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

DAIM-ZA

JUN 2 7 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Department of Army Guidance for Addressing Potential Perchlorate Contamination

1. Reference. Memorandum from Assistant Under Secretary of Defense (Environment), *Perchlorate Assessment Policy*, November 13, 2002 (Enclosure 1).

2. This memorandum provides Department of the Army guidance to implement the Department of Defense (DoD) perchlorate assessment policy (Reference) in situations where no legally mandated requirement exists, to report and track data, and to assist in determining the potential presence and risks from perchlorates.

3. No Federal regulatory standards (i.e., discharge standards or maximum contaminant level under the Clean Water Act, Safe Drinking Water Act, Comprehensive Environmental Response, Compensation, and Liability Act or Resource Conservation and Recovery Act) have been established for perchlorate, and only a few states have adopted perchlorate action levels. However, perchlorate is on track for future regulatory action at both the national and state levels. Garrison Commanders, BRAC Field Office Directors and FUDS District Commanders are being asked by Federal and state regulators to sample and assess for the presence of perchlorate on, or emanating from, their facilities.

4. The Department of the Army guidance (Enclosure 2) provides instructions for implementing the DoD policy. The intent of this guidance is to provide the Army with a consistent framework for addressing potential perchlorate contamination resulting from ongoing activities, as well as past practices. It also provides instructions for reporting of data to HQDA. This guidance applies to all active installations, BRAC Army installations and excess properties, and Formerly Used Defense Sites located within the United States and its territories.

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5. Points of contact are Ms. Connie Van Brocklin, 703-693-0546, connie.vanbrocklin@hqda.army.mil and Mr. Malcolm Garg, 703-693-0678, malcom.garg@hqda.army.mil.

2 Encls

for LARRY J. LUST
Major General, GS
Assistant Chief of Staff
for Installation Management

DISTRIBUTION:

DIRECTOR, US ARMY INSTALLATION MANAGEMENT AGENCY, ATTN: MR. CARLISLE, 2511 JEFFERSON DAVIS HIGHWAY (TAYLOR BUILDING), ARLINGTON, VA 22202
COMMANDER, US ARMY CORPS OF ENGINEERS, ATTN: CECS/CELD-ZE, 441 G STREET, NW, WASHINGTON, DC 20314-1000
CHIEF, NATIONAL GUARD BUREAU, ATTN: NGB-ARZ-D/NGB-ARE, ARLINGTON HALL, 111 SOUTH GEORGE MASON DRIVE, ARLINGTON, VA 22204-1382

CF:
COMMANDER,
US ARMY FORCES COMMAND, ATTN: AFCS, FT MCPHERSON GA 30330-6000
US ARMY MATERIEL COMMAND, ATTN: AMCCS/AMCEN-A, 5001 EISENHOWER AVENUE, ALEXANDRIA VA 22333-0001
US ARMY TRAINING AND DOCTRINE COMMAND, ATTN: ATCS, FT MONROE VA 23651-5000
US ARMY MEDICAL COMMAND, ATTN: MCCS, 2050 WORTH ROAD, FT SAM HOUSTON TX 78234-6000
US ARMY MILITARY DISTRICT OF WASHINGTON, ATTN: ANCS/ANSP, FT LESLEY J. MCNAIR, WASHINGTON DC 20319-5050
US ARMY PACIFIC, ATTN: APCS/APEN-EV, FT SHAFTER, HI 96858-5100
US ARMY SOUTH, ATTN: SOCS/SOEN, P.O. BOX 34000, FORT BUCHANAN, PUERTO RICO 00934-3400
US ARMY RESERVE COMMAND, ATTN: AFRC-CS, 1401 DESHLER STREET, SW, FT MCPHERSON GA 30330-2000
US ARMY SPACE AND STRATEGIC DEFENSE COMMAND, ATTN: CSSD-ZC/CSSD-EN, PO BOX 1500, HUNTSVILLE AL 35807-3801

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MILITARY TRAFFIC MANAGEMENT COMMAND, ATTN: MTEA-CS/MTEA-FE, HOFFMAN BLDG II, 200 STOVAL STREET, ALEXANDRIA VA 22332-5000US
ARMY CENTER FOR HEALTH PROMOTION AND PREVENTATIVEMEDICINE, ATTN: MCHB-CS/MCHB-DC-EHM, ABERDEEN PROVING GROUND, MD 21010-5422
US ARMY SIGNAL COMMAND, ATTN: ASCS/ASEN, FT HUACHUCA, AZ 85613-5000
US ARMY TEST AND EVALUTATION COMMAND, ATTN: CSTE-ILE, 4501 FORD AVENUE, ALEXANDRIA, VA 22302-1458
SUPERINTENDENT, US MILITARY ACADEMY, ATTN: MACS/MAEN, WEST POINT, NY 10996-1592
DEPUTY ASSISTANT SECRETARY OF THE ARMY (ENVIRONMENT, SAFETY AND OCCUPATIONAL HEALTH)

