



Policy Memo

DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
INSTALLATIONS AND ENVIRONMENT
110 ARMY PENTAGON
WASHINGTON DC 20310-0110

SAIE-ESOH

JUL 28 2008

MEMORANDUM FOR ASSISTANT CHIEF OF STAFF FOR INSTALLATION
MANAGEMENT
COMANDER, INSTALLATION MANAGEMENT COMMAND
COMMANDER, NATIONAL GUARD BUREAU
COMMANDER, US ARMY RESERVE COMMAND

SUBJECT: Operational Range Assessments

1. This letter provides Army policy to ensure that the Army's Operational Range Assessments (ORA) are consistent, defensible and completed in a cost-effective, timely manner per Department of Defense Directive (DODD) 4715.11, "Environmental and Explosives Safety Management on Operational Ranges within the United States," May 10, 2004 (Enclosure 1), and Department of Defense Instruction (DODI) 4715.14, "Operational Range Assessments," November 30, 2005 (Enclosure 2).

a. DODD 4715.11 directs that the Service Components "Enhance the ability to prevent or respond to a release or substantial threat of a release of munitions constituents from an operational range to off-range areas."

b. DODI 4715.14 instructs the Services to determine whether there has been a release or a substantial threat of a release of munitions constituents from an operational range to an off-range area at installations where there is a reasonable belief that munitions constituents have or are about to migrate off an operational range, and to determine if such a release creates an unacceptable risk to human health or the environment.

2. This policy directs the Assistant Chief of Staff for Installation Management (ACSIM) to:

a. Serve as the Army proponent for ORAs.

b. Prepare program guidance, as soon as possible, to describe the ORA methodology the Army will use to comply with DODI 4715.14, and ensure the guidance complies with all applicable laws and regulations, including the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 et seq. (CERCLA), and the Defense Environmental Restoration Program, 10 U.S.C. 2700 to 2710 (DERP).

SUBJECT: Operational Range Assessments

c. Provide regulator coordination and public affairs guidance to commands and installations for ORAs that is consistent with the Office of the Secretary of Defense's (OSD) Memorandum, "DoD-Regulator Interactions for Operational Range Assessments", August 15, 2006 (Enclosure 3).

d. Defend and program funding requirements for the conduct of Army's ORAs. This programming action will include funds to implement any immediate mitigation measures required to address immediate hazards posing an unacceptable risk at any off-range locations where munitions constituents have migrated from the range, pending implementation of further response actions.

e. Report the consolidated ORA progress and schedule for all Army components to DASA(ESOH) for coordination with the G-3/5/7 and submittal to OSD by 30 September of each year, and provide further details as requested. The first report is due on 30 September 2008[9] and will provide a baseline list of ranges that are subject to this requirement and the status of ORA actions at each of those installations and ranges.

f. Coordinate with the other DoD components to determine the lead for management and funding for ORAs on Army operational ranges collocated on another DoD component's installation.

3. The Installation Management Command (IMCOM) will serve as the lead program office for ORAs at Active Army and Army Materiel Command (AMC) installations, the National Guard Bureau (NGB) will serve as the lead program office for ORAs at Army National Guard (ARNG) installations, and the US Army Reserve Command (USARC) will serve as the lead program office for ORAs at USARC installations. The ORA lead program offices will provide ACSIM information on ORA progress to support their reporting requirement to this office to report to OSD, and will provide further details as requested by ACSIM.

4. ORA lead program offices (IMCOM, NGB, USARC) will:

a. Develop funding requirements for the conduct of ORAs on their operational ranges. This programming action will include funds to implement any immediate mitigation measures required to address any immediate hazards posing an unacceptable risk at off-range locations where munitions constituents have migrated from the range, pending implementation of further response actions.

b. Coordinate with ACSIM to determine the lead for management and funding for ORAs on operational ranges collocated and/or shared with ORA lead program offices.

SUBJECT: Operational Range Assessments

c. Coordinate with ACSIM to ensure ORAs are conducted in a consistent manner throughout the Army and that they comply with all applicable legal requirements, including CERCLA and the DERP.

