

**7 FEBRUARY 2001**



**Civil Engineering**

**THE ENVIRONMENTAL RESTORATION  
PROGRAM**

**COMPLIANCE WITH THIS PUBLICATION IS MANDATORY**

---

**NOTICE:** This publication is available digitally on the AFDPO WWW site at:  
<http://www.e-publishing.af.mil>

---

OPR: HQ USAF/ILEVR (Lt Col D. Roe)  
Supersedes AFI 32-7020, 19 May 1994

Certified by: HQ USAF/ILEV (Col B. Miller)  
Pages: 28  
Distribution: F

---

This Air Force Instruction (AFI) implements Air Force Policy Directive 32-70, *Environmental Quality*. It provides guidance and procedures for executing the *Air Force Environmental Restoration Program*, referred to as the cleanup program. This AFI implements the *Defense Environmental Restoration Program (DERP)*, as outlined in Department of Defense (DoD) Instruction DoDI 4715.7, *Environmental Restoration Program*, 22 April 1996 as supplemented by DoD DERP Management Guidance, 17 March 1998. The following AFIs provide guidance on the environmental restoration program:

AFI 32-7001, *Environmental Budgeting*.

AFI 32-7002, *Environmental Information Management System*.

AFI 32-7066, *Environmental Baseline Surveys in Real Estate Transactions*.

AFI 32-7004, *Environmental Education Training*.

This instruction applies to Air Force operations on active, reserve, and Air National Guard, non-Base Realignment and Closure (BRAC) installations in the United States, its territories, and possessions. For cleanup in foreign countries, refer to AFI 32-7006, *Environmental Program in Foreign Countries*. The Air Force's Environmental Restoration Program (ERP) Management Guidance implements this AFI. Maintain and dispose of all records in accordance with AFMAN 37-139, *Records Disposition Schedule*.

**SUMMARY OF REVISIONS**

This change incorporates substantive revisions to all sections of the 19 May 1994 version of AFI 32-7020. Reformatting and editing have been made to meet the requirements of AFI 33-360, Vol. 1, 31 July 1998, *Communications and Information Publication Management Program*. This change incorporates the International Organization for Standardization 14000 format for an Environmental Management System; deletes figure 1.1 Air Force Environmental Restoration Program Responsibilities and replaces paragraph **1.2**. (Funding Support) with an extensive section on descriptions of Air Force functional programmatic responsibilities (Responsibilities); inserts a new paragraph **1.3**. (Principles) that outlines the primary planning factors for the program; inserts a new paragraph **1.5**. (Permit Exemption) specifying Air Force policy

on obtaining permits or permit equivalents for on-site Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) environmental response actions; inserts a new paragraph 1.7. (Contracting from non-DoD Agencies) that describes requirements and procedures for contracting such actions; inserts a new paragraph 1.8. incorporating policy on natural resources injury; inserts a new paragraph 1.9. incorporating policy on land use controls; revises Chapter 2 to include paragraphs on Program Eligibility (2.1.), Program Budget Development and Execution (2.2.), Administrative Record (2.3.), Environmental Restoration Program Decision Documents (2.4.) and Legal Agreements (2.5.); adds a new Chapter 4 specifying key aspects of implementation including MAJCOM Reviews, peer reviews and regulator meetings.

<b>Chapter 1— POLICY</b>	<b>4</b>
1.1. Program Goal of the Air Force Environmental Restoration Program .....	4
1.2. Responsibilities. ....	4
1.3. Principles. ....	8
1.4. Legal Aspects. ....	8
1.5. Permit Exemption. ....	10
1.6. Property Transfer. ....	10
1.7. Contracting Support from non-DoD Agencies. ....	11
1.8. Integration of Natural Resource Injury. ....	11
1.9. Land Use Controls (LUC). ....	12
<b>Chapter 2— Planning</b>	<b>13</b>
2.1. Program Eligibility. ....	13
Table 2.1. ERA Category Summary for ERP Activities. ....	13
2.2. Program Budget Development and Execution. ....	14
2.3. Administrative Record. ....	15
2.4. Environmental Restoration Program Decision Documents. ....	15
2.5. Legal Agreements. ....	16
<b>Chapter 3— IMPLEMENTATION</b>	<b>18</b>
3.1. Inventory Management. ....	18
3.2. Schedule-to-Complete and Cost-to-Complete. ....	18
3.3. Management Action Plan. ....	18
3.4. Stakeholder Involvement and Restoration Advisory Boards. ....	18
3.5. Defense and State Memoranda of Agreement and Cooperative Agree .....	19
3.6. Military Construction, Military Family Housing Funded Projects. ....	19

**Chapter 4— PERFORMANCE EVALUATION**

4.1. Major Command Reviews. .... 20

4.2. Peer Reviews. .... 20

4.3. Regulator Meetings. .... 20

**Attachment 1— GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION**

## Chapter 1

### POLICY

**1.1. Program Goal of the Air Force Environmental Restoration Program .** The ERP implements the goals and responsibilities of the DERP in the Air Force. The goal of the Air Force ERP is to reduce risks to human health and the environment due to contamination from past Air Force activities in a cost effective manner and in a manner that fosters community support.

1.1.1. The scope of the Air Force ERP includes:

1.1.1.1. Cleanup and restoration of sites contaminated with toxic and hazardous substances, low level radioactive materials, petroleum, oils, lubricants and other pollutants and contaminants. Releases known to have occurred entirely after 1 January 1984 are ineligible for Air Force Environmental Restoration Account (ERA) funding. ERA eligibility is not determinative of what statutes and legal requirements apply to any given release. **NOTE:** Radioactive materials are defined as wastes not classified as high level radioactive waste, transuranic waste, spent nuclear fuel, or byproduct material as defined in paragraph 11e(2) of the Atomic Energy Act.

1.1.1.2. Air Force installations in the United States, its territories, and possessions under the management and control of active Air Force, Air Force Reserves, or Air National Guard. **NOTE:** The Air Force Base Conversion Agency manages Environmental Restoration issues for closing or realigning Air Force installations.

1.1.1.3. Government-owned, contractor-operated facilities located on real property managed and controlled by the Air Force.

1.1.1.4. Third party sites (TPS): Off-installation areas or locations within the United States and its territories, not owned, leased or otherwise possessed by the United States Government, at which the Air Force is alleged to be liable for the costs of response actions to clean up releases of hazardous substances under the CERCLA and/or other applicable law. Areas or locations formerly owned, operated or otherwise possessed by the United States and under the former jurisdiction of the DoD, to include the Air Force, at which a component is responsible for response costs (also known as Formerly Utilized Defense Sites (FUDS)), are generally referred to the U.S. Army Corps of Engineers for resolution. All TPS that are not FUDS, are generally outside of the scope of the Air Force ERP and DERP (see paragraphs 1.2.5. and 1.2.6. for Air Force activities with TPS responsibility).

1.1.1.5. Off-installation areas where Air Force contaminants may have migrated from within Air Force, Air Force Reserve, or Air National Guard facility boundaries.

## 1.2. Responsibilities.

1.2.1. The Deputy Assistant Secretary of the Air Force for Environment, Safety, and Occupational Health (SAF/MIQ) has responsibilities that include, but are not limited to, developing restoration program policies and directions, overseeing the cleanup program, and acting as liaison with Deputy Under Secretary of Defense for Environmental Security (DUSD(ES)), the Congress and external organizations. SAF/MIQ:

1.2.1.1. Exercises and delegates statutory executive authority to conduct the AF Environmental Restoration Program.

1.2.1.2. Represents the Air Force on environmental issues requiring Secretariat attention to the Congress, other Federal agencies, state, local and tribal governments.

1.2.1.3. Develops policy and provides oversight of relations with Congress, other Federal agencies, state, local and tribal governments.

1.2.1.4. Develops policy and provides oversight of Air Force stakeholder involvement programs and initiatives.

1.2.1.5. Approves agreements with regulatory agencies as set forth in paragraph 2.5. (Legal Agreements).

1.2.2. The Air Force Office of General Counsel for Installations and Environment (SAF/GCN) is responsible for providing legal counsel to SAF/MIQ on restoration matters.

