



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

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SAIE(ESOH)

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Interim Guidance for Chemical Warfare Material (CWM) Responses

1. The enclosed Interim Guidance (Enclosure 1) is provided for immediate implementation. This guidance supersedes the Office of the Assistant Secretary of the Army's (Installation, Logistics and Environment) September 5, 1997 Interim Guidance for Biological Warfare Material and Non-Stockpile Chemical Warfare Material (CWM) Response Activities, only as it relates to CWM response activities. This Interim Guidance will remain in effect until replaced by an Army Regulation and corresponding Department of the Army Pamphlet.
2. Compliance with this Interim Guidance will help ensure the protection of human health and the environment during munitions responses and other activities (e.g., range clearance activities) known or suspected to involve CWM or other munitions or materials of interest (i.e., munitions or material that contain an unknown liquid fill). Compliance will also ensure that this material is properly safeguarded and that proper accountability is maintained. Among other matters, this Interim Guidance addresses:
 - a. The conduct of munitions responses that involve CWM (also known as non-stockpile chemical warfare munitions or buried chemical warfare material or munitions) or other munitions or material of interest, and chemical agent identification sets (CAIS) that contain neat agent or dilute nerve agent.
 - b. Requirements for safeguarding recovered CWM (RCWM) and other munitions or material of interest that are involved in an explosives or munitions emergency, encountered during a planned CWM response, or encountered either during planned CWM response or other environmental responses, construction work, or other activities.
 - c. Procedures for addressing CAIS that contain dilute chemical agents (CA) or industrial chemicals as hazardous waste.
 - d. Compliance with Chemical Weapons Convention (CWC) requirements.
 - e. Requirements for accounting for and inventorying RCWM and other munitions and material of interest.

3. This Interim Guidance has been coordinated with the Department of the Army Chemical Agent Safety Council, as well as other Army offices and organizations with responsibilities (Enclosure 2) related to CWM Responses.

4. My point of contact is Mr J C King, Assistant for Munitions and Chemical Matters, (703)697-5564, or email: jc.king@us.army.mil.

Tad Davis

Enclosures

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SUBJECT: Interim Guidance for Chemical Warfare Material (CWM) Responses

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ENCLOSURE 1: INTERIM GUIDANCE

ENCLOSURE 2: DRAFT RESPONSIBILITIES

Subject: Draft Roles and Responsibilities for CWM Response Program

Pending coordination of an Army Regulation and corresponding Department of the Army Pamphlet for the Chemical Warfare Material (CWM) Response Program (see 1 Apr 09 memorandum), the below responsibilities, which will be finalized during coordination of the Army Regulation, will apply.

1. The Assistant Secretary of the Army for Acquisition, Logistics and Technology (ASA(ALT)) is responsible for providing oversight of:

a. Acquisition activities, including equipment development, procurement, testing, or fielding.

b. The use of Chemical Agents and Munitions Destruction, Defense (CAM,D) appropriations, including actions involving Project Manager for Non-Stockpile Chemical Material (PMNSCM).

c. Develop, with ASA(I&E) and CMA (PM NSCM), funding requirements under Chemical Agent and Munitions Destruction, Defense (CAMD,D) in support of program and budget submissions for the Future Years Defense Program (FYDP).

2. The Assistant Secretary of the Army (Environment, Safety and Occupational Health) will:

a. Provide policy and guidance for DoD's Recovered Chemical Warfare Material Response Program.

b. Provide centralized management oversight of CWM Responses¹ under Defense Environmental Restoration Program (DERP), range clearance activities², and other actions (e.g., explosives and munitions emergencies³) that involve or potentially involve recovered chemical warfare material (RCWM)⁴ and,

¹ **CWM Response.** Munitions responses and other responses to address the chemical safety; explosives safety, when applicable; human health; or environmental risks presented by CA-filled munitions and CA in other than munitions configurations. (See Munitions Response.)

² **Range Clearance.** The destruction or removal and proper disposition of used military munitions (e.g., UXO and munitions debris) and other range-related debris (e.g., target debris, military munitions packaging and crating material) to maintain or enhance operational range safety or prevent the accumulation of such material from impairing or preventing operational range use. "Range clearance" does not include removal, treatment, or remediation of chemical residues or munitions constituents from environmental media, nor actions to address discarded military munitions (e.g., burial pits) on operational ranges.

³ **Explosives or Munitions Emergency (40 CFR §260.10):** A situation involving the suspected or detected presence of UXO, damaged or deteriorated explosives or munitions, an improvised explosive device (IED), other potentially explosive material or device, or other potentially harmful military chemical munitions or device, that creates an actual or potential imminent threat to human health, including safety, or the environment, including property, as determined by an explosives or munitions emergency response specialist.