5. If an ORA identifies a release or a substantial threat of a release of munitions constituents of concern from an operational range to an off-range area that creates an unacceptable risk to human health or the environment, the appropriate Army program manager will be notified. The appropriate program manager will prioritize, program, and fund response actions for such releases. These response actions will be carried out under the DERP and subject to, and in a manner consistent with, reference (e) through (i) of DoDI 4715.14. Actions that could potentially affect use of the range in support of required training will be coordinated with the Army's G-3/7 (DAMO-TRS) and the commanders of both the affected command and the installation. In the case of the ARNG, these actions will be coordinated with the ARNG G-3 (NGB-ART). ORA reports will be finalized upon completion of each assessment and will be made publicly available upon finalization.

6. Given the importance of operational ranges to sustainment of the Army's mission, it is important to focus on investigative measures and solutions that are protective of human health and the environment and comply with applicable laws, yet result in the least possible disruption of range activities. As such, innovative risk management approaches (e.g., application of best management practices) are strongly encouraged.

7. My point of contact for this action is John Tesner, Assistant for Restoration, (703) 697-1987, john.e.tesner@us.army.mil.

Tad Davis

Enclosure

~~Addison D. Davis, IV~~
Deputy Assistant Secretary of the Army
(~~Environment, Safety and Occupational Health~~)



Policy Memo to go w/ ASB guidance

DEPARTMENT OF THE ARMY
ASSISTANT CHIEF OF STAFF FOR INSTALLATION MANAGEMENT
600 ARMY PENTAGON
WASHINGTON, DC 20310-0600

DAIM-IS

21 APR 2010

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Army's Operational Range Assessment Guidance

1. Reference.

- a. DoDD 4715.11, Environmental and Explosive Safety Management on Operational Ranges Within the United States, 10 May 04
- b. DoDI 4715.14, Operational Range Assessments, 30 Nov 05
- c. Memorandum from ADUSD(ESOH), DoD-Regulator Interactions for Operational Ranges, 15 Aug 06
- d. Memorandum from DASA(ESOH), Operational Range Assessments, 28 Jul 08

2. This Operational Range Assessment Guidance document provides the framework for the Army to conduct and complete Operational Range Assessments (ORA). The Army will:

- a. Conduct appropriate, cost-effective, scientifically defensible efforts to identify, evaluate, and determine if a release or substantial threat of release of munitions constituents (MC) from an operational range or range complex to an off-range area poses an unacceptable risk to human health or the environment.
- b. Promote and support public stakeholder participation within the guidelines of DoD and Army directives and guidance.
- c. Provide a smooth transition from ORAs to the appropriate cleanup program for sites that have MC migration off-range at levels that create an unacceptable risk to threaten human health or the environment.

3. This guidance was developed and coordinated with ORA executors and affected commands.

DAIM-IS

SUBJECT: Army's Operational Range Assessment Guidance

4. My point of contact for this action is Mr. Malcolm Garg, 703-601-0513,
Malcom.Garg@us.army.mil.

FOR THE ASSISTANT CHIEF OF STAFF FOR INSTALLATION MANAGEMENT:



KATHLEEN Y. MARIN

Director, Installation Services

3 Encl

1. DoDI 4715.14, ORAs, 30 Nov 05
2. DoD-Reg. Interactions, 15 Aug 06
3. ORA Policy Memo, 28 Jul 08

DISTRIBUTION:

Deputy Chief of Staff G3/5/7, Attn: DAMO-TRS (Ms. Vandervort)
Office of the Assistant Chief of Staff for Installation Management, Army Reserve
Division, Attn: DAIM-ODR (Mr. Waite)
Commander, Installation Management Command. Attn: IMAE-CO (COL Gervais)
Commander, U.S. Army Materiel Command, Attn: AMCPE (Mr. Funderburg)
Chief, National Guard Bureau, Attn: NGB-ARE-I (COL Bennett)

CF:

Deputy Assistant Secretary of the Army (Environment, Safety and Occupational Health)
DAMO-TRS
DALO-SMA
Office of the Judge Advocate General, Attn: JALS-EL (Environmental Law Division)
Commander, US Army Environmental Command. Attn: IMAE-RTR (Mr. Brutsman)
Army Center for Health Promotion and Preventive Medicine, Attn: MCHB-TS-EGW (Mr.
Borry)

OPERATIONAL RANGE ASSESSMENT GUIDANCE

APRIL 2010

Office of the Assistant Chief of Staff
for Installation Management





1.0 PURPOSE

The Army operates testing and training ranges in numerous locations, comprising millions of acres of land, across the United States (US). These ranges include live-fire training facilities from small arms ranges dedicated to individual soldier training and multi-purpose combined arms live-fire training facilities that support the Army's ability to effectively test and train soldiers. Operational Ranges include all military ranges that are under the jurisdiction, custody, or control of the Secretary of Defense and that (1) are used for range activities, or (2) although not currently being used for range activities, are still considered by the Secretary to be a range and have not been put to a new use incompatible with range activities.

