air Force Joint Manual, Preparing Hazardous Materials for Military Air Shipments (AFJMAN 24-204).

Hazardous materiel
Any materiel which contains hazardous material(s).

Hazardous substance
A substance as defined by section 101(14) of CERCLA

a. For the purposes of this regulation a hazardous substance is any of the following-

(1) Any substance designated pursuant to section 311(b)(2)(A) of the CWA.

(2) Any element, compound, mixture, solution, or substance designated pursuant to section 102 of the CAA.

(3) Any hazardous waste having the characteristics identified under the RCRA.

(4) Any toxic pollutant listed under TSCA.

(5) Any hazardous air pollutant listed under section 112 of the CAA.

(6) Any imminently hazardous chemical substance or mixture with respect to which the EPA Administrator has taken action pursuant to subsection 7 of TSCA.

b. The term does not include-

(1) Petroleum, including crude oil or any fraction thereof, which is not otherwise specifically listed or designated as a hazardous substance in paragraph a above.

(2) Natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures or natural gas and such synthetic gas usable for fuel).

c. A list of hazardous substances is found in 40 CFR 302.4.

Hazardous waste
A solid waste identified in 40 CFR section 261.3 or applicable foreign law, rule, or regulation (see also solid waste).

Hazardous waste disposal
As defined in 40 CFR section 260.10, disposal means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters.

Hazardous waste generator
The hazardous waste generator is defined in 40 CFR section 260.1. Any person, by site whose act or process produces hazardous waste identified or listed in part 261.10 or whose act first causes a hazardous waste to become subject to regulation. For reporting

purposes in the Army, the IC is considered the generator.

Hazardous waste storage
As defined in 40 CFR section 260.10, The holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of, or stored elsewhere.

Hazardous waste treatment
As defined in 40 CFR section 260.1. Any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize such waste, or so as to recover energy or material resources from the waste, or so as to render such waste non-hazardous or less hazardous; safer to transport, store, or dispose of; or amenable for recovery, amenable for storage, or reduced in volume.

Industrial installation
An installation that has the primary mission of producing, maintaining, or rehabilitating military material.

Inspections
Any visit by a regulatory agency, with legal authority, for the purpose of assessing regulatory compliance.

Installation
A grouping of facilities, located in the same general vicinity, over which the IC has authority.

Installation Compatible Use Zone (ICUZ)
A land use planning procedure employed to reduce the impact and annoyance of environmental noise through compatible land uses. This procedure is incorporated into and replaced by the Army Environmental Noise Management Program.

Installation On-scene Coordinator (IOSC)
The official who coordinates and directs Army control and cleanup efforts at the scene of an oil or hazardous substances discharge on or adjacent to any Army installation. The IOSC is pre designated by the Army installation commander.

Integrated pest management
The management of actual and potential pest problems using a combination of available preventive and corrective control measures. The biological effectiveness, environmental acceptability, and cost effectiveness of the measures must be considered before such measures can be approved for use on Army-controlled property.

Lead Contamination Control Act
A 1988 amendment to the Safe Drinking Water Act which required the U.S. Environmental Protection Agency to address exposure to lead in drinking water, especially to children.

Lead (Release) detection system
A system capable of detecting the failure of either the primary or secondary containment structure or the presence of a release of product waste or accumulated liquid in the secondary containment structure. Such a system must employ operational controls (e.g., daily visual inspections for releases into the secondary containment system of the aboveground tank) or consist of an interstitial monitoring device designed to detect continuously and automatically the failure of the primary or secondary containment structure in the presence of a release of hazardous waste into the secondary containment structure.

Life-cycle cost analysis
Determination of expenses incurred of a product or process over its entire existence. It includes all the cost of mining the raw materials to the eventual destruction of the product or process.

Listed hazardous substance
a. A substance designated under any of the following-
(1) Sections 207(a) and 311(b)(2)(A) of CWA.
(2) Section 112 of CAA.
(3) Section 7 of TSCA.
b. Any hazardous waste listed under or having the hazardous waste characteristics identified according to section 3001 of the RCRA.
c. Any substance listed under section 102 of CERCLA.

Listed quantity
Reportable quantity under section 311 of the CWA, or one pound.

Low level radioactive waste
Radioactive waste not classified as high level radioactive waste, transuranic waste, or a by-product material as defined in section 11e(2) of the Atomic Energy Act of 1954 (42 USC 2014 (e) (2). See also radioactive material below.

Materiel
All items (including ships, tanks, self propelled weapons, aircraft, etc., and related spares, repair parts, and support equipment, but excluding real property, installations, and utilities) necessary to equip, operate, maintain, and support military activities without distinctions as to its application for administrative or combat purposes.