1.2.3. The Air Force Office of Public Affairs (SAF/PAM) is responsible for providing overall program support, policy, and guidance regarding public affairs activities in support of the ERP as specified in AFI 35-101, *Public Affairs Policies and Procedures*, 1 December 1999.

1.2.4. The Headquarters Air Force Civil Engineer (HQ USAF/ILE) has overall responsibility for the execution of the ERP and oversees implementation of policy and guidance, develops budgets, and advocates for resources. Under the Chief, Environmental Division (HQ USAF/ILEV), the Environmental Restoration Branch (HQ USAF/ILEVR):

1.2.4.1. Develops the Air Force's restoration goals and measures of merit.

1.2.4.2. Oversees and monitors ERP execution.

1.2.4.3. Prepares and distributes updates to AFI 32-7020.

1.2.4.4. Prepares and distributes the Air Force's ERP Guidance.

1.2.4.5. Compiles and submits the Air Force Environmental Restoration Account (ERA) budget.

1.2.4.6. Advocates for ERA funds.

1.2.4.7. Promotes initiatives that reduce cleanup time, costs, and risks to human health and the environment.

1.2.4.8. Supports SAF/MIQ in DoD In-Progress Reviews and other briefings.

1.2.4.9. Represents the Air Force in stakeholder initiatives.

1.2.4.10. Establishes Air Force-specific, ERA eligibility requirements.

1.2.4.11. Ensures and maintains the current budget, program management, program execution, and site cleanup information.

1.2.4.12. Ensures environmental data and reports are provided to the Agency for Toxic Substances and Disease Registry (ATSDR) upon request.

1.2.4.13. Oversees the execution of the Defense and State Memorandum of Agreement (DSMOA) program for the Air Force.

1.2.4.14. Maintains the Air Force Restoration Information Management System (AFRIMS).

1.2.4.15. Reviews and coordinates installation cleanup agreements, Interagency Agreements (IAGs), and Federal Facility Agreements (FFAs).

1.2.5. The HQ Air Force Center for Environmental Excellence (HQ AFCEE) and AFCEE Regional Environmental Offices (REOs) are responsible for providing technical expertise, contract services, and strategic planning to Air Force installations, MAJCOMs, and the Air Staff as requested. HQ AFCEE:

1.2.5.1. Serves as regional point of contact for liaison activities with state and federal agencies for the ERP and serves as the primary point of contact for TPS.

1.2.5.2. Provides TPS technical litigation support, and incorporates TPS budget and funding requests through HQ USAF/ILEVR for execution of TPS funding requirements.

1.2.5.3. Provides technical and contracting staff to assist in the execution of the ERP as a Service Center in support of Headquarters Air Force (HAF) and the MAJCOMs.

1.2.5.4. Provides the MAJCOMs with the cost of doing business through AFCEE to support the cost/benefit analysis in their environmental service center selection process.

1.2.5.5. Develops and promotes deployment of innovative technologies and reports on their use.

1.2.5.6. Supports strategic and program planning, and negotiations with regulators.

1.2.5.7. Interfaces with other services as directed by HAF, and in the execution of the responsibilities of a center of expertise.

1.2.5.8. Provides technical expertise and support for Peer reviews.

1.2.5.9. Manages the Environmental Resource Program Information Management System (ERPIMS).

1.2.5.10. Cross-feeds restoration information and knowledge gained through service agent experience.

1.2.5.11. Provides overall program management and execution of DSMOA.

1.2.5.12. Provides stakeholder involvement and environmental risk communication support for MAJCOMs and installations.

1.2.6. Air Force Legal Services Agency, Environmental Law and Litigation Division (AFLSA/JACE):

1.2.6.1. Provides legal support to HQ USAF/ILEV, to include policy, instruction, guidance and coordination, legal reviews, regulatory negotiations, and legal advice concerning Air Force ERP requirements.

1.2.6.2. Provides legal guidance and support to MAJCOM, HQ AFCEE and AFCEE REO equivalents as required, including recommendations for policies and positions on Air Force environmental legal matters, as necessary to ensure consistent implementation by the MAJCOMs and AFCEE REOs.

1.2.6.3. Investigates and resolves allegations of Air Force liability at TPSs.

- 1.2.6.4. Coordinates resolutions of alleged Air Force liability or responsibility for TPS with EPA, Federal and state agencies, the Department of Justice (DoJ), SAF/GCN, SAF/MIQ, HQ USAF/ILEVR, and HQ AFCEE.
- 1.2.6.5. Manages litigation and settlements that involve the Air Force ERP and TPS.
- 1.2.6.6. Provides support to the DoJ on all Air Force ERP and TPS litigation.
- 1.2.7. Air Force Medical Operations Agency, Environmental and Occupational Health Division (AFMOA/SGOE):
  - 1.2.7.1. Provides technical and policy development assistance to SAF/MIQ and AF/ILE.
  - 1.2.7.2. Provides program support, policy, and guidance regarding human health risk assessment, and environmental sampling and monitoring.
  - 1.2.7.3. Serves as the Air Force's liaison to the ATSDR.
  - 1.2.7.4. Provides health risk communications support to MAJCOMs and installations.
- 1.2.8. MAJCOMs, Air National Guard, 11th Wing, U.S. Air Force Academy, and HQ AFCEE:
  - 1.2.8.1. Ensures Air Force restoration policy and guidance is disseminated to, and implemented by, subordinate field units.
  - 1.2.8.2. Develops command-specific guidance as appropriate.
  - 1.2.8.3. Programs and ensures subordinate units maintain all restoration requirements in the AFRIMS.
  - 1.2.8.4. Validates ERA eligible requirements.
  - 1.2.8.5. Negotiates, reviews and approves, subject to existing delegations of authority, installations IAGs, FFAs and other cleanup agreements or arrangements.
  - 1.2.8.6. Ensures subordinate units designate in writing an installation Remedial Project Manager (RPM) with the responsibility to manage ERP sites at that installation.
  - 1.2.8.7. Ensures that subordinate units develop and maintain administrative records.
  - 1.2.8.8. Ensures subordinate units establish and document the rationale for service center selection to consider quantitative and qualitative factors and select the least cost and/or highest quality service center.
  - 1.2.8.9. Establishes Memoranda of Agreement with DoD environmental service agencies (e.g. HQ AFCEE, USACE, etc.) to delineate MAJCOMs, subordinate units, and service center responsibilities to include a list of services and associated costs, and the method for calculating overhead rates.
  - 1.2.8.10. Conducts program reviews to HQ USAF/ILEVR upon request.
  - 1.2.8.11. Oversees subordinate units' compliance with applicable laws, regulations, policies, and guidance for the ERP.
  - 1.2.8.12. Ensures that ERP project cost estimates are prepared using the Remedial Action Cost Engineering and Requirements (RACER).

1.2.8.13. Ensures subordinate units establish and document the rationale for site specific cost estimates and their changes.

1.2.8.14. Ensures that subordinate units support the DSMOA program.

1.2.8.15. Validates Areas of Concerns (AOCs) that are proposed for inclusion in the ERP.

1.2.9. Air Force Civil Engineering Services Agency (AFCESA) supports and maintains the RACER system.

**1.3. Principles.** The Air Force ERP mission is to identify, investigate, and clean up contamination associated with past Air Force activities as necessary to protect human health and the environment. The Air Force executes cleanup and completes site close-out using a “risk plus other factors” approach for setting priorities, through building productive partnerships with regulators, community based decision making, and implementation of effective and efficient cleanup technologies. **NOTE:** The *Federal Facilities Environmental Restoration Dialogue Committee (FFERDC) Final Report* (April 1996) was endorsed by SAF/MIQ on 15 April 1996, and HQ USAF/ILE on 29 July 1996.

#### **1.4. Legal Aspects.**

The primary statutes governing restoration activities are CERCLA, DERP and the Resource Conservation and Recovery Act (RCRA).

1.4.1. CERCLA, 42 USC Sections 9601 et. seq.: CERCLA and the implementing National Contingency Plan (NCP), 40 CFR Part 300, primarily govern Air Force ERP activities at National Priorities List (NPL) and non-NPL installations and sites. The Air Force has been delegated “lead agency authority” to respond to releases or potential releases of hazardous substances and other pollutants and contaminants on or from Air Force installations in the United States, and its territories and possessions. The Air Force’s primary authority to respond to releases of hazardous substances is CERCLA Section 104 as delegated to the Air Force in Executive Order 12580. Lead agency means the agency having the delegated authority to plan and implement response actions under the NCP.