In 2005, the Army created Army Regulation 350-19, "The Army Sustainable Range Program." This regulation laid the groundwork and established responsibilities and procedures for the Sustainable Range Program, which maximizes the capability, availability, and accessibility of ranges and training lands to support doctrinal requirements, mobilization, and deployments under normal and surge conditions. The Operational Range Assessment Program (ORAP), as part of the Army's Sustainable Range Program, was created to determine whether a release or substantial threat of release of munitions constituents (MC) has occurred, or is occurring from an operational range to an off-range area that creates a potential unacceptable risk to human health or the environment. In 2007, the Army conducted a business process review of its environmental programs and determined that the ORAP was not really a program, but rather an initiative. From that point forward, the Army has used the term Operational Range Assessment (ORA) initiative. The potential risk associated with a given release will be evaluated using screening values developed by the tri-services group, Range and Munition Use Sub-Committee, and may be supplemented by a site-specific risk assessment in consultation with the US Army Public Health Command (Provisional) (USAPHC(Prov)).

The purpose of this Guidance is to identify common objectives and develop processes that are technically valid, scientifically defensible, and create consistency and accountability across the Army's ORA initiative. This Guidance supports the Army Sustainable Range Program and complies with the 'Operational Range Assessments' memorandum, issued by the Deputy Assistant Secretary of the Army (Environment, Safety, and Occupational Health) (DASA[ESOH]), 28 July 2008. Program Executors (that is, Army Environmental Command [AEC] for the Installation Management Command [IMCOM], the National Guard Bureau [NGB] for Army National Guard [ARNG], and US Army Reserves Command [USARC]) are encouraged to develop specific program management guidance and procedures within the framework of this guidance to manage their individual programs.

2.0 GOAL

The ORA initiative will demonstrate the Army's continual commitment to maintain sustainable operational ranges by identifying and evaluating off-range MC impacts from operational ranges, protecting human health and the environment, and ensuring continuity of the test and training mission at these ranges.

3.0 OVERARCHING GUIDANCE FOR THE ORA

This document is the Army's guidance to conduct assessments on operational ranges to satisfy requirements of the Department of Defense Directive (DoDD) 4715.11, 'Environmental and Explosives Safety Management on Operational Ranges Within the United States,' and the associated Department of Defense Instruction (DoDI) 4715.14, 'Operational Range Assessments.' This document provides guidance to Program Executors on how to:

- 3.1 Conduct consistent, cost-effective, scientifically defensible efforts to identify, evaluate, and determine if a release or substantial threat of release of MC from an operational range or range complex to an off-range area poses an unacceptable risk to human health or the environment.
- 3.2 Establish requirements for ORA funding in accordance with Department of Defense (DoD) and Army directives and guidance.
- 3.3 Promote and support public stakeholder participation within the guidelines of DoD and Army directives and guidance.
- 3.4 Provide a transition from the ORA to the Army's cleanup programs for sites identified with off-range MC migration at levels that create an unacceptable risk to threaten human health or the environment.
- 3.5 Support the Sustainable Range Program by providing range managers and the training community with information to improve management of risks associated with MC release.
- 3.6 Transfer sites that require response actions to the appropriate program upon completion of ORA Phase II assessments.
- 3.7 Treat new assessments or periodic reviews as part of the compliance-related cleanup (CC) program. Program executors will budget and perform the periodic reviews for their respective installations/sites as part of the CC program. Similarly, installations added to the program (e.g. property transferred from another Service that has not been assessed) will be part of the CC program.

4.0 ORA DRIVERS

- 4.1 The Deputy Assistant Secretary of the Army (Environment, Safety and Occupational Health) directed the Department of Army, Assistant Chief of Staff for Installation Management, to prepare program guidance describing the methodology the Army will use to comply with DoDI 4715.14, 'Operational Range Assessments'; and to provide public affairs guidance to commands and installations that is consistent with the Office of the Secretary of Defense (OSD) Memorandum, "DoD-Regulator Interactions for ORAs," 15 August 2006 (Enclosure 3).