IMA REGIONAL OFFICES:
INSTALLATION MANAGEMENT AGENCY, NORTHEAST REGION, SFIM-NE, (DEBORAH RICHERT), 5A NORTH GATE ROAD, FORT MONROE, VA 23651-1048
INSTALLATION MANAGEMENT AGENCY, SOUTHEAST REGION, SFIM-SE, (RUDY STINE), 1593 HARDEE AVENUE, SW, BUILDING 171, FORT MCPHERSON, GA 30330-1057
INSTALLATION MANAGEMENT AGENCY, NORTHWEST REGION, SFIM-NW, (GARY BALTRAM), 1 ROCK ISLAND ARSENAL, ROCK ISLAND, IL 61299
INSTALLATION MANAGEMENT AGENCY, SOUTHWEST REGION, SFIM-SW, (DAMON CARDENAS), 1204 STANLEY ROAD, SUITE 9, FORT SAM HOUSTON, TX 78234-5009
INSTALLATION MANAGEMENT AGENCY, PACIFIC REGION, SFIM-PA, (MIKE HARADA), FT SHAFTER, HI 96858-5000

DAIM-EDT
DAIM-BO
DAMO-TRS
DALO-SMA
ENVIRONMENTAL LAW DIVISION, OFFICE OF THE JUDGE ADVOCATE GENERAL, JALS-EL
SFIM-AEC

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

ACQUISITION,
TECHNOLOGY
AND LOGISTICS

NOV 13 2002

MEMORANDUM FOR DEPUTY ASSISTANT SECRETARY OF THE ARMY (ENVIRONMENT, SAFETY AND OCCUPATIONAL HEALTH)
DEPUTY ASSISTANT SECRETARY OF THE NAVY (ENVIRONMENT)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE (ENVIRONMENT, SAFETY AND OCCUPATIONAL HEALTH)
DIRECTOR, SUPPORT SERVICES, DEFENSE LOGISTICS AGENCY

SUBJECT: Perchlorate Assessment Policy

DoD Components may ascertain and assess for perchlorate if there is a reasonable basis to suspect both a potential presence of perchlorate and a pathway on their installations where it could threaten public health.

DoD Components can use environmental restoration funding only for sites that meet Defense Environmental Restoration Program (DERP) eligibility requirements in the current version of the DERP management guidance. At other sites, this memorandum establishes DoD policy to allow Components to consider this a Class II requirement under DoD Instruction 4715.6 "Environmental Compliance".

Please provide the following information for those installations that conduct sampling and find perchlorate: 1) Installation, 2) Level found and 3) Where the perchlorate was found.

My point of contact is Mr. Shah A. Choudhury, (703) 697-7475 for DERP and Ms. Maureen Sullivan, (703) 604-0519, for all other matters.

John Paul Woodley, Jr.
Assistant Deputy Under Secretary
of Defense (Environment)

ENCLOSURE 1

Department of Army Guidance for Addressing Potential Perchlorate Contamination
June 2003

1. This guidance implements and supplements the DoD Perchlorate Assessment Policy issued 13 Nov 02. The purpose of this guidance is to provide the Army with a consistent framework for addressing potential perchlorate contamination resulting from ongoing activities as well as past practices. This guidance applies to Army active and BRAC installations and Formerly Used Defense Sites (FUDS) located within the United States. For the purpose of this guidance, those locations will be referred to as "defense sites".

2. This guidance outlines:

a. Internal Army requirements for ascertaining potential perchlorate contamination resulting from DoD activities at all defense sites.

b. Guidelines for determining the existence of a potential human-health exposure pathway.

c. Guidelines for conducting sampling, where justified, prior to promulgation of a federal health-based standard.

d. Guidelines for reporting data to HQDA.