1.4.2. DERP, 10 USC Sections 2701 et. seq.: DERP is a complementary but independent legislative grant of authority to DoD to respond to all types of toxic and hazardous releases from its facilities. DoD authority is broader under DERP than CERCLA but must be carried out consistent with CERCLA Section 120 and extends to:

1.4.2.1. The identification, investigation, research and development, and cleanup of contamination from hazardous substances, pollutants and contaminants which are to be carried out subject to and in accordance with CERCLA.

1.4.2.2. The remediation of other environmental problems that pose an imminent and substantial endangerment to the public health, welfare or the environment, such as disposal of unexploded ordnance.

1.4.2.3. The demolition and removal of unsafe buildings and other structures formerly used by or under the jurisdiction of the Secretary of Defense.

1.4.3. RCRA: Air Force ERP activities may be governed under RCRA for sites identified under an Air Force installation’s RCRA treatment, storage, or disposal (TSD) permit or, an interim status corrective action order. Under an installation RCRA TSD permit or order, sites identified as solid waste

management units (SWMU) may be eligible for ERA funding. 40 CFR 264 and 265 and/or counterpart state requirements govern the RCRA Corrective Action Program.

#### 1.4.4. CERCLA/RCRA Integration.

1.4.4.1. Both CERCLA and DERP subject the Air Force to the requirements of CERCLA in our responses to releases of hazardous substances, contaminants and pollutants (42 USC Section 9620(a) and 10 USC Section 2701)). Both RCRA and CERCLA also subject us to the requirements of RCRA, to include corrective action provisions in applicable TSD permits or interim status corrective action orders (42 USC Sections 6961 and 9620(i)). Accordingly, for releases of RCRA listed or characteristic hazardous waste, both CERCLA response action and RCRA corrective action requirements may apply. The Air Force seeks to maximize the use of its CERCLA and DERP lead agency response authority by integrating/incorporating RCRA corrective action requirements with our CERCLA responses and authorities, except as provided in paragraph [1.4.4.3](#).

1.4.4.2. The integration of RCRA requirements into the Air Force CERCLA process may be provided formally in a new cleanup agreement, consent order or other arrangement. SAF/MIQ, through AF/ILE, must approve such negotiations and the final agreement, order or arrangement.

1.4.4.3. An installation may request SAF/MIQ approval to enter a new cleanup agreement, consent order or other arrangement whereby we respond to releases of CERCLA hazardous substances solely under the authority of RCRA or other appropriate federal and state authority (42 U.S.C. Section 9620(d)(2)(B)). SAF/MIQ, through AF/ILE, must approve the final agreement, order or arrangement.

1.4.4.4. Responding to releases of contaminants which are not CERCLA hazardous substances, such as petroleum products under RCRA Underground Storage Tank (UST) corrective action requirements, does not require SAF/MIQ approval as such releases are not subject to CERCLA.

1.4.4.5. CERCLA/RCRA integration issues are complex and generally should be referred to the installation legal office and MAJCOM equivalents.

1.4.5. Environmental Restoration Under State Response Laws. CERCLA Section 120(a)(4) specifies that at our non-NPL installations state removal and remedial action laws, to include enforcement laws, shall apply to our CERCLA response actions (42 U.S.C. Section 9620(a)(4)). It is Air Force policy to maximize the use of our CERCLA authority and response actions to satisfy state response laws at non-NPL facilities. Installations, with prior SAF/MIQ approval, may enter into new cleanup agreements or other arrangements whereby state response law requirements are formally integrated into our CERCLA responses, and SAF/MIQ, through AF/ILE, must approve the final agreement or arrangement. In limited circumstances, an installation may propose to respond to releases of CERCLA hazardous substances, at non-NPL facilities, solely under authority of state response laws through a new cleanup agreement or other arrangement; however SAF/MIQ approval to enter into such negotiations and of the final agreement or arrangement is required (42 U.S.C. Section 9620(d)(2)(B)). It is Air Force policy to maximize the exercise and preservation of its CERCLA authorities. Responding solely under other legal authorities may prejudice these authorities.

1.4.6. National Environmental Policy Act (NEPA). The DoJ has stated NEPA does not apply to CERCLA response actions. Air Force policy is that installations are not required to comply with NEPA's requirements when conducting CERCLA response actions.

**1.5. Permit Exemption.** Under CERCLA Section 121(e)(1) and 40 CFR 300.400(e), on-site CERCLA response actions are exempt from requirements to obtain federal, state, and local permits for NPL and non-NPL facilities.

1.5.1. Scope. The permit exemption applies to on-site response actions conducted under our CERCLA authority. As defined by 40 CFR 300.5 and 300.400(e), on-site refers to the areal (both surface areas and the air above the contamination) extent of contamination and all suitable areas in very close proximity to the contamination necessary for implementation of the response action. The permit exemption applies to all media specific permits that could otherwise be required for response actions, such as a Clean Water Act, National Pollutant Discharge Elimination System permit, water appropriation permits, and Clean Air Act permits.

1.5.2. Air Force Permit Policy. The Air Force policy is to not renew or obtain new permits or permit equivalents for on-site CERCLA response actions. As required under the CERCLA and the NCP, installations shall identify and meet the substantive cleanup requirements, which would otherwise be identified in and required by such permits under CERCLA, through the Applicable or Relevant and Appropriate Requirements (ARARs) identification process. Exception to this policy shall be on a case-by-case basis, contingent upon written approval of SAF/MIQ, through AF/ILE.

1.5.3. Actions Taken Under Other Legal Authority. If the Air Force is conducting responses to CERCLA hazardous substances, pollutants or contaminants, under a legal authority other than CERCLA, the permit exemption and Air Force policy do not apply (i.e., "arrangements" under 42 U.S.C. Section 9620(d)(2)(B)). Similarly, responses to substances that are not CERCLA hazardous substances, pollutants or contaminants, (and therefore not subject to CERCLA) are not subject to the CERCLA permit exemption and the Air Force policy. Integrated actions, whereby the Air Force responds both under CERCLA and another legal authority, are subject to the CERCLA permit exemption and the Air Force permit policy. The Air Force does not obtain permits for CERCLA on-site response actions or submit to permit equivalency processes. Accordingly, while an installation has to obtain and renew RCRA TSD permits where required, and is subject to interim status corrective action orders where applicable, as long as the installation is conducting response actions under our CERCLA authority, permits are not required for actual on-site response actions.

## **1.6. Property Transfer.**

1.6.1. This policy applies to all property transfers to other federal agencies or service components. In general, federal agencies that accept accountability of real property excessed by a DoD component shall assume responsibility for restoration activities at the property. The losing component is responsible for proper transfer of all files and records prior to the transfer of the property as coordinated with the appropriate records manager at the gaining agency. DoD components will not accept property excessed by another federal agency unless the agency certifies that the requirements of CERCLA Section 120(h) have been met and provides supporting reports and documentation. This policy does not preclude military services from making separate agreements under unusual or extenuating circumstances. Prior to making such agreements, MAJCOMs involved in real property transfer must first obtain written concurrence from SAF/MIQ, through AF/ILE. MAJCOMs shall pay for sustained cleanup, study, and management costs through their existing allocation; i.e. MAJCOMs will not receive additional funds for maintaining the restoration program for sites after real property transfer. Schedules will be developed and included as part of these agreements indicating specific milestones for funding and execution responsibilities.

1.6.2. Installation transfer within the Air Force. MAJCOMs that gain accountability of a transferring Air Force installation shall assume responsibility and issue guidance for the restoration activities at the installation. The losing MAJCOM is responsible for providing the gaining MAJCOM all ERP reports and a history of response actions taken prior to the transfer of the property. MAJCOMs shall agree upon a timeline for the transfer of projects and funding responsibility.

1.6.3. Installations undergoing BCA transfer should refer to the BRAC Cleanup Plan Guidebook (1993).

**1.7. Contracting Support from non-DoD Agencies.** Contracting support from non-DoD agencies requires specific justification. Coordinate with servicing procurement offices and legal counsel to determine current SAF/AQ policy.