- 4.2 DoDD 4715.11, 'Environmental and Explosives Safety Management on Operational Ranges Within the United States,' requires Army installations to maintain an operational range inventory and evaluate the potential for off-range migration of substances originating from munitions.
- 4.3 DoDI 4715.14, 'Operational Range Assessments,' identifies MC as a group of constituents that will be evaluated using a scientifically sound process for assessing and reporting potential off-range environmental impacts of military munitions used on operational ranges.

5.0 REQUIREMENTS IDENTIFICATION FOR ARMY ORA

- 5.1 ORAs are conducted in two phases: Phase I is a qualitative assessment (using existing information) to assess the likelihood that MC are migrating or have the potential to migrate off-range at levels that pose an unacceptable risk to human health or the environment. Phase II is a quantitative assessment that is conducted on those facilities identified in Phase I as requiring further study before determining if MC are migrating off-range. ORAs for each range complex will ultimately have one of two possible outcomes: Unlikely (conduct periodic reviews) or Referred (refer ranges to appropriate cleanup program).
- 5.2 The AEC executed ORA Phase I site assessments through fiscal year (FY) 2009 for all Army operational ranges.
- 5.3 For Phase II ORAs, the Program Executors will identify ORA requirements and use the Remedial Action Cost Engineering and Requirements (RACER) system as the primary tool for preparing cost estimates. An information paper is included in Appendix F on the assumptions used in RACER for identifying the cost of the requirements.
 - 5.3.1 Program Executors will budget and perform the periodic reviews for their respective installations/sites.
 - 5.3.2 Program Executors will budget and complete ORAs for installations added to the program (e.g. Property transferred from another service that has not been assessed).

6.0 OUTREACH FOR ARMY ORAS

Each Program Executor will designate a point of contact (POC) for ORA activities and related community inquiries or comments. Installations that want to have a more active public affairs program will coordinate for assistance and resources through their chain-of-command.

ORA reports will be placed in an Information Repository at a location near the site that is easily accessible to the public and where information is available for inspection at times convenient to

the public. The Information Repository should include a Phase I Draft Final Report (if the site is inconclusive) and a Final ORA report (A Final ORA report will show a site as either 'Unlikely'- no off-range MC migration, or 'Referred'- off-range migration occurring, irrespective of whether this determination is made after Phase I or Phase II). In addition, Executive Summaries on Final ORA reports will be available on the public access DENIX website.

Program Executors can determine the appropriate level of interaction with regulators within the framework outlined in OSD Memorandum, "DoD-Regulator Interactions for Operational Range Assessments," 15 August 2006. In general, Operational Ranges contain munitions used for their intended purposes and are not, therefore, subject to the same regulations as munitions found on other than operational¹ ranges.

6.1 Minimum Interaction with Regulators

- 6.1.1 Provide the appropriate regulatory agency(s), upon request, with a Program Executor POC and installation POC who will provide information to the regulators.
- 6.1.2 Report a release or substantial threat of a release of MC from an operational range to an off-range area that creates an unacceptable risk to human health or the environment to the appropriate regulatory authorities.
- 6.1.3 Comply with additional reporting if required by Federal, state, or local authorities.

6.2 Maximum Interaction with Regulators

- 6.2.1 Provide periodic briefs, as requested, on the plans and progress of range assessments. The level of detail and data provided during the progress briefings should be appropriate for public release.
- 6.2.2 Provide plans or reports to regulators for informational purposes.
- 6.2.3 Incorporate feedback from regulators, when appropriate, and approved by the installation's chain-of-command.
- 6.2.4 Provide sampling data, and Draft Assessment Reports, for information only, and only after receiving Program Executor approval.
- 6.2.5 Provide regulators with a schedule for ORAs planned in the Future Year Defense Plan (FYDP) and the year the assessment is expected to be started.

¹ The Army no longer refers to closed, transferred, or transferring ranges; ranges are either "operational" or "other than operational."