Monitoring
The assessment of emissions and ambient air quality conditions. The following monitoring techniques are used:
a. Emission estimates.
b. Visible emission readings.
c. Diffusion or dispersion estimates.
d. Sampling or measurement with analytical instruments.

National Ambient Air Quality Standards (NAAQS)
Those standards established according to the CAA to protect health and welfare.

National Environmental Policy Act (NEPA)
U.S. statute that requires all Federal agencies to consider the potential effects of proposed actions on the human and natural environment.

National Response Team (NRT)
A team of representatives from the primary and advisory agencies that serves as the national policy-making body for planning and preparedness actions to prevent and minimize accidental pollution discharges.

Noise Zones I, II, and III
Land use planning areas for the purpose of maintaining uses that are compatible with the existing and future noise environments.

Non-point source
Diffuse sources of pollution (i.e., without a single point of origin or not introduced into a receiving stream from a specific outlet). Pollutants are generally carried off the land by stormwater or snow melt. Common non-point sources include agriculture, forestry, urban, construction, dams, channels, land disposal, saltwater intrusion, and city streets.

NPDES permit
A permit issued to a treatment works pursuant to section 402 of the Federal Water Pollution Control Act. A NPDES permit is required for the discharge of pollutants from any point source into waters of the United States.

Oil
Oil or petroleum products of any kind or in any form, and oil mixed with wastes other than dredged spoil. The terms oil and POL are used interchangeably in this regulation.

On-Scene Coordinator (OSC)
a. The Federal official pre-designated by EPA or USCG to coordinate and direct Federal responses under subpart D, and removals under subpart E, of the national contingency plan; or
b. The DOD or U.S. Department of Energy official designated to coordinate and direct the removal actions from releases of hazardous substances, pollutants, or contaminants where either the release is on, or the sole source of the release is from, any facility or vessel under the jurisdiction, custody, or control of their departments respectively; or,
c. The official designated by any other Federal department or agency to coordinate and direct removal actions other than emergencies where either the release is on, or the sole source of the release from, any facility or vessel under the jurisdiction, custody, or control of those departments and agencies.

Open burning
The combustion of any material without the characteristics below:

a. Control of combustion air to maintain adequate temperature for efficient combustion.

b. Containment of the combustion reaction in an enclosed device to provide enough residence time and mixing for complete combustion.

c. Control of emission of the gaseous combustion products.

Outgrant
Reference AR 405-80 for specific definitions. A real property legal document which conveys or gives the right to use Army-controlled real property, including leases, permits, licenses, and easements.

Point source
Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged.

Pollutant (water)
Dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water. In general, any material which is added to the water constitutes a pollutant.

Pollution
See environmental pollution.

Pollution prevention
Source reduction, as defined in the Pollution Prevention Act of 1990; and, any other practice that reduces or eliminates the creation of pollutants through increased efficiency in the use of raw materials, energy, water, or other resources.

Pollution Prevention Opportunity Assessment (PPOA)
Provides the technical and economic information necessary for selecting appropriate pollution prevention techniques.

Pretreatment
The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a treatment works.

Pretreatment standard
Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307(b) and (c) of the Federal Water Pollution Control Act, which applies to Industrial Users. This includes prohibitive discharge limits established pursuant to 40 CFR 403.5.

Primary agencies
The Federal departments or agencies comprising the NRT; i.e., the Departments of Commerce, Interior, Transportation, and Defense; and the EPA. These agencies have primary responsibility and resources to promote effective operation of the national oil and hazardous substances pollution contingency plan.

Primary Drinking Water Standards
Standards for those substances in drinking water which may cause an adverse health effect on the consumer. In the form of maximum contaminant levels, treatment techniques, or action levels, these standards are federally enforceable.

Publicly-owned treatment works
Any device or system used in the treatment (including recycling and reclamation) of municipal sewage or industrial wastes of a liquid nature which is owned by a state or municipality.

Public health and welfare
All or any factors affecting human health and welfare.

Qualifying recycling program
An organized operation that requires concerted efforts to:

a. Divert or recover scrap or waste form waste streams.

b. Identify, segregate, and maintain the integrity of the recyclable materials to maintain or enhance the marketability of the materials.

Radioactive material
Any material or combination of materials that spontaneously emit ionizing radiation.

Real property
This includes the definition for real property found in the Federal Property Management Regulations, 41 CFR 101-47.103.12.

Reclamation
Regeneration of a material, or processing of a material to recover a usable product. Examples include recovery of lead from spent batteries, or the regeneration of spent solvents.