1.7.1. Interagency Orders. The Economy Act (31 U.S.C. 1535) allows for interagency ordering of supplies and services under certain conditions. MAJCOMs and installations must follow current acquisition policy guidance when using non-DoD activities to accomplish ERP requirements. MAJCOMs and installations are encouraged to seek guidance and assistance from Air Force contracting officers as early as possible in the acquisition planning process.

1.7.2. Acquisition Policy. The Federal Acquisition Regulation (FAR) and its DoD Supplement, DFARS, require that interagency acquisitions under the Economy Act contain an approved Determination and Finding (D&F) prior to funds being transferred to a non-DoD agency. The detailed Air Force policy is contained in the Air Force Supplement to the Federal Acquisition Regulation (AFFARS) Subpart 5317.5, "Interagency Acquisitions Under the Economy Act." A D&F is not required for the transfer of funds within DoD.

**1.8. Integration of Natural Resource Injury.** On 2 May 2000, DUSD(ES) issued to the Services an "Interim Policy on Integration of Natural Resource Injury Responsibilities and Environmental Restoration Activities." On 18 May 2000, SAF/MIQ adopted this policy and directed its incorporation into Air Force instructions and guidance documents. This DUSD(ES) policy is hereby incorporated by reference into this instruction, and is fully applicable as Air Force policy to require the integration of natural resource injury considerations into the ERP cleanup process at Air Force facilities.

1.8.1. Under CERCLA, responsible parties are liable for the costs to restore, replace or acquire equivalent natural resources when such resources are injured, destroyed or lost due to releases of CERCLA hazardous substances, to include the reasonable costs of assessing such injury, destruction or loss (42 USC Section 9607(a)(4)). Lead agencies are further required to attempt to coordinate the assessments, investigations and planning for CERCLA response actions at their facilities with Federal and state trustees of the affected natural resources (42 USC Section 9604(b)(2), 40 CFR Section 300.430(b)(7)). Designated federal and state trustees are required to act on behalf of the public to assess and recover damages to natural resources, and use any sums recovered to restore, replace or acquire the equivalent of such natural resources (42 USC Section 9607(f)). A trustee may agree to a covenant not to sue for such damages to natural resources if the potentially responsible party agrees to take appropriate actions necessary to protect and restore the damaged natural resources (42 USC Section 9622(j)). The Air Force is a designated federal trustee at its installations (40 CFR Section 300.600(b)(3)).

1.8.2. Whenever practicable, at sites where we are both a potentially responsible party/lead agent and a natural resource trustee, (i.e., Air Force installations and facilities such as GOCOs), we are to iden-

tify injury to natural resources and redress such injury during the site assessment, investigation, and remedy selection and implementation process. The primary method to achieve this integration is the ecological risk assessment conducted during the RI/FS phase of the cleanup process. The resulting information should then be used to determine which response alternative would best redress past natural resource injury, and whether an alternative would itself cause additional injury. Whenever practicable and consistent with the CERCLA and NCP remedy selection process, a response action that results in the least amount of residual natural resource injury should be selected.

1.8.3. Other trustees (federal, state and Tribal as applicable) should be consulted and coordinated with as early as possible in the remedial evaluation, investigation and selection process. While trustees do not have a decision-making role in the selection or implementation of remedies, their early involvement is crucial in assessing, integrating and minimizing residual natural resource injury.

1.8.4. The natural resource integration policy and requirements apply to any release of CERCLA hazardous substances, whether the response/cleanup action is conducted under CERCLA and/or other legal authority. Installations are required to address our CERCLA obligations, responsibilities and authorities both as a lead agency/responsible party and as a trustee of natural resources.

**1.9. Land Use Controls (LUC).** On 31 Aug 2000, DUSD(ES) issued "Interim Policy on Land Use Controls Associated with Environmental Restoration Activities." SAF/MIQ adopted this policy on 11 Sep 00. Both the policy and guidance documents attached to the DUSD(ES) policy are incorporated by reference into this instruction.

1.9.1. Memorandum of Agreement/Understanding (MOA/U). Air Force installations, state environmental regulatory agencies and/or EPA may enter into MOA/Us respecting land use controls/institutional controls (LUCs/ICs) if the MOA/Us do not significantly deviate from the DoD and Service model. This model MOA was originally entered into by the EPA, state of Florida, and the Services. All such MOA/Us must be forwarded through the MAJCOM/CEs and MAJCOM/JAs to HQ USAF/ILEVR and AFLSA/JACE, respectively, for consistency reviews. HQ USAF/ILEVR and AFLSA/JACE will consult with SAF/MIQ and SAF/GCN, as appropriate, for approval to enter into LUC/IC MOA/Us. MOA/Us not following the model agreement must be approved by SAF/MIQ and are subject to 72 hour DUSD(ES) and Component review.

1.9.2. MAJCOMs must review any existing LUC/IC policies or guidance and revise, as necessary, to ensure consistency with DUSD(ES) and SAF/MIQ policies, guidance, directives and instructions. MAJCOM supplementation must be reviewed by SAF/MIQ to ensure consistency with DUSD(ES) policy and guidance, and should be staffed to SAF/MIQ through HQ USAF/ILEVR.

## Chapter 2

## PLANNING

**2.1. Program Eligibility.** ERA eligible activities are identified in [Table 2.1](#). The three ERA funding categories are study, cleanup, and management and manpower.

**Table 2.1. ERA Category Summary for ERP Activities.**

Activity	Mgt Mpr	Study	Cleanup
CERCLA Response Activities (See Section <a href="#">2.1.1</a> ) -- PA, SI, RI, FS, ROD/DD -- IRA, RD, RA, RA-O, LTM -- EE/CAs performed in association with the study or cleanup phase of a site or sites shall be categorized appropriately as study or cleanup.		• •	• •
RCRA Corrective Actions (See Section <a href="#">2.1.2</a> ) -- RFI, CMS -- ICM CMD, CMI -- PCO		• •	• •
Salaries (civil servants), travel and training	•		
Third Party Sites		•	•
Legal support, fines and penalties (See Section <a href="#">2.5.4</a> )	•		
Relative risk evaluations		•	
Technology transfer		•	•
Peer reviews -- Conducted through feasibility study -- Conducted after feasibility study		•	•
Contract service center SIOH	•	•	•
Equipment, supplies, and computer support	•		
RAB or TRC support	•		
Natural resource trustee requirements	•	•	•
Activities in support of ATSDR	•	•	•
Surveying, clearing, and disposing of UXO at closed ranges. Transferring, transferred and closed ranges are those ranges no longer in use as a range and/or put to a future use incompatible with range activity. -- UXO-RI -- UXO-RA		•	•

**NOTE:** • - Denotes ERA program funding eligibility.

2.1.1. Air Force ERA Eligibility. ERA eligibility for ERP activities is limited to cleaning up contamination that occurred before 1 January 1984, or contamination associated with a continuing release that began before 1 January 1984. Releases known to have occurred entirely after 1 January 1984 are not eligible for ERA funds. ERA eligibility is determined by the subordinate units and validated by the MAJCOMs.

2.1.2. RCRA Corrective Action. SWMU investigation and cleanup required by sections 3004(u), 3004(v), 3008(h), 7003 and 9003(h) of RCRA may be ERA eligible. RCRA corrective actions associated with releases before 1 January 1984, or a sustained release that began before 1 January 1984, as associated with a RCRA TSD Permit identified before 30 September 1990, are ERA eligible. RCRA Facility Assessments are not ERA eligible. Releases from in-service underground storage tanks (dis-

covered through integrity testing IAW 40 CFR 280 conducted before 22 December 1993), that otherwise satisfy ERA eligibility criteria are ERA eligible.

2.1.3. TPSs. Funding of settlements of imminent litigation or judgments for TPS liabilities is generally from the Judgment Fund, not ERA. Use of ERA funds for other settlements or for the Air Force to undertake response actions at such TPS must be authorized in advance by HQ USAF/ILEVR in consultation with AFSLA/JACE and SAF/GCN.

2.1.4. Formerly Used Defense Sites (FUDS). The U.S. Army is the DoD executive agent for the ERP at FUDS. Program management responsibilities have been delegated to the U.S. Army Corps of Engineers. Questions and issues regarding FUDS can be addressed to AFSLA/JACE Regional Counsel.