- 6.3 The following interactions with regulators are prohibited unless directed by DAIM-ISE after consultation with DASA(ESOH).
- 6.3.1 Active solicitation of regulator comments on plans or reports.
 - 6.3.2 Negotiation of plans.
 - 6.3.3 Responding to regulators requesting active input regarding the ORA.
 - 6.3.3.a Installation POCs are authorized to interact with regulators as noted in this guidance. Regulator comments may be considered, but may not be negotiated.
 - 6.3.3.b If the regulator continues to insist on active participation, the installation's representative should make available to the regulator the ORA Phase I Draft Final Report (if Phase II will be conducted), or Final Report (if complete).
 - 6.3.3.c If the regulator states that he or she is interested in sampling results for on-range areas that are not necessarily migrating off-range then the installation representative should note that MC detected on-range are the result of the intended use of munitions and not subject to regulatory authority.
 - 6.3.3.d If discussions at the local level are not adequate, the installation representative should notify their chain-of-command. The intermediate command (IMCOM, AMC, etc.) and the affected Program Executor will discuss and attempt to resolve the issue at the intermediate command level.
 - 6.3.3.e If an acceptable outcome is not found, the intermediate command will elevate the issue through HQDA (DAIM-ISE) to DASA(ESOH) and solicit aid from the Office of Regional Environmental and State Government Affairs if needed.

7.0 QUALITY ASSURANCE

- 7.1 The Army's Surgeon General representative is the US Army Public Health Command (Provisional) (USAPHC(Prov)). USAPHC(Prov) will develop the Phase II protocol, provide protocol clarification and revision, and will provide programmatic quality assurance (QA) to ensure the assessments are completed in a scientifically defensible manner that is protective of human health and the environment, supports military readiness, and meets protocol requirements.

- 7.2 DAIM-ISE will ensure that the QA of ORAs are performed in a consistent and defensible manner through regularly scheduled program reviews and teleconferences with the Program Executers.
- 7.3 Program Executers are responsible for ORA QA oversight for their installations and ranges and will respond to program data and document requests by DAIM-ISE and USAPHC(Prov).

8.0 ORA MANAGEMENT RESPONSIBILITIES

- 8.1 The Office of Assistant Chief of Staff for Installation Management (OACSIM), Installation Services Directorate, Army Environmental Division (DAIM-ISE) serves as the staff proponent for the Army's operational range assessments. The OACSIM will provide ORA guidance and management oversight through its staff element, the DAIM-ISE. Further, DAIM-ISE:
 - 8.1.1 Serves as the Army proponent for ORAs.
 - 8.1.2 Prepares program guidance to describe the ORA methodology the Army will use to comply with DoDI 4715.14.
 - 8.1.3 Provides public affairs guidance to commands and installations for ORAs that is consistent with OSD Memorandum, "DoD-Regulator Interactions for ORAs," 15 August 2006 (Enclosure 3).
 - 8.1.4 Programs and defends funding for the conduct of Army's ORAs within the United States and its territories. This programming action will include funds to implement any immediate mitigation measures required to address off-range migration of MC pending implementation of cleanup activities.
 - 8.1.5 Reports the consolidated ORA progress and schedule for all Army components to OSD by 30 September of each year, and provides further details, as requested.
 - 8.1.6 Coordinates with the other DoD Components (Army, Navy, Air Force, and Defense Agencies) to determine the lead for management and funding for ORAs on Army operational ranges collocated on an installation owned or operated by another DoD Component.
 - 8.1.7 Includes all ORA executors in assisting and collaborating in developing, reviewing, or commenting on relevant documents or strategic decisions that could affect the ORAP. These include, but are not limited to, development of Public Affairs Guidance, Technical Guidance, collaboration with DoD and the Components, and consultation with and briefings to regulators.
 - 8.1.8 Conducts regularly scheduled program reviews with Program Executers.

8.2 Army Environmental Command (AEC)

- 8.2.1 Serves as the Program Executor for the execution of ORAs at active installations. Coordinates with AMC, MEDCOM, and SMDC to develop execution priorities that enable mission needs.
- 8.2.2 Monitors execution of ORAs for IMCOM and AMC installations and ensures all ORAs are conducted in a scientifically defensible and consistent manner.
- 8.2.3 Approves technical documents (e.g., Quality Assurance Project Plans [QAPPs]) and Phase II ORA reports for active installations.
- 8.2.4 Provides DAIM-ISE semi-annual updates on ORA progress, schedule, and further details as requested.
- 8.2.5 Coordinates with DAIM-ISE to ensure ORAs are conducted in a consistent manner throughout the Army.
- 8.2.6 Develops funding requirements for conducting ORAs on active installations using accepted cost estimating methods. The funding estimate should include costs needed to implement any immediate mitigation measures required to address off-range migration of MC pending implementation of programmatic cleanup measures.
- 8.2.7 Assists USAPHC(Prov) with developing and providing Phase II ORA protocols for use in conducting all active, Reserve, and ARNG Phase II ORAs.
- 8.2.8 Participates and collaborates in developing, reviewing, or commenting on relevant documents or strategic decisions with DAIM-ISE, other ORA executors, DoD and the Components, and other relevant parties as needed.

