453-85

DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF ENGINEERS
WASHINGTON, D.C. 20310-2600

REPLY TO
ATTENTION OF:

ENVR-EH (200-1c)

1 NOV 1990

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Real Property Transactions and Preliminary Assessment Screenings (PAS)

1. References:

a. Memorandum, HQDA, ENVR-EH, 1 Nov 89, subject: Real Property Transactions and Environmental Baseline Studies (EBS).

b. AR 200-1, 23 Apr 90, "Environmental Protection and Enhancement."

2. Since the issuance of EBS regulations (references 1.a and 1.b above), MACOMs and subordinate installations have expressed difficulties implementing these requirements. These field implementation problems resulted in cumbersome real property transactions. An analysis of EBS determined that the scope of the program was too broad and redundant, and it did not focus on the primary issue of environmental contamination. Consequently, the Army Environmental Office (AEO) has prepared guidance for a more focused implementation of the EBS program that concurrently replaces the EBS program with a "Preliminary Assessment Screening" (PAS). The replacement of the EBS program with the PAS is intended to reduce confusion; incorporate the EBS program concept into existing Army programs; and generally focus and simplify the intent of the EBS, which is to document significant contamination and reduce Army liability.

3. A PAS will determine if hazardous substances were stored, released into the environment or structures, or disposed of on a proposed real property transaction site. The purpose of a PAS is to develop sufficient information to support a Record of Environmental Consideration (REC) or to be integrated into an Environmental Assessment (EA) or Environmental Impact Statement (EIS); to adequately assess the health and safety risks; define the nature, magnitude, and extent of any environmental contamination; and identify the environmental contamination liabilities associated with a real property transaction. The PAS is not a separate document within NEPA, but is a necessary additional evaluation for real property transactions required under NEPA.

ENVR-EH (200-1c)
SUBJECT: Real Property Transactions and Preliminary Assessment Screenings (PAS)

4. Request you transmit the enclosed policy guidance to all Environmental and Real Estate Offices within your command, and ensure that new real property transactions initiated 60 days after the date of this memorandum comply with the provisions of the enclosure.

5. If you have comments on this new guidance, please provide them to the AEO within 45 days from the date of this memorandum. Your comments will be considered in the final language change for the revision of AR 200-1.

6. The Army Environmental Office POC on this matter is Mr. Michael Cain, commercial (703) 693-5032, or DSN 223-5032.

FOR THE CHIEF OF ENGINEERS:

GARY JONES
DEPUTY ASSISTANT
CHIEF OF ENGINEERS

for PETER J. OFFRINGA
Major General, USA
Assistant Chief of Engineers

Encl

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12-5. Real property transactions

a. The Army proponent for a real property acquisition, transfer, or disposal transaction, which involves other than an Army agency and is within the United States, its territories and possessions will comply with the requirements set forth in this paragraph, in addition to the procedures found in AR 405-10, AR 405-80, and AR 405-90. For the definition of acquisition, transfer, or disposal, see glossary. (Note that the definitions of these terms do not include Government owned - Contractor operated (GOCO) contracts, renewal of existing contracts, third party contracts, and interservice support agreements).

b. Sections 12-5 (Real Property Transactions) and Appendix B (Environmental Baseline Study Protocol) of AR 200-1, 23 April 1990, are hereby superseded and cancelled.

c. Preliminary Assessment Screening (PAS). A PAS is conducted to determine if hazardous substances (as defined in glossary) were stored, released into the environment or structures, or disposed of on a site. The purpose of a PAS is to develop sufficient information to adequately assess the health and safety risks, define the nature, magnitude, and extent of any environmental contamination, and identify the potential environmental contamination liabilities associated with a real property acquisition, transfer, or disposal transaction.

d. A PAS provides information which will be integrated and documented in a Record of Environmental Consideration (REC), Environmental Assessment (EA), or Environmental Impact Statement (EIS) for all real property acquisition, transfer, or disposal transactions which meet all of the following conditions:

(1) The real property acquisition, transfer, or disposal transaction is within the United States, its territories, or possessions.

(2) The real property acquisition, transfer, or disposal transaction is conducted with a non-Army party.

e. A PAS screening must determine the type and quantity of such hazardous substance and period of time over which such storage, release into the environment or structures, or disposal took place, to the extent such information is available on the basis of a comprehensive records search and site inspection.

f. Items to be considered during the PAS process should include, but are not limited to:

(1) Properties or structures in which it is known that hazardous substances were stored, released, or disposed of.

(2) Installation Restoration Program (IRP) Initial Installation Assessment documents, Preliminary Assessment/Site Investigation (PA/SI) reports, Remedial Investigation/Feasibility Study (RI/FS) status reports; land use plans, and other environmental review reports; Installation Master Plan; Asbestos Surveys; etc.

(3) Aerial photos.

(4) Visual Site Inspection (unusual odors, stained soils, stressed vegetation, leachate seeps, land features related to human activities, unnatural surface features, etc.).

(5) Any permit, permit discontinuance or closure requirements.

(6) Other sources of information such as interviews or review of historic records.

g. The Army proponent is responsible for the completion of the PAS portion of the REC, EA, or EIS for transactions they have initiated. Non-Army parties will be requested to perform the PAS for transactions they have initiated.

h. Following completion of a PAS:

(1) The Army proponent will ensure that the findings of the screening are compiled in the form of a brief PAS statement of findings. The PAS statement of findings will be included in the REC.

(2) The Army proponent will ensure that the statement of findings for the PAS are integrated into the "Affected Environment" portion of the EA or EIS, whichever is appropriate.