2.1.5. ERA eligibility is a separate question from which laws and legal requirements apply to any given cleanup. ERA eligibility requirements are fiscal and policy constraints established within the funding parameters created by Congress in 10 USC Section 2703. They are not determinative of which law(s) governs the cleanup. MAJCOM and HAF engineering and legal offices should be consulted as required.

**2.2. Program Budget Development and Execution.** The ERP budget is built through project requirements submitted through AFRIMS.

2.2.1. Budget line item requirements extracted from AFRIMS annually includes the budget year through budget year plus two. The Budget Estimate Submission (BES) and the President's Budget (PB) information are submitted through an AFRIMS project requirements file.

2.2.2. MAJCOMs shall minimize to the extent practicable, all costs associated with the ERP to ensure the most efficient use of program resources.

2.2.3. MAJCOMs shall maintain an up-to-date manpower inventory in AFRIMS.

2.2.3.1. MAJCOMs may use ERA funds to pay federal civil service employee salaries, benefits, awards, relocation allowances, moving expenses, and real estate fees of individuals working in direct support of the ERP. This applies to installation, MAJCOM, HAF, and Field Operating Agencies. ERA funded positions may include planners, engineers, scientists, program analysts, attorneys, public affairs personnel, technicians, administrative support, and contract specialists. ERA funded personnel must spend a minimum of ninety percent of their time working restoration program issues.

2.2.3.2. Military personnel assigned to non-restoration activities but detailed to ERP work may be back filled with ERA funded civilian employees to work non-ERA programs. These positions must be identified in the manpower justification report regardless of their assigned duties. ERA funded contractors shall not be used to backfill a military authorization.

2.2.4. ERA is the sole source of Air Force operations and maintenance funding for all ERP programmed and validated requirements. ERA funds shall not be used for site preparation or cleanup for a construction project (Military Construction, Military Family Housing, Non Appropriated Funds, or Defense Logistics Agency) unless the actions independently support the ERP goals from Section 1.1. above and have been previously programmed and validated as ERA eligible per Section 2.1. above and Table 2.1. All other use of ERA for site preparation or cleanup for a construction project must be approved in writing by HQ USAF/ILEVR. Prior year funds used for in-scope changes are not coded

and therefore this restriction does not apply. Written HQ USAF/ILEVR approval is required to fund ERA validated requirements with non-ERA funds.

2.2.5. In the event a MAJCOM's ERA allocation for a fiscal year is less than the estimated requirement necessary to satisfy all agreement schedules in the budget year, the MAJCOM shall ensure regulatory agencies and stakeholders are notified. A stakeholder is any person with a vested interest in cleanup decisions for a particular site including community members. Consistent with the principles of the FFERDC Final Report, MAJCOMs or installations shall attempt to re-negotiate schedules to re-sequence work based on available funds in the budget year. MAJCOMs shall coordinate re-negotiation of legal agreement schedules with their legal office.

2.2.6. HQ AFCEE, in coordination with AFLSA/JACE and AFCEE REOs, budgets and executes TPS requirements, consistent with these provisions.

**2.3. Administrative Record.** MAJCOMs shall ensure that an administrative record is maintained for each NPL and non-NPL installation where ERP activities are completed or are ongoing. MAJCOMs shall ensure the complete administrative record is maintained as a permanent record. A second copy of the administrative record shall be maintained in an information repository that is accessible to regulatory agencies and the general public. **NOTE:** See 40 CFR 300, Subpart I, and Final Guidance on Administrative Records for Selecting CERCLA Response Actions (3 December 1990, NTIS publication number PB91-139121, OSWER Directive 9833.3A-I).

#### **2.4. Environmental Restoration Program Decision Documents.**

2.4.1. CERCLA Decision Documents (DDs). All future DDs for all CERCLA response actions at Air Force installations, including NPL and non-NPL installations, shall conform in content and format with CERCLA, National Contingency Plan (NCP) requirements and EPA guidelines and criteria for preparing DDs executed under CERCLA. "No action" decisions made in the RI/FS process must be documented in a ROD.

2.4.1.1. CERCLA Record of Decisions (RODs) at NPL Installations. CERCLA and the NCP require EPA co-select remedies at Air Force NPL installations, and in the event of disagreement, EPA solely selects remedies. State and appropriate local regulatory agencies, as well as the public, must be provided meaningful participation opportunities throughout the remedial action process, to include timely review and comment of proposed remedial actions. Installation-level IAGs and FFAs should be consulted for other specific requirements.

2.4.1.2. CERCLA RODs at Non-NPL Installations. CERCLA remedial actions at non-NPL installations require a ROD. Unlike NPL RODs, EPA concurrence or approval is not required. As required at 42 USC Section 9620(f) and 9621(f), and 10 USC Section 2705(b), the Air Force shall provide the opportunity for EPA and state and local agencies, and the public, to review and comment on CERCLA RODs at non-NPL installations. Installation specific agreements may provide additional or different requirements.

2.4.1.3. CERCLA Removal Action DDs. CERCLA, the NCP and applicable EPA guidelines and criteria must be complied with to document removal action decisions at NPL and non-NPL CERCLA installations. The appropriate DD for the removal action depends upon whether it is an emergency removal action, time-critical removal action or non-time critical removal action. The Air Force shall provide opportunity for EPA, state and local agencies, and the public, to review

and comment on all Air Force removal actions, except for emergency removals taken because of imminent and substantial endangerment to human health or the environment when consultation would be impractical. Installation specific agreements may provide different requirements.

2.4.1.4. CERCLA No Action Decisions in Response Evaluation Phases. CERCLA RODs are not required for determinations that no further response action is warranted or necessary during the response evaluation phase, up to and including the remedial site inspection phase. Installation specific agreements may provide additional, or different, requirements.

2.4.1.5. Air Force Approval of CERCLA DDs. Air Force authority to select CERCLA response actions is delegated from the President, through DoD to the Air Force. Existing limits on redelegation require CERCLA DDs be signed and approved by a General Officer (GO) or Senior Executive Service (SES) member having Air Force ERP responsibility. MAJCOM/CC delegations must be consulted to determine appropriate signature and approval levels. GO or SES approval currently is required for all CERCLA DDs except for no action decisions in the response evaluation phase, as described in section 2.4.1.4. **NOTE:** Re-delegation of CERCLA DD and other authorities is currently being revised and may change significantly.

2.4.1.6. Timeliness of Regulatory Review of CERCLA DDs. Installation specific IAGs, FFAs and other cleanup agreements should be consulted first for specified regulatory review requirements. If none of the above apply, EPA, state and appropriate local agencies are provided reasonable and timely review and comment opportunities in accordance with CERCLA, DERP, and the NCP. 40 CFR Part 300, Subpart F, requires such agencies be provided a minimum of ten working days to a maximum of fifteen working days to review proposed RODs.

2.4.1.7. Third Party Site (TPS) CERCLA DDs. TPS DD procedures will be consistent with the lead agency's, usually EPA's, administrative record requirements.

2.4.2. DDs Under Other Legal Authorities. If the Air Force elects to respond to or clean up releases of CERCLA hazardous substances, pollutants or contaminants solely under a legal authority other than CERCLA, a CERCLA DD is not required. Installation specific agreements may provide additional or different requirements for DDs. Since releases of petroleum are excluded from CERCLA, DDs for petroleum are regulated under RCRA or other state, or local laws.

2.4.3. Air Force Approval of DDs Under other Legal Authorities. The installation commander or installation environmental protection committee chairperson is authorized to sign DDs or similar documents required under authorities other than CERCLA. Installation specific agreements may provide additional or different requirements.

**2.5. Legal Agreements.** SAF/MIQ approval is required both before entering negotiations for and executing any new or modified FFA or cleanup agreements or arrangements at NPL and non-NPL facilities. There are no other restrictions on entering new or modified FFAs, cleanup agreements or arrangements, and such agreements will be entered into where legally required, or as may be in the best interest of the Air Force. Any proposed FFA must be, before approval or execution, forwarded to DUSD(ES) for 72 hour DoD and Component review and comment. All such FFAs, cleanup agreements and arrangements shall comply with paragraph 1.4. (Legal Aspects).