8.3 National Guard Bureau (NGB)

- 8.3.1 Serves as the Program Executor for the execution of ORAs at ARNG sites.
- 8.3.2 Monitors execution of ORAs for ARNG sites and ensures all ORAs are conducted in a scientifically defensible and consistent manner.
- 8.3.3 Approves technical documents (e.g., QAPPs) and all Phase II ORA reports for ARNG facilities.
- 8.3.4 Provides DAIM-ISE semi-annual updates on ORA progress, schedule, and further details as requested.
- 8.3.5 Coordinates with DAIM-ISE to ensure ORAs are conducted in a consistent manner throughout the Army.

- 8.3.6 Develops funding requirements for conducting ORAs on ARNG facilities using accepted cost estimating methods. The funding estimate should include costs needed to implement any immediate mitigation measures required to address off-range migration of MC pending implementation of programmatic cleanup measures.
- 8.3.7 Participates and collaborates in developing, reviewing, or commenting on relevant documents or strategic decisions with DAIM-ISE, other ORA executors, DoD and the Components, and other relevant parties as needed.

8.4 United States Army Reserve Command (USARC)

- 8.4.1 Serves as the Program Executor for the execution of ORAs at USARC facilities.
- 8.4.2 Monitors execution of ORAs for USARC facilities and ensures all ORAs are conducted in a scientifically defensible and consistent manner.
- 8.4.3 Reviews and approves technical documents (e.g., QAPPs) and all Phase II ORA reports for USARC facilities.
- 8.4.4 Provides DAIM-ISE periodic updates on ORA progress, schedule, and further details as requested.
- 8.4.5 Coordinates with DAIM-ISE to ensure ORAs are conducted in a consistent manner throughout the Army.
- 8.4.6 Develops funding requirements for conducting ORAs on USARC facilities using accepted cost estimating methods. The funding estimate should include costs needed to implement any immediate mitigation measures required to address off-range migration of MC pending implementation of programmatic cleanup measures.
- 8.4.7 Participates and collaborates in developing, reviewing, or commenting on relevant documents or strategic decisions with DAIM-ISE, other ORA executors, DoD and the Components, and other relevant parties as needed.

8.5 USAPHC(Prov)

- 8.5.1 Conducts programmatic Quality Assurance as agreed to by DAIM-ISE. USAPHC(Prov) will review documents to determine scientific defensibility, protection of human health, and the environment, and fulfillment of ORA technical objectives. Based on these reviews, USAPHC(Prov) will recommend approval or non-concurrence to DAIM-ISE.
- 8.5.2 Reviews technical documents which may include:
 - 8.5.2.a Phase II technical documentation.

- 8.5.2.b Installation (Range Specific) QAPP consisting of completed QAPP worksheets with appropriate augmentation as necessary.
- 8.5.2.c Health Risk Assessment Document when necessary, and Phase II Operational Range Assessment Report.
- 8.5.3 Develops Phase II protocol and protocol revisions.
- 8.5.4 Provides technical assistance, as agreed to by the Program Executors. This could include on-site technical consultation regarding investigation strategy, sampling and quality control to ensure scientific defensibility.

9.0 TRANSFERRING PROGRAM EXECUTION RESPONSIBILITY

- 9.1 Any Program Executor may transfer the responsibilities and execution of their ORA to another designated Program Executor through a simple Memorandum of Agreement (MOA) (i.e., USARC could enter into a MOA with IMCOM). The MOA should, at a minimum, outline the authorities being transferred and what further coordination between parties is desired. A copy of the MOA will be made available to DAIM-ISE.