Recycling
A material is recycled if it is used, reused, or reclaimed. A distinction exists between on-site recycling (that is, where a waste is discharged form a process, but not from the installation, for recycling) and off-site recycling (that is, were the waste is transported from the generating activity to an off-site recycler).

Regional Administrator
The regional administrator of the EPA regional office in which the subject property is located.

Regional Response Team (RRT)
A team of regional Federal representatives of the primary or selected advisory agencies. It acts within its region as an emergency response team that performs functions like those of the NRT.

Regulated tank
A tank constructed above, below, or on the ground, which is regulated by Federal or state authorities because it contains an oil or hazardous substance. Above ground tank requirements are found at 40 CFR 110, underground storage tank requirements at 40 CFR 280. Exceptions for heating oil tanks are found at 40 CFR 280.12. State regulations may be more stringent.

Release
A discharge of one or more hazardous substances into the environment by any means. Excluded are:

a. Minor releases within the workplace.

b. Emissions from engine exhaust.

c. Normal applications of fertilizer.

Reportable spill or event
A release of a reportable quantity of oil or hazardous substance into the environment.

a. For oil (defined by 40 CFR 110): A discharge of such quantities of oil into or upon the navigable waters of the United States, its adjoining shorelines, or the contiguous zone so as to meet the qualifications listed in harmful discharge (of oil) into navigable waters or into or beyond the contiguous zone above.

b. For hazardous substances: Any release of one or more reportable substances in reportable quantities into the environment, requiring:

(1) The EPA NRC to be notified immediately.

(2) All other reporting as required by this regulation.

Reuse
A material is used or reused if it is either:

a. Used as an ingredient (including use as an intermediate) in an industrial process to make a product (for example, distillation bottoms from one process used as a feedstock in another process).

b. Used in a particular function or application as an effective substitute (for example, spent battery acid accumulated by the DRMO could be used in industrial waste-water treatment facilities to precipitate phosphorous, and act as a sludge conditioner).

Secondary drinking water standards
Standards for those substances in drinking water which may affect the aesthetic quality of the water, but have no adverse health effects. In the form of secondary maximum contaminant levels, these standards are not

federally enforceable, but may be enforced by a state regulatory agency.

Sewage sludge
Any solid, semi-solid, or liquid residue removed during the treatment of municipal wastewater or domestic sewage.

Sludge
Any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility exclusive of the treated effluent from a wastewater treatment plant (40 CFR 260.10).

Small PCB Capacitor
A capacitor which contains less than 1.36 kg (3 lbs) of dielectric fluid. 40 CFR 761 (b)(2) permits the disposal of intact small PCB capacitors in municipal solid waste. If the capacitor is not intact or causes a release, the capacitor is regulated and subject to the PCB spill clean up policy (40 CFR 761.3).

Small Quantity Generator (SQG)
A hazardous waste generator who generates less than 1000 kg of hazardous waste (or less than one kilogram of acutely hazardous waste) in a calendar month. Subjected to less stringent requirements than a 'large quantity generator' for the management of hazardous waste (40 CFR 260.10; 262.34(d)-(f) and 262.44).

Sole source aquifer
A groundwater source demonstrated to be the only or primary viable source of drinking water for a community or an aquifer that supplies 50 percent or more of the drinking water of an area.

Solid waste
Any discarded material that is not excluded by section 261.4(a) or that is not excluded by variance granted under sections 260.30 and 260.31 (40 CFR 261.2).

Source reduction
Any practice which reduces the amount of any hazardous substance, pollutant, or contaminant entering any waste stream or otherwise released to the environment prior to recycling, treatment, or disposal; or, any practice which reduces the hazards to public health and the environment associated with the release of such substances, pollutants, or contaminants (Pollution Prevention Act of 1990).

Spill
A generic term, as used in this regulation, which encompasses the accidental and the deliberate but unpermitted, discharge or release of a pollutant. For distinction, see discharge classifications, harmful discharge (etc.), potential discharge, release, and reportable spill or event. For comparison, see discharge and federally permitted release.

Status of Forces Agreements (SOFAs)
Agreements on the stationing or operations of forces to which the United States is a party, such as:

a. Multilateral or bilateral stationing or base rights agreement.

b. Arrangements or understanding concluded thereunder.

Storage
The holding of hazardous substances (as defined in this section), other than for a temporary period of less than 30 days, prior to the hazardous substance being either used, neutralized, disposed of, or stored elsewhere.