2.5.1. Coordination of Agreements. Any agreements for NPL or non-NPL sites envisioning use of ERA funds shall contain Air Force language for model agreements to the maximum extent possible. MAJCOMs shall coordinate with AFLSA/JACE on all draft agreements. Coordination packages shall

include a cover memo highlighting any deviations, and the justification therefore, and an analysis of any provisions that may set a precedent for the Air Force or DoD.

2.5.2. Public Comment. Upon completion of an agreement and incorporation of public comments, MAJCOMs shall provide copies of the signed final agreement and a summary of the public comments and responses to HQ USAF/ILEVR.

2.5.3. Dispute Resolutions. Should a dispute between regulators and an installation arise, the dispute resolution process designated in a FFA will apply for NPL installations. For non-NPL installations, the dispute resolution process stated in the DSMOA applies unless a FFA or other cleanup agreement has been entered that contains an alternative dispute resolution mechanism. For both processes attempt to resolve disputes at the lowest level between the installation RPM and the regulatory counterpart. MAJCOMs shall facilitate resolution of issues raised and provide HQ USAF/ILEVR with a summary of all issues raised and resolved through the dispute resolution process. If elevation of a dispute reaches SAF/MIQ, the MAJCOM shall provide additional information to HQ USAF/ILEVR as required.

2.5.4. Fines, Penalties, and Supplemental Environmental Projects (SEPs). Fines, penalties and SEPs directly associated with ERP activities may be eligible for ERA funding. The law currently requires specific authorization by Congress before any ERA funds may be used for the payment of a fine, penalty or SEP (See, e.g., 10 USC Section 2703 (e)). Other Operations & Maintenance (O&M) funding accounts shall not be used.

2.5.5. Formal TPS agreements, to include Consent Decrees and other litigation settlement agreements, are not addressed by this section or instruction. Such agreements require DoJ and SAF/MIQ (or his delegate) approval. AFLSA/JACE manages and coordinates such agreements, in consultation with SAF/GCN and AFCEE REOs.

## Chapter 3

### IMPLEMENTATION

**3.1. Inventory Management.** The inventory management model is the Air Force's site management tool that ties together site status, type of work being executed at the site (study or cleanup), and site relative risk. This management tool is generated automatically by AFRIMS. The inventory management model provides a baseline for progress measurement and highlights impediments in the restoration process. Installation level data shall be kept up-to-date to reflect day-to-day program changes and MAJCOM requirements. MAJCOM data shall be submitted to HQ USAF/ILEVR as specified by Air Staff guidance.

**3.2. Schedule-to-Complete and Cost-to-Complete.** The Air Force's plan for ERP completion is identified through the schedule-to-complete (STC) and cost-to-complete (CTC). The CTC is the basis for estimating environmental liability and all CTC estimates must comply with DoD Financial Management Regulations (FMR) 7000.14-R, Volume 4, Chapter 14. The STC and CTC apply to all ERP sites and AOCs. Installations are required to prepare, implement, and maintain in AFRIMS, all information required to generate schedule and cost-to-complete reports for each site to take sites to site closure (SC). The site-specific schedule and cost-to-complete becomes their execution plan. Installations will maintain RACER cost estimate record with associated changes and justification for the changes for each ERP site. MAJCOMs are required to consolidate installation schedules and ensure requirements are executed within MAJCOM budget targets through the Future Years Defense Plan. MAJCOMs are required to consolidate the site-specific schedule and cost-to-complete.

3.2.1. The requirements for CTC estimates are delineated in DoD FMR 7000.14-R, Volume 4, Chapter 14. These requirements include estimating costs on a current-cost basis, adjusting long-term estimates annually to maintain a current-cost basis, and not constraining costs based on availability of funds. In addition, CTC estimates must be based on currently available technology. The regulation requires verification and validation of cost-estimating tools and documentation of data sources and methods of estimation and of management review.

3.2.2. CTC is defined in the DoD *Management Guidance for the Defense Environmental Restoration Program* (March 1998). This guidance states that CTC estimates will include the cost of completing all remaining studies, restoration, remedial action operation (RA-O) (including operation and maintenance of remedial systems), long-term monitoring (LTM), and SC, as well as deletion from the NPL, where appropriate. The guidance states that CTC estimates will, to the extent possible, reflect site-specific considerations and realistic assumptions about cleanup levels and the technology applied and that estimates will be adjusted to reflect new information.

**3.3. Management Action Plan.** A Management Action Plan (MAP) is an annually updated document for managing an installation's ERP. The MAP will outline the total multi-year, integrated approach to achieving installation ERP. The function of the MAP is to identify and monitor requirements, schedules, and project funding requirements. It is the basis for input into program planning, budget development and execution decisions. The MAP shall fulfill the requirements as outlined in the DoD DERP Management Guidance.

**3.4. Stakeholder Involvement and Restoration Advisory Boards.**

3.4.1. The Air Force will establish stakeholder involvement programs for installation restoration activities. Plans for involving all stakeholders will be developed using information gathered from stakeholders and will provide meaningful involvement in planning and executing the restoration program.

3.4.2. Wherever possible and practical, the Air Force will support the establishment of restoration advisory boards (RABs) (DERP, 10 U.S.C. 2705(c) and (d)). The policy for RABs is contained in HQ USAF/ILEV letter (17 January 1996) at <http://www.dtic.mil/envirodod/envdocs.html>. RABs are one important part of the stakeholder involvement required to foster community support.

**3.5. Defense and State Memoranda of Agreement and Cooperative Agreements.** The Air Force reimburses eligible expenses to participating state and territorial regulatory agencies through the Defense and State Memoranda of Agreement (DSMOA) and Cooperative Agreements (CA) process. The U.S. Army Corps of Engineers is the executive agent for the DoD and negotiates DSMOAs and CAs with the states and territories. The Air Force is responsible for validating projected state level of efforts to support an installation's ERP.

**3.6. Military Construction, Military Family Housing Funded Projects.** ERA funds cannot be used in support of ongoing Military Construction (MILCON), or Military Family Housing (MFH) projects where contamination is found during construction. This situation is considered a "differing site condition" and part of the MILCON, and MFH project costs. Where ERP response actions are warranted and otherwise satisfy ERA eligibility such that circumstances driving the timing of the DERP response action are independent of the MILCON, or MFH project schedule, ERA funding may be used to address those actions deemed necessary to support ERP goals from Section 1.1. above. ERA funds may not be used to cleanup or prepare a site for a future MILCON or MFH project unless the aforementioned circumstances exist. Any other type of project that requests ERA funds for accelerated cleanup at a construction site, will be addressed on a case by case basis.

## Chapter 4

### PERFORMANCE EVALUATION

**4.1. Major Command Reviews.** Major commands shall provide quarterly reviews of their ERP to the HQ USAF/ILEVR using AFRIMS. The time, content and format of these reviews will be determined by HQ USAF/ILEVR.

**4.2. Peer Reviews.** Unless waived by the HQ USAF/ILEVR, peer reviews of proposed interim or final remedial or removal action alternatives is required prior to formal submission of a decision document to a regulatory agency or the public.

4.2.1. Peer reviews or waivers are required for projects if the total construction capital cost of the remedial system (remedial design (RD) and remedial action-construction (RA-C)) is greater than \$500,000, or the annual operation and maintenance (remedial action-operation or long-term monitoring) cost is greater than \$100,000.

4.2.2. MAJCOMs shall develop implementing guidance for conducting peer reviews or an applicable waiver process.

4.2.3. Records that justify the technical and economic basis for all peer review waivers shall be established and maintained by the MAJCOM.

**4.3. Regulator Meetings.** As directed by HQ USAF/ILEVR, the MAJCOMs and AFCEE REOs shall conduct regional partnering meetings with EPA Regions and states to communicate cleanup goals and develop strategies for achieving efficient, accelerated installation completion.

MICHAEL E. ZETTLER, Lt General, USAF  
DCS/Installations & Logistics

**Attachment 1****GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

AFPD 32-70, *Environmental Quality*

DoDI 4715.7, *Environmental Restoration Program*, April 22, 1996

DoD, *DERP Management Guidance*, March 17, 1998

AFI 32-7001, *Environmental Budgeting*

AFI 32-7002, *Environmental Information Management System*

AFI 32-7066, *Environmental Baseline Surveys in Real Estate Transactions*

AFI 32-7004, *Environmental Education Training*

AFI 32-7006, *Environmental Program in Foreign Countries*

AFI 33-360, Volume 1, *Communications and Information Publication Management Program*

AFI 35-101, *Public Affairs Policies and Procedures*

AFMAN 37-139, *Records Disposition Schedule*

FFERDC, *Final Report*, April 15, 1996

CERCLA

DERP, 10 USC Sections 2701 et. seq.