⁴ **Recovered Chemical Warfare Material (RCWM).** CWM used for its intended purpose or previously disposed of as waste, which has been discovered during a CWM response or by chance (e.g., accidental discovery by a member of the public), that the Department of Defense has either secured in place or placed under DoD control, normally in a DDESB-approved storage location or interim holding facility, pending final disposition.

as appropriate, other munitions (i.e., munitions with an unknown liquid fill) and material of interest (e.g., chemical agent identification sets (CAIS), laboratory vials or containers).

c. Ensure cross-functional coordination among Program Execution Managers and the cost-effective and efficient use of limited resources.

d. Develop, with ASA(ALT) and CMA (PMNSCM), funding requirements under Chemical Agent and Munitions Destruction, Defense (CAMD,D) in support of program and budget submissions for the Future Years Defense Program (FYDP) using input from the Services Program Execution Managers.

e. Assemble data from each of the Services to provide visibility of total RCWM Program costs

f. Conduct, as required, archival research of DoD operations that involved CWM and CAIS, and develop and maintain an inventory of CWM sites and other locations of potential interest.

g. Review and approve Research, Development, Testing and Evaluation (RDT&E) requirements for support of the RCWM Response Program.

h. Review RCWM reports (e.g., Material Assessment Review Board (MARB), Chemical and Biological Event Reporting System (CBERS)) related to CWM responses to ensure the validity of established policy, consistency with policy, and identify potential policy gaps.

i. Approve work plans (scheduling) of all CWM responses.

3. The Assistant Secretary of the Army (Installations and Environment) through HQDA G-3/5/7 and the appropriate chain of command is responsible for providing oversight of CTIC-related activities to ensure compliance with the CWC.

4. The Assistant Chief of Staff for Installation Management (ACSIM) will:

a. Provide environmental policy guidance, execution authority, and overall program management for matters related to resourcing under the DERP.

b. Coordinate and integrate the efforts of the Program Execution Managers.

c. Provide ASA(I&E) a single point of contact who has the authority to coordinate the scheduling and execution of CWM responses.

e. Coordinate scheduling of CWM responses or other planned actions (e.g., range clearance activities) that may involve CWM with ASA(I&E).

5. Program Execution Managers⁵ will:

a. Manage and fund, in the year of execution, those portions of the RCWM Response Program that are funded by the DERP as part of DoD's cleanup program. (These do not include explosives or munitions emergencies, the assessment of military munitions and other materials of interest that contain an unknown liquid fill, or the demilitarization of RCWM.)

b. Coordinate scheduling of CWM responses or other planned actions (e.g., range clearance activities) that may involve CWM with ACSIM.

c. Integrate CWM responses with other environmental response activities at a given site to the extent practical.

d. Coordinate scheduling of CWM responses or other planned actions (e.g., range clearance activities) that may involve CWM with ACSIM.

e. Provide a project manager for planning and to provide oversight of CWM response or other actions that may involve CWM conducted by the US Army Corps of Engineers (USACE). (USACE will be responsible for onsite management, the conduct of CWM response activities, coordinating the assessment of munitions and other material of interest and the destruction of any RCWM, and providing technical support and materials to support outreach and public affairs.)

f. Perform, with USACE's support, those real estate functions (e.g., obtaining rights of entry, reviewing deed restrictions) required to support a CWM response.

g. Prepare and submit, in coordination with USACE, required reports (e.g., environmental liabilities, input for annual report to Congress), except CWC notifications and CBERS reports.

h. Maintain an inventory of CWM sites and locations on operational ranges where CWM is known or suspected to be present and notify ASA(I&E) and ACSIM of any potential new sites, as soon as they are identified.

⁵ The Army Program Execution Managers are: US Army Environmental Command (Active Installations), US Army Base Realignment and Closure (BRAC) Division (BRAC Installations), US Army Corps of Engineers (Formerly Used Defense Sites).

6. US Army Corps of Engineers (USACE) will:

a. Execute CWM responses, operational range clearance and other activities, with the exception of explosives or munitions emergency responses, where the probability of encountering CWM and CAIS is medium to high or where CWM and CAIS have been encountered.

b. Provide ACSIM and ASA(I&E) a single point of contact who has USACE decision and tasking authority to coordinate the scheduling and execution of CWM responses.

c. Provide technical advice to Program Execution Managers and Installation Project Managers on the need for and design of CWM responses, operational range clearance and other activities where the probability of encountering CWM or CAIS is medium to high, and when requested when the probability of such encounters is low.

d. Support Program Execution Managers, Installation and USACE District commanders in:

(1) Planning CWM responses.

(2) Developing a cost-to-complete for CWM sites.

Execution includes:

(3) Preparing and submitting required reports (e.g., chemical event reports (CER)) related to CWM responses or range clearance or other activities under its management.

(4) Preparing and coordinating DDESB required safety submissions per DoD and appropriate Service policy.

(5) Coordinating all plans and operational details with the stakeholders.