(3) The statement of findings for the PAS will draw conclusions and provide recommendations on the acceptability of the proposed real property acquisition, transfer, or disposal transaction. Based on the PAS, the proponent must determine whether there is any reason to suspect that any hazardous substance was stored, released into the environment or structures, or disposed of on the subject property.

i. When the PAS indicates that no hazardous substance storage, release into the environment or structures, or disposal took place on the subject property or that the existence of a release of hazardous substances into the environment is not considered probable, the following applies:

(1) The PAS will be made part of the real property acquisition, transfer, or disposal transaction record to serve as documentation for the hazardous substance contamination condition of the property.

(2) Upon completion of i(1) above, the Army proponent has satisfied the PAS requirements of this section.

j. If the existence or potential for a release of hazardous substances into the environment or structures of the subject property is determined through the PAS process (comprehensive records search and site inspection), the Army proponent must carry out the DERP investigation procedures of AR 200-1, Chapter 9 or elect to exclude that portion of property from the real property acquisition, transfer, or disposal transaction. This does not apply to releases for which appropriate response action has already been taken.

k. Contamination on Army property will be identified through appropriate command channels and appropriate action will be taken to minimize risks associated with the real property acquisition, transfer, or disposal transaction.

l. The Army may require the owner of land it intends to acquire to address identified contamination in accordance with the National Contingency Plan (NCP), 40 CFR Part 300 prior to undertaking the acquisition.

m. For real property acquisition, transfer, or disposal transactions initiated by non-Army parties:

(1) The Army proponent will assure completion of a PAS and should participate actively when a non-Army party performs a PAS.

(2) The Army will prepare the PAS even though the non-Army party initiated the transaction if that party is either unwilling or is unable to conduct the PAS and the Army proponent determines that the transaction would be in the best interest of the Army.

(3) The Army proponent that prepares a PAS for a real property acquisition, transfer, or disposal transaction initiated by a non-Army party may request technical assistance from the supporting USACE District, USAEHA, USATHAMA or USACE Huntsville Division as appropriate.

Glossary

(These terms will be new. Add to existing AR 200-1 Glossary.)

Section II

Terms

Acquisition
Obtain, use, or control real property by purchase, condemnation, donation, exchange, easement, license, lease, permit, revestment and recapture as defined in chapter 1-4, Estates and methods of acquisition, of AR 405-10.

Army Proponent
The lowest level decisionmaker, i.e., the Army unit, element, or organization responsible for initiating or carrying out the proposed action.

Disposal (Real Property)
Any authorized method of permanently divesting DA of control of and responsibility for real estate.

Hazardous Substance
d. For the purpose of this regulation, chapter 12-5, Real property transactions, hazardous substances will also include Polychlorinated biphenyls (PCB's); Petroleum, Oil, and Lubricants (POL); Friable Asbestos; and Unexploded Ordnance (UXO).

Real Property
Land; present possessory interests in land; structures, fixtures, and other improvements on land; surface waters and ground water within the boundaries of the land; other interests in the land; and future interests in the land, in the United States, its territories and possessions.

Storage
The holding of hazardous substances (as defined in this section) for a temporary period prior to the hazardous substance being either used, neutralized, disposed of, or stored elsewhere.

Transfer
Permits to other government agencies, easements, leases (except agricultural or grazing leases) and licenses (except minor licenses granted by the installation's commander incident to post administration).

Jim Miller

AMCEN-R (SDSSE-HE/4 Mar 91) (405-10) 2nd End M. Chuck/ lap/49273
SUBJECT: Preliminary Assessment Screening (PAS) For Seneca Army Depot (SEAD)

03 APR 1991

CDR, USAMC, 5001 EISENHOWER AVENUE, ALEXANDRIA, VA 22333-0001

FOR COMMANDER, U.S. ARMY ENGINEER DISTRICT, NEW YORK, ATTN: CENAN-RE-A, 26 FEDERAL PLAZA, NEW YORK, NY 10276-0090

1. Reference Memorandum, Seneca Army Depot, SDSSE-HE, 4 Sep 90, subject: Off-Post CERCLA Activity, with 1st End, HQAMC, AMCEN-R, 7 Feb 91, subject: Rights-of-Entry Proceedings, Ash Landfill Areas.

2. The enclosed Preliminary Assessment Screening (PAS) for Seneca Army Depot has been reviewed and is forwarded for your information. The PAS is in support of our request for Rights-of-Entry requested by reference.

3. This Headquarters point of contact is Ms. Chuck, DSN 284-9899.

FOR THE COMMANDER:

for Maria Chuck
STANLEY H. FRIED
Chief, Real Estate Division
Office of the Deputy Chief of Staff
for Engineering, Housing,
Environment, and Installation
Logistics

1 Encl
nc

CF:
CDR, SENECA ARMY DEPOT, ATTN: SDSSE-HE, ROMULUS, NY 14541-5001
CDR, DESCOM, ATTN: AMSDS-IN-E, CHAMBERSBURG, PA 17201-4170
CDR, USAED, HUNTSVILLE, ATTN: CEHND-ED-PM (MR. K. HEALY), P.O. BOX 1600, HUNTSVILLE, AL 35807-4301

PRELIMINARY ASSESSMENT SCREENING (PAS)

The following parties have reviewed and approved of the attached PAS for the obtainment of an off-post easement on private land adjacent to the Ash Landfill site at Seneca Army Depot. It is understood that the easement will be utilized to conduct a Remedial Investigation/Feasibility Study (and Remedial Actions, if needed) in the off-post land in conjunction with similar work planned on-post in the Ash Landfill area.