RCRA

Executive Order 12580, *Superfund Implementation*, January 23, 1987

BRAC, *Cleanup Plan Guidebook*, 1993

Code of Federal Regulations

AFFARS Subpart 5317.5, *Interagency acquisitions Under the Economy Act*

DUSD(ES), *Interim Policy on Integration of Natural Resource Injury Responsibilities and Environmental Restoration Activities*, May 18, 2000

DUSD(ES), *Interim Policy on Land Use Controls Associated with Environmental Restoration Activities*, September 11, 2000

40 CFR 300, Subpart I, *Final Guidance on Administrative Records for Selection CERCLA Response Actions*, December 3, 1990

DoD, Volume 1, Chapter 14, *Financial Management Regulations 7000.14-R*

HQ USAF/ILEV, *RAB Policy Letter*, January 17, 1996

***Abbreviations and Acronyms***

AFCEE—Air Force center for environmental excellence

**AFCESA**—Air Force civil engineering services agency

**AFFARS**—Air Force federal acquisition regulation supplement

**AFI**—Air Force Instruction

**AFLSA/JACE**—Air Force Legal Services Agency, Environmental Law and Litigation Division

**AFMAN**—Air Force Manual

**AFMOA/SGOE**—Air Force Medical Operations Agency, Environmental and Occupational Health Division

**AFPD**—Air Force Policy Directive

**AFRIMS**—Air Force restoration information management system

**AOC**—Area of concern

**ARARS**—Applicable or relevant and appropriate requirements

**ATSDR**—Agency for Toxic Substances and Disease Registry

**BES**—Budget estimate submittal

**BRAC**—Base realignment and closure

**CA**—Cooperative agreement

**CERCLA**—Comprehensive Environmental Response, Compensation, and Liability Act

**CFR**—Code of federal regulations

**CMI**—Corrective measures implementation

**CMS**—Corrective measures study

**CTC**—Cost to complete

**D & F**—Determination and finding

**DERP**—Defense environmental restoration program

**DD**—Decision document

**DoD**—Department of Defense

**DoDI**—Department of Defense Instruction

**DoJ**—Department of Justice

**DPG**—Defense planning guidance

**DSMOA**—Defense and state memorandum of agreement

**DUSD(ES)**—Deputy Under Secretary of Defense for Environmental Security

**ERA**—Environmental restoration account

**ERP**—Environmental restoration program

**ERPIMS**—Environmental resource program and information management system

**FAR**—Federal acquisition regulation

**FFA**—Federal facility agreement  
**FFERDC**—Federal Facilities Environmental Restoration Dialogue Committee  
**FS**—Feasibility study  
**FUDS**—Formerly used defense sites  
**GO**—General officer  
**GOCO**—Government owned contractor operated  
**HAF**—Headquarters Air Force  
**HQ USAF/ILE**—Headquarters Air Force Civil Engineer  
**HQ USAF/ILEV**—Headquarters Air Force Civil Engineer Environmental Division  
**HQ USAF/ILEVR**—Headquarters Air Force Civil Engineer Environmental Restoration Branch  
**IAG**—Interagency Agreement  
**IC**—Installation completion  
**IR**—Information repository  
**IRA**—Interim remedial action  
**LTM**—Long term monitoring  
**LUC**—Land use controls  
**LUC/IC**—Land use controls/institutional controls  
**MAJCOM**—Major command  
**MAP**—Management action plan  
**MFH**—Military family housing  
**MILCON**—Military construction  
**MOA/U**—Memorandum of agreement/understanding  
**NCP**—National contingency plan  
**NEPA**—National environmental policy act  
**NFRAP**—No further response action planned  
**NPL**—National priorities list  
**PA**—Preliminary assessment  
**PB**—President’s budget  
**RA**—Remedial action  
**RAB**—Restoration advisory board  
**RA-C**—Remedial action construction  
**RACER**—Remedial action cost engineering and requirements

**RA-O**—Remedial action operations

**RC**—Response complete

**RCRA**—Resource Conservation and Recovery Act

**RD**—Remedial design

**REO**—Regional environmental office

**RFA**—Resource conservation and recovery act facility assessment

**RFI**—Resource conservation and recovery act facility investigation

**RI**—Remedial investigation

**RIP**—Remedy in place

**ROD**—Record of Decision

**RPM**—Remedial project manager

**SAF**—Secretary of the Air Force

**SAF/GCN**—Air Force Office of General Counsel for Installations and Environment

**SAF/MIQ**—Deputy Assistant Secretary of the Air Force for Environment, Safety, and Occupational Health

**SAF/PAM**—Air Force Office of Public Affairs

**SC**—Site closeout

**SEP**—Supplemental environmental projects

**SES**—Senior executive service

**SI**—Site investigation

**STC**—Schedule to complete

**SWMU**—Solid waste management unit

**TPS**—Third party sites

**TSD**—Treatment, storage, or disposal

**USACE**—United States Army corps of engineers

**USC**—United States Code

### *Terms*

**Administrative Record**—Contains documents used to support the final decision for selection of a response action.

**Agency for Toxic Substances and Disease Registry (ATSDR)**—The ATSDR conducts public health activities at NPL and petitioned sites. CERCLA requires that ATSDR complete a preliminary Public Health Assessment (PHA) within one year of a site's proposed listing on the NPL. Installation level environmental restoration activities are responsible for providing environmental data and/or reports to ATSDR upon request through the base Bioenvironmental Engineer (BEE) to support the development of

ATSDR public health documents. Further explanation of ATSDR's public health activities is outlined in AFI 48-136, *Agency for Toxic Substances and Disease Registry Program*.

**Air Force Federal Acquisition Regulation Supplement (AFFARS)**—Provides direction on Air Force implementation of the FAR.

**Air Force Restoration Information Management System (AFRIMS)**—The software tool used to assist with the integrated planning, management and storage of environmental restoration data.

**Applicable or Relevant and Appropriate Requirements (ARARs)**—Substantive cleanup requirements and standards that must be met by CERCLA response actions. ARARs include cleanup standards, standards of control, and other substantive environmental protection criteria for hazardous substances, as specified by federal and state law and regulations.

**Area of Concern (AOC)**—A potential or suspected area of contamination based upon limited historical information. (Programming AOC work in AFRIMS is limited to preliminary assessments (PA), site inspections (SI) or AOC removal actions (AOC-RA). An AOC must be converted to a site in AFRIMS before work other than PA, SI or AOC-RA can be programmed.)

**Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)**—A federal statute that establishes a comprehensive framework to identify, investigate, and clean up releases of hazardous substances into the environment. It provides the statutory authority for cleanup of hazardous substances that could endanger public health, public welfare, or the environment (CERCLA, at 42 U.S.C. Sections 9601 et. seq.).

**Defense Environmental Restoration Program (DERP)**—A program for conducting environmental restoration activities at facilities under DoD jurisdiction. This law establishes DoD and Component Environmental Restoration Accounts (ERA) to fund DERP activities (DERP at 10 U.S.C. Sections 2701 et. seq.).

**Defense Planning Guidance (DPG)**—This document, issued by the Secretary of Defense, provides firm guidance in the form of goals, priorities, and objectives, including fiscal constraints, for the development of the Program Objective Memorandums by the Military Departments and Defense agencies. Also Called DPG.

**Determination and Finding (D&F)**—A statement defining the justification for a contracting choice. The format and content is defined by the Contracting Officer involved. The D & F is usually signed by the installation wing commander.

**Environmental Resources Program Information Management System (ERPIMS)**—A technical information system that stores analytical data from operation and monitoring activities. ERPIMS is used to crossfeed information in the Air Force.

**Environmental Restoration Account (ERA)**—Funding for environmental restoration activities comes from a special transfer account that used to be called the Defense Environmental Restoration Account (DERA), and was centrally managed by DUSD(ES). In FY97, a separate Environmental Restoration Account (ERA) was established for each branch of the service.