(6) Providing Public Affairs support for information exchange and public involvement related to CWM responses.

(7) Coordinating and integrating all on-site CWM response activities.

(8) Coordinating and conducting required pre-operation surveys⁶ and Table Top Exercises⁷ per DoD and Army policy.

⁶ Survey to ascertain that personnel, equipment, and material required for work activities are onsite, that personnel are trained and qualified to perform their work assignments, and that work procedures and safety controls are appropriate for the tasks, effective in accomplishing the work objectives, and provide for an adequate level of safety. Preoperational surveys are based on the approved safety submission, incorporate

(9) Managing all on-site CWM site activities, in coordination with the Services' Program Execution Managers.

(10) Performing all contract activities for CWM responses that involve the placement of explosives on a site; the intentional physical contact with munitions and explosives of concern (MEC), or CA regardless of configuration; or the conduct of ground-disturbing or other intrusive activities in areas known or suspected to contain CA regardless of its configuration.

(11) Responding to regulatory inquiries and concerns.

(12) Performing real estate functions (e.g., obtaining rights of entry, reviewing deed restrictions) required to support a CWM response.

(13) Conducting public affairs and outreach, to include the implementation of required UXO Safety Education Programs.

e. Provide for safety oversight on all CWM responses.

f. Request and participates on the MARB

7. The US Army Chemical Materials Agency (CMA), as the Executive Agent for the destruction of recovered chemical warfare materiel, will:

a. Fund, through CAMD,D appropriation and, in coordination with ASA(I&E), execute:

(1) The assessment of recovered munitions and other material of interest that contain an unknown liquid fill.

(2) The destruction of all RCWM and derived secondary wastes in a safe, environmentally responsible, and cost effective manner in compliance with the CWC

(3) The selection and sustainment of the crews, staff, and equipment that it determines needed for support to the RCWM Response Program, explosives and munitions emergencies, and other actions that may result in the recovery of CWM.

personnel interviews, records reviews, equipment and material inventories and performance tests, and simulations of planned work and emergency response activities.

⁷ An exercise using simulations to conduct drills of emergency response to differing accident or incident scenarios to ensure the effectiveness of the response, identify deficiencies or omissions in the emergency response process, and establish continuity and coordination among response agencies.

b. Maintain a programmatic database of information (e.g., U.S. Army's Material Assessment Review Board (MARB), air monitoring, CWC compliance for destruction, lessons learned).

c. Provide an National Inventory Control Point (NICP) for RCWM.

d. Fund, record and catalog all MARB recommendations and activities. (MARB recommendations will be provided to the RCWM PMO for distribution as appropriate.)

e. Provide ASA(I&E) a single point of contact who has CMA decision and tasking authority to coordinate the scheduling and execution of RCWM responses.

f. Develop life-cycle cost estimate and schedule for the assessment of munitions and other material of interest, and destruction of RCWM and the sustainment of the operational crews, staff, and equipment required for support the RCWM Response Program, explosives and munitions emergencies, and other actions that may result in the recovery of CWM; and for RDT&E required to support the program.

g. Conduct, based on requirements developed by ASA(I&E), RDT&E of equipment required to support mission requirements or improvements to current assessment and destruction equipment.

h. Under an appropriate acquisition program, test and develop technology or technological improvements required to support the RCWM Program, and other related requirements.

i. Sustain implementation of CWC treaty requirements.

j. Provide, when requested, assessment and destruction costs to the Services' Program Execution Managers to support coordination, integration and planning.

8. US Army Technical Center for Explosives Safety will:

a. Provide:

(1) Final Army review and approval of Department of Defense Explosives Safety Board (DDESB)-required explosives safety submissions, and forward such submissions to the DDESB for final review and approval.

(2) Explosives safety and chemical agent safety technical information and assistance.

(3) Technical support to the DA Explosives Safety Council and the DA Chemical Agent Safety Council.

b. Participate as DA Safety representative in preoperational surveys of chemical activities as requested by HQDA or the ACOMs, ASCCs, DRUs, or NGB.

9. ECBC will, when required, support the CWM Response Program by:

a. Assigning a Program Manager to provide overall project support.

b. Providing:

(1) Trained and certified operators for near-real time air monitoring equipment and on-site analysis of historical or confirmation samples.

(2) Chemical or biological laboratory analysis of routine soil and water samples as well as sample receipt, access and analysis of intact containers or unknown Providing mask fit certification and Personal Protective Equipment (PPE)

(3) Chemical Agent Filtration Systems (CAFS) and certification of CAFS and Vapor Containment Structures (VCS)

(4) Trained and PRP-certified operators for destruction of CWM and other non-conventional munitions.

c. Deploying and maintain required air monitoring to include (CASARM) chemical agent standards.

d. Maintaining technical control over all analytical data and results.

e. Maintaining 40-year database of all air monitoring results.