3. The Army will adhere to, and comply with, any federal legal requirement to sample, assess, or otherwise respond to suspected perchlorate contamination. The Army will also adhere to and comply with any state legal requirement to sample, assess, or otherwise respond to suspected perchlorate contamination to the extent that Congress has clearly and unambiguously authorized a waiver of sovereign immunity for this purpose. The Garrison Commander for active installations, BRAC Field Office Director for BRAC/excess properties, or the USACE District Commander for FUDS property will determine, in consultation with legal counsel, if any federal, state or local statutes and/or regulations are applicable to the defense site. Any perchlorate sampling or response required by federal, state, or local laws and regulations should be implemented, to the extent possible, consistent with the guidance below, to include the reporting of data.

4. In the absence of an applicable legal driver, Army may respond to possible perchlorate contamination <u>if all the following conditions</u> are satisfied:

a. A reasonable basis exists to suspect a potential release of perchlorate that is associated with DoD activities at the defense site;

ENCLOSURE 2

b. A pathway exists for the potential contamination to threaten public health;

c. Authorization is received from HQDA,/DAIM-ED (ODEP), HQDA,/DAIM-BO (BRACO), or HQUSACE (CEMP-R) by using the USACE FUDS program management chain of command.

5. Determining the potential for perchlorate contamination: Installations may have the potential for perchlorate contamination if the installation has a history of perchlorate use. This includes the manufacture of missiles, rockets and/or munitions containing perchlorates; using perchlorate-containing munitions for training or testing purposes; demilitarizing perchlorate-containing munitions, such as performing "hog-out" of rockets and missiles containing solid propellant, or conducting open burn/open detonation (OB/OD) operations; and other operations where the likelihood of a perchlorate release exists. Information on munitions containing perchlorate will be made available on DENIX during summer 2003. To the extent possible, information should be gleaned on the perchlorate related activity, intensity of activity and likelihood of a perchlorate release. The Garrison Commander, BRAC Field Office Director or USACE District Commander for FUDS is responsible for determining current and historical uses of perchlorate-related activities for installation and tenant activities.

6. Determining Potential Pathways for Perchlorate Presence: The public may encounter perchlorate contamination in the environment through exposure to groundwater, surface water, soil, or sediment. Perchlorate may reach human receptors via several pathways. To determine whether a pathway exists, defense sites will:

a. Determine if there is any drinking water source that may be impacted by groundwater or surface water on or leaving the defense site.

b. Determine if any drinking water systems on or near the defense site are listed in the EPA Unregulated Contaminants database and determine if the drinking water system has sampled for or detected perchlorate. EPA Unregulated Contaminants database link: http://www.epa.gov/ogwdw000/data/ucmrgetdata.html

c. Determine through record searches if any soil or sediment potentially contaminated with perchlorate is being used for fill material, topsoil, or other uses that may threaten public health.

d. Review existing documentation of environmental and/or hydrogeological investigations performed at the defense site.

e. Work with regulators and the public, as appropriate, to identify potential exposure scenarios and pathways.

7. Conflict Resolution: Should the public or regulator disagree with the Army about potential perchlorate contamination and/or possible exposure routes, the issue will be elevated for resolution to HQDA/ODEP for active installations, HQDA/BRACO for

BRAC/excess installations, or to HQUSACE for FUDS, for resolution. HQDA BRACO decisions regarding BRAC/excess sites and HQUSACE decisions regarding FUDS sites will be coordinated with HQDA/ODEP to ensure that a consistent Army position is maintained.

8. Public Affairs: All communication with the public and/or the media regarding potential or confirmed perchlorate contamination will be reviewed and approved prior to release by the Army public affairs entity responsible for the defense site(s) in question. The responsible public affairs entity will copy/furnish the Army public affairs POC for perchlorate, Robert DiMichele, 410-436-1651, robert.dimichele@aec.apgea.army.mil.

9. Final Authorization:

a. Perchlorate Sampling Approval and Authorization: All requests for perchlorate sampling at active installations shall be made in writing to HQDA, DAIM-ED (ODEP), through HQ IMA, by the installation's Garrison Commander. Army National Guard (ARNG) sites will forward their request to the National Guard Bureau Environmental Programs Division (NGB-ARE) who in turn will coordinate the request with ODEP. For BRAC/excess installations, the BRAC Field Office Director will make a written request to HQDA DAIM-BO (BRACO). The written requests shall provide a detailed account of why sampling is necessary, as outlined above. For FUDS, coordination and authorization from HQUSACE (CEMP-R) may be obtained informally via e-mail through the USACE FUDS program management chain of command. HQDA/BRACO and the USACE FUDS chain of command decisions regarding BRAC/excess installations and FUDS will be coordinated with HQDA/ODEP to ensure consistent Army responses and intent.

b. Responses: If regulators are requiring further response action to address perchlorate, defense sites must receive approval for such action, as outlined above.