**Environmental Restoration Program (ERP)**—Program designed to clean up contamination associated with DoD facilities. Includes identification, investigation, and cleanup of hazardous substances, pollutants and contaminants as defined by CERCLA. The ERP is also known as the Installation Restoration Program (IRP).

**Feasibility Study (FS)**—A step in the CERCLA environmental restoration process. The objectives of the FS are to identify alternatives for remediation and to select and describe a RA that satisfies the ARARs and other CERCLA requirements for responding to releases of hazardous substances.

**Federal Acquisition Regulation (FAR)**—The FAR was established to codify uniform policies for acquisition of supplies and services by executive agencies. The official FAR appears in the Code of Federal Regulations at 48 CFR Chapter 1.

**Federal Facility Agreement (FFA) (may include Interagency Agreements at Federal facilities)**—A legal agreement between DoD and EPA concerning the cleanup of sites on the NPL. This agreement is intended to establish roles, responsibilities, and schedules and to improve communications among all parties.

**Federal Facilities Environmental Restoration Dialogue Committee (FFERDC)**—An advisory committee federally chartered under the U.S. EPA. FFERDC was formed to foster cooperation and trust between regulators and the regulated community and to develop policy recommendations to improve the federal facility cleanup decision making process.

**Information Repository**—An installation's repository for copies of ERP items that are made available to the public, including brochures or fact sheets, press releases, documents in the administrative record, information on the IRP, and the applicable laws. The repository must be available to the public during CERCLA response actions and should be located at or near the site of the response action.

**Interagency Agreement (IAG)**—In general a formal document in which two or more federal agencies agree to cooperate. For any installation listed on the NPL, the Component must enter into a CERCLA IAG within 180 days of the required EPA review of the remedial investigation/feasibility study (RI/FS) (usually referred to as a FFA).

**Interim Remedial Action (IRA)**—An interim measure that may be implemented at any time in the restoration process designed to abate contamination until the final remedial action can be implemented.

**Installation Completion (IC)**—A milestone indicating that all environmental restoration sites at a particular installation have progressed to Remedy-in-Place (RIP) phase or beyond.

**Long-Term Monitoring (LTM)**—Physical and/or electronic sampling and analysis to demonstrate that a particular final RA has worked or to show a continuing low concentration of contaminants that does not require RA. LTM is reserved for monitoring once a site has reached RC, and should not be used to refer to monitoring after RIP (this includes sites for which the selected remedy is natural attenuation).

**National Contingency Plan (NCP)**—The National Oil and Hazardous Substances Pollution Contingency Plan, commonly referred to as the NCP, 40 CFR Part 300, is a set of regulations setting forth the procedures that lead agencies must follow when implementing CERCLA and similar response authorities under the Federal Water Pollution Control Act.

**National Priorities List (NPL)**—Formal list of the nation's worst hazardous waste sites, as established by CERCLA. NPL sites are priorities for response actions under CERCLA, and for federal facilities on the NPL, the federal agency must enter a FFA/IAG with EPA.

**Preliminary Assessment (PA)**—The PA is a limited-scope investigation designed to distinguish between sites that pose little or no threat to human health and the environment and sites that require further investigation. The PA is typically based on installation records searches, visual site inspections, and interviews.

**Record of Decision (ROD)**—The document containing the final decision and statutory determinations of the lead agency concerning selection of the RA at a site or a group of sites. This also includes any preliminary phase of an RA, such as an IRA, which would require an interim ROD.

**Relative Risk**—A means of sequencing potentially contaminated sites into high, medium, and low groups.

**Remedial Action (RA)**—CERCLA phase in which the permanent or final selected cleanup technology and/or action are constructed, installed, implemented, and/or operated until confirmatory sampling and analysis indicate that cleanup levels, and/or performance standards, have been reached.

**Remedial Action Construction (RA-C)**—This phase is equivalent to the steps from the beginning of the final RA until construction is complete.

**Remedial Action Cost Engineering and Requirements (RACER) System**—The Air Force cost estimating tool for environmental restoration activities.

**Remedial Action Operations (RA-O)**—This is the period when a remedy is being operated but cleanup goals have not been reached (including the monitoring of natural attenuation prior to achieving cleanup goals). Not all remedies require RA-O.

**Remedial Design (RD)**—CERCLA phase during which construction parameters and equipment specifications for a selected remedial action cleanup technology are defined on the basis of the unique characteristics of the site.

**Remedial Investigation (RI)**—CERCLA process for determining the extent of hazardous substance contamination and risk to human health and the environment. The RI provides site-specific information for the FS.

**Remedial Project Manager (RPM)**—The person assigned to manage remedial or other response actions at sites in the ERP. The RPM is responsible for coordinating, directing, and reviewing ERP work; ensuring compliance with the NCP; and recommending decisions on actions.

**Remedy-in-Place (RIP)**—A milestone corresponding to when the construction of the final remedy for a site is in place and functional.

**Removal Action**—Part of the CERCLA response process for, and often the first accelerated response to, an actual or threatened contaminant release. A Removal Action can employ any means necessary to abate, minimize, stabilize, mitigate, or eliminate the release or threat of release.

**Restoration Advisory Board (RAB)**—An advisory group for the environmental restoration process that includes members of the public, the installation, and regulatory agencies. The purpose of a RAB is to gain effective input from stakeholders on cleanup activities and to increase installation responsiveness to community environmental restoration concerns.

**Resource Conservation and Recovery Act (RCRA)**—RCRA was enacted in 1976 to address the issue of how to safely manage and dispose of the huge volumes of municipal and industrial waste generated nationwide. Specifically, the RCRA program regulates solid waste recycling and disposal; federal procurement of products containing recycled materials; waste minimization; hazardous waste generators and transporters; hazardous waste treatment, storage and disposal facilities (TSDFs); and underground storage tanks (USTs) (RCRA, at 42 U.S.C. Sections 6901 et. seq.).

**Resource Conservation and Recovery Act Corrective Action**—The RCRA cleanup program designed

to ensure the cleanup of hazardous wastes and constituents releases associated with RCRA-regulated facilities. The program is enforced principally through the statutory authorities established by the Hazardous and Solid Waste Amendments of 1984 and is substantively equivalent to CERCLA.

**Response Action**—The response(s) under CERCLA to the release, or threat of release(s), of hazardous substance(s) which are risks, or potential risks, to human health and the environment. Response actions include removal and remedial actions, and enforcement activities related thereto.

**Resource Conservation and Recovery Act Corrective Measures Implementation (CMI)**—The RCRA Corrective Action phase in which the selected cleanup technology is constructed, installed, implemented, and/or operated until confirmatory sampling and analysis indicate that cleanup levels have been reached. Equivalent to a CERCLA RA.

**Resource Conservation and Recovery Act Corrective Measures Study (CMS)**—The RCRA Corrective Action phase in which alternative cleanup technologies are evaluated in relation to specific site characteristics, such as contaminants, soil conditions, and hydrogeologic conditions. Equivalent to a CERCLA FS.

**Resource Conservation and Recovery Act Facility Assessment (RFA)**—Initial RCRA process for determining whether corrective action is warranted for a RCRA past practice or for defining what additional data must be gathered to make this determination. Equivalent to a CERCLA PA.

**Resource Conservation and Recovery Act Facility Investigation (RFI)**—RCRA process for determining the extent of hazardous waste contamination. Equivalent to a CERCLA RI.

**Response Complete (RC)**—Corresponds to the milestone where a restoration site is finished with all restoration activities except LTM.

**Site Closeout (SC)**—Written regulatory concurrence, where applicable, that all response actions are complete at a restoration site.

**Site Inspection (SI)**—A CERCLA process preceding the RI for acquiring the necessary data for evaluating the existence of environmental contamination at identified potential sites.

**Third Party Sites (TPSs)**—Locations, other than Air Force Real Property, within the United States and its territories, allegedly contaminated by hazardous substances from Air Force (or Air National Guard) activities. Such contamination is the basis for claims against the Air Force (or Air National Guard) and others for response actions, costs, or contributions for costs.

**Treatment, Storage, or Disposal (TSD)**—Under the Resource Conservation and Recovery Act, owners and /or operators of specified TSD activities and facilities must obtain permits as set forth in 40 CFR Part 264. Such permits must contain corrective action requirements.