10.0 IF OFF-RANGE MIGRATION OF MC POSES AN IMMEDIATE AND SUBSTANTIAL ENDANGERMENT TO HUMAN HEALTH

- 10.1 The ORA focuses on releases or a substantial threat of a release that may be migrating off-range. If an off-range release is identified, the Program Executor enters the site into the appropriate cleanup program database, and the site is evaluated and prioritized against other cleanup program sites. Additionally, the Army needs to plan and budget for the new site, which means there is a time lag between site discovery and cleanup action. However, in the event that off-range migration of MC is discovered that poses an immediate and substantial endangerment to human health, Program Executors will act to take immediate mitigation measures. Measures undertaken will depend on the hazard present and the site-specific situation. In general, such actions would consist of initial response measures (e.g., providing an alternative drinking water source). Such measures by the Program Executors will continue until the problem has abated or responsibility for investigating and selecting a response action is transferred to the appropriate cleanup program.
- 10.2 Any action taken on, or affecting, the operational range must be coordinated with the appropriate training community, installation, and range control office to ensure minimal disturbance of training activities.

11.0 IF AN OPERATIONAL RANGE IS REFERRED

Referred ranges are those ranges where the Program Executor, with DAIM-ISE concurrence, concludes that there is a release or substantial threat of release of MC from an operational range to off-range areas, and the release may create an unacceptable risk to human health or the environment. If a range is categorized as referred the appropriate cleanup program will be notified and will undertake further actions to assess and mitigate off-range MC migration. The appropriate cleanup program will be either the Army's CC program or the Military Munitions Response Program (MMRP), or the Installation Restoration (IR) program, as determined by Defense Environmental Restoration Program (DERP) funding eligibility.

- 11.1 Notifications: The Program Executor and/or DAIM-ISE will notify the following offices that an operational range has been categorized as Referred.
 - 11.1.1 Per Section 6.6.2.1 of DoDI 4715.14, the executing command will notify the installation that they need to inform the appropriate regulatory authorities that a range has been identified where there is a release or substantial threat of release of MC from an operational range to off-range areas that may create an unacceptable risk to human health or the environment.
 - 11.1.2 Per Section 6.6.1 of DoDI 4715.14, DAIM-ISE will notify ASA(I&E), DASA(ESOH) and USD(AT&L) that based upon the ORA, a range has been identified where there is a release or substantial threat of release of munitions constituents of concern from an operational range to off range areas that creates an unacceptable risk to human health or the environment.
 - 11.1.3 DAIM-ISE will notify the Office of the Deputy Chief of Staff, G-3/5/7, Training Support Systems Division (DAMO-TRS) when a range has been identified where there is a release or substantial threat of release of MC from an operational range to off range areas that may create an unacceptable risk to human health or the environment. In the case of the ARNG, DAIM-ISE will notify ARNG G-3 (NGB-ART).
 - 11.1.4 The Program Executor in coordination with DAIM-ISE will contact the appropriate Army Cleanup Program POCs when the ORA has identified a release or substantial threat of release of MC from an operational range to off range areas that may create an unacceptable risk to human health or the environment.
- 11.2 Referring an Operational Range to the Appropriate Cleanup Program:
 - 11.2.1 IR program or MMRP. The Army's "Implementing Guidance for Expanded Defense Environmental Restoration Program Eligibility", May 2009 (Army DERP Guidance) defines IRP and MMRP eligibility.
 - 11.2.1.a Sites meeting the following definition are eligible for DERP funding: "a facility or site owned by, leased to, or otherwise possessed by the

United States and under the jurisdiction of the Secretary of Defense.”
(Army DERP Guidance)

- 11.2.1.b The following statement from the Army DERP Guidance directly relates to referred sites as a result of an ORA. “Activities to address a confirmed release of contamination migrating off-range from an operational range, including releases identified through the Phase II Operational Range Assessments. Operational range boundaries are identified in the Army Range Inventory Database. The location of a treatment system with the sole purpose of addressing off-range migration is at the discretion of the installation and if located on an operational range, will be coordinated with the appropriate range managers.”
- 11.2.1.c A referred operational range that is under the jurisdiction of the federal government will be referred to the Army’s IR program or MMRP.
- 11.2.2 Referring a site to the Compliance Cleanup (CC) program. All sites not meeting DERP eligibility will be referred to the CC Program.
 - 11.2.2.a Any operational ranges not meeting DERP eligibility as noted in section 2.1 of the Army DERP Guidance, such as state owned sites, are not eligible for DERP funding and will therefore be referred to the Army’s CC program.
 - 11.2.2.b The Army’s DERP guidance also notes that activities ineligible for DERP funding include, “Responses at Contractor Owned/Contractor Operated (COCO) facilities” (sec. 2.3.3). Therefore, any referred operational ranges that are COCO facilities will be referred to the Army’s CC program.