10. If a defense site determines sampling is required, then the following must occur:

a. For active or BRAC/excess installations a written plan will be developed. For FUDS a plan coordinated through the FUDS management chain will be developed. The plan will include:

(1) Reasons for suspecting the perchlorate contamination.

(2) Potential human-health receptors and pathways leading to them.

(3) Sampling locations and rationales.

(4) Analytical method to be used for sample analysis.

b. Laboratory Analysis: The laboratory must analyze for perchlorate using an appropriate analytical method, EPA Method 314.0; EPA Method 9058; or an equivalent method. All method Quality Assurance/Quality Control (QA/QC) requirements must be met. The laboratory will have a quality system that meets the requirements of the International Organization for Standardization (ISO) Standard 17025. The laboratory will comply with the DoD Quality Systems Manual for Environmental Laboratories. The method detection limit (MDL) must be lower than the reporting limit. The reporting limit must be at or below the lowest action level. The reporting level cannot be lower than the lowest standard of the calibration curve. The laboratory must be accredited in the National Environmental Laboratory Accreditation Program (NELAP) and/or approved by the Army Corps of Engineers.

c. If Regulators sample: If the regulating agency is conducting the sampling, the defense site will collect and analyze split-samples in accordance with the protocols outlined in subparagraph b. Additionally, the appropriate chain of command will be notified. Actions wll be coordinated with HQDA/ODEP prior to sampling.

d. Review of Plan: All plans must be coordinated with U.S. Army Environmental Law Division (ELD) prior to implementation with the exception of FUDS. For FUDS, plans will be coordinated with the USACE Hazardous, Toxic and Radioactive Waste Center of Expertise (HTRW-CX).

9. Reporting: Results of previous and current perchlorate sampling must be provided to the US Army Environmental Center (AEC) to:

Tony Perry
Bldg. 4480
Aberdeen Proving Ground
Edgewood, MD 21010
E-mail: trperry@aec.apgea.army.mil
Phone: (410) 436-1605, DSN: 581-1605

The following information shall be provided:

- Defense Site name
- Date sampled
- Location of sample
  - At a minimum a description that would allow re-identification of the sampling point.
  - If available latitude/longitude coordinates detailing a sample location.
- Level found/analytical method
- Activity associated with sample location (i.e., OB/OD, production facility, etc.)
- Point of Contact (POC)

Note: Specifically state if the sample was obtained from an operational training range and/or there is cause to believe a detection is the result of current training activities. If contamination is found on an operational training range or suspected to be the result of current training activities, AEC will immediately notify HQDA/ODEP who in turn will notify DAMO-TRS (G-3).

11. Installation and FUDS environmental staffs are encouraged to contact and coordinate with the following Army POCs for Perchlorate Issues.

- **Office of the Director of Environmental Programs (ODEP)** – Connie Van Brocklin, Training Support Division, 703-693-0546, connie.vanbrocklin@hqda.army.mil. Shawn Holsinger, Cleanup, 757-788-3045, shawn.holsinger@monroe.army.mil. Malcolm Garg, Training and Support Division, 703-693-0678, malcom.garg@hqda.army.mil.
- **Base Realignment and Closure Office (BRACO)** – Ricky Stauber, 703-697-0130, ricky.stauber@hqda.army.mil.
- **US Army Corps of Engineers (USACE)** – J.R. Gibson, 202-761-4709, james.r.gibson@usace.army.mil.
- **Army National Guard (ARNG)** – Michael Ahn, 703-607-7995, Michael.Ahn@ngb.army.mil.
- **Army Environmental Center (AEC)** – Michael Dette, 410-436-1626, michael.dette@aec.apgea.army.mil.
- **Environmental Law Division (ELD)** – Captain Lucy Murfitt, 703-696-1593, lucy.murfitt@hqda.army.mil.
- **Installation Management Agency (IMA)** – Jewel Simmons, 703-602-4241, jewel.simmons@hqda.army.mil.
- **Defense Ammunition Center (DAC)** - Ed Ansell, 918-420-8081, eddie.ansell@dac.army.mil. Aaron Williams, 918-420-8605, aaron.williams@dac.army.mil.
- **Public Affairs Office (PAO)** – Robert DiMichele, 410-436-1651, robert.dimichele@aec.apgea.army.mil

12. This guidance is effective until promulgation of a federal regulatory standard, or until HQDA receives further guidance from the Office of the Secretary of Defense, whichever occurs first.