Surface water
All water naturally open to the atmosphere (rivers, lakes, reservoirs, ponds, streams, impoundments, seas, estuaries, etc.) and all springs, wells, or other collectors directly influenced by surface water.

Tank
Any stationary device, designed to contain an accumulation of used oil (40 CFR 279.1) or hazardous waste (260.10), oil (40 CFR 112 and 40 CFR 280.12) or regulated substance (40 CFR 280.12) which is constructed primarily of non-earthen materials (e.g., wood, concrete, steel, plastic) which provides structural support.

Toxic chemical
A chemical listed in 40 CFR 372.65 or added to that list by the EPA and required to be reported yearly in the EPCRA Toxic Releases Inventory.

Toxic pollutant
Those pollutants or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will cause death; disease; behavioral abnormalities; cancer; generic mutations physiological malfunctions, including malfunctions in reproduction; or physical deformations in such organisms or their offspring. For pollution reduction purposes, EO 12856 defined a toxic pollutant to be, at a minimum, any EPCRA Section 313 toxic chemical. Under EO 12856, a toxic pollutant may also include any of the following: EPCRA extremely hazardous substances, RCRA hazardous wastes, and hazardous air pollutants under the Clean Air Act.

Transfer
Reference AR 405-90. Change in jurisdiction over real property from one federal agency or department to another, including military departments and defense agencies.

Treatment
Any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize such waste, or so as to recover energy or material resources from the waste, or so as to render such waste non-hazardous, or less hazardous; safer to transport, store, or dispose of; or amenable for recovery, amenable for storage, or reduced in volume.

Ultimate disposition
This term includes recycling or reuse, and storage, treatment, and disposal per applicable regulations.

Underground injection
Subsurface emplacement of fluids, often wastes, through a bored, drilled or driven well.

U.S. jurisdiction
The 50 states, the District of Columbia, the commonwealths of Puerto Rico and the Northern Mariana Islands, the territories of Guam and American Samoa, the U.S. Virgin Islands, and any other territory or possession over which the United States has jurisdiction.

Vessel
Any type of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, other than a public vessel.

Waste minimization

a. Any source reduction or recycling activity that is undertaken by a generator that results in the reduction of the quantity of hazardous waste, or the reduction in toxicity of hazardous waste, that is either generated or subsequently treated, stored, or disposed of. Such activities must be consistent with the goals of minimizing present and future threats to human health and the environment.

b. A working definition of waste minimization reflects two types of activities, source reduction or elimination of waste at the point of generation (for example, within a process), and recycling.

Wastewater
The spent or used water from individual homes, a community, a farm, or an industry that contains dissolved or suspended matter.

Water conservation
The beneficial reduction of water uses or water losses.

Watershed
A region or area bounded peripherally by a water parting and draining ultimately to a particular watercourse or body of water.

Waterworks permit
Any permit required to operate a drinking water treatment facility, such as a source water appropriation permit or an operating permit.

Wellhead protection area
The surface and subsurface area surrounding a water well or wellfield, supplying a public water system, through which contaminants

are reasonably likely to move toward and reach such well or wellfield.

Wetland
Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include playa lakes, swamps, marshes, bogs, and similar areas such as sloughs, prairie potholes, wet meadows, prairie river overflows, mudflats, and natural ponds.

Section III
Special Abbreviations and Terms
This section contains no entries

Index

This index is organized alphabetically by topic and subtopic. Topics and subtopics are identified by paragraph number.

MANAGEMENT CONTROL EVALUATION CERTIFICATION STATEMENT

For use of this form, see AR 11-2; the proponent agency is ASA(FM).

1. REGULATION NUMBER

2. DATE OF REGULATION

3. ASSESSABLE UNIT

4. FUNCTION

5. METHOD OF EVALUATION *(Check one)*

	a. CHECKLIST		b. ALTERNATIVE METHOD *(Indicate method)*
	APPENDIX *(Enter appropriate letter)*		

6. EVALUATION CONDUCTED BY

a. NAME *(Last, First, MI)*

b. DATE OF EVALUATION

7. REMARKS *(Continue on reverse or use additional sheets of plain paper)*

8. CERTIFICATION

I certify that the key management controls in this function have been evaluated in accordance with provisions of AR 11-2, Management Control . I also certify that corrective action has been initiated to resolve any deficiencies detected. These deficiencies and corrective actions *(if any)* are described above or in attached documentation. This certification statement and any supporting documentation will be retained on file subject to audit/inspection until superseded by a subsequent management control evaluation.

a. ASSESSABLE UNIT MANAGER

(1) TYPED NAME AND TITLE

b. DATE CERTIFIED

(2) SIGNATURE

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