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10 OCT 1997**



AMC – Relevant, Responsive & Ready!



AGENDA

- INTRODUCTION
- BRAC LEASING DELEGATION
- FOST/FOSL GUIDE STATUS
- LEAD BASED PAINT UPDATE
- NATURAL RESOURCE DAMAGES
- AMC ENVIRONMENTAL COUNCIL
- MUNITIONS RULE UPDATE



BRAC LEASING PROCEDURES

- NEW PROCEDURES EFFECTIVE 24 SEP**
- ELIMINATES FORMAL HQDA REVIEW**
- MACOMS HAVE APPROVAL AUTHORITY**
 - ❖ **FOST/FOSL**
 - ❖ **REPORTS OF AVAILABILITY**
- DETERMINATION OF AVAILABILITY EXECUTED BY MACOM**
- INFORMAL REVIEW BY BTT**
- PROCEDURES ONLY FOR BRAC LEASES**

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BRAC LEASING PROCEDURES

- COORDINATION OF ROA/FOSL**
 - ❖ **DOD ECP 1-3---FINAL COPY**
 - ❖ **DOD ECP 4-7--DRAFT FOSL**
- MACOM APPROVAL FOR FOSTS**
 - ❖ **DOD ECP 1-4**
- DASA MUST STILL APPROVE FOSETs**
- AMCEN RESPONSIBLE FOR DELEGATION**

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FOST/FOSL GUIDE

- AMC FOST/FOST GUIDE**
 - ❖ **DRAFT GUIDE 22 AUG**
 - ❖ **HAVE RECEIVED COMMENTS**
 - ❖ **INSTALLATIONS HAVE USED SELECTIVELY**
- FINALIZE AND PUT ON WEB PAGES**
- POSSIBLE TRAINING SESSION AT DOD BRAC CONFERENCE IN DECEMBER**

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Natural Resource Damages

- Government may be liable for Natural Resource Damages (NRD), CERCLA §107(a)(4)(C)**
- Under CERCLA Generators of Hazardous Waste shall be liable for damages to NRD, as well as clean up costs, and the cost of assessing such injury CERCLA §107(a)**

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Natural Resource Damages

- Claims for NRD limited to other Federal Agencies and States or Authorized Representatives
CERCLA § 107(f)(1)
- Texas and Mass. are exploring NRD.
- Air Force is negotiating Trustee Council Charter NOT NRD with Mass.
- If contacted by State concerning NRD advise AMC, DA ... ASAP.

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Natural Resource Damages

- CURRENT DEPARTMENT ARMY POLICY**
 - ❖ Per. Mr. Steve Nixon, ELD.
 - ❖ We are NOT authorized to negotiate NRD.
 - ❖ We are available for discussions on issues of common interest.
 - ❖ If asked, participate in Natural Resource Trustee Councils.
 - ❖ Discuss the establishment of Trustee Councils
 - ❖ Defer discussing NRD until Trustee Council is established. Then contact AMC for guidance.
 - ❖ All negotiations and agreements must be DA approved.

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Natural Resource Damages

- DA's Policy on NRD is based on:
 - ❖ CERCLA cleanup should cover any NRD issue.
 - ❖ If CERCLA cleanup does not cover NRD then separate NRD action is possible.
 - ❖ Until CERCLA cleanup is complete do NOT use NRD.
 - ❖ Each remedy is on a case by case basis.

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Overview of AMC EC

- AMC Environmental Council (EC) -
 - ❖ Quarterly Video Conference/Conference Calls (not to exceed 1 1/2 hours)
 - ❖ Participants - HQ AMC (including I&SA) and MSC Env and Legal representatives
 - ❖ Purpose - review AMC Env Program, identify common problems, and develop solutions

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Key Aspects of AMC EC

AMC EC is intended to -

- ❖ Address AMC wide issues; not installation specific issues
- ❖ Have flexible agenda based on MSC feedback/issues
- ❖ Develop initiatives/solutions to improve AMC Environmental Program

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Key Aspects of AMC EC (cont.)

AMC EC is NOT intended to be -

- ❖ A HQ AMC monologue
- ❖ A “Dog & Pony” show
- ❖ An engine for new data calls
- ❖ A forum for discussion of abstract environmental issues
- ❖ A substitute for existing staffing procedures to resolve installation specific problems

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Munitions Rule Update - WSS

- DDESB Waste Storage Standard (WSS) -**
 - ❖ Fill “gaps” in RCRA and DDESB storage requirements.
 - ❖ Encourage States to adopt Storage Conditional Exemption (C/E)
 - ❖ Provide uniform definition of Storage C/E
- Current Status -**
 - ❖ MRIC to submit proposed WSS to the DDESB on 16 Oct 97
 - ❖ DDESB not expected to vote on WSS until at least next meeting (Jan 98)

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Munitions Rule - MRIP Revisions

- Munitions Rule Implementation Plan (MRIP) -**
 - ❖ Interim Policy issued on 1 Mar 97
 - ❖ Establishes waste determination process & state implementation process
 - ❖ Interpretes EPA Munitions Rule
- Current Status**
 - ❖ Team to meet next week to revise MRIP
 - ❖ Clarify - Storage C/E checklist, amnesty boxes, misfired munitions, etc.
 - ❖ Goal - finalize MRIP by Dec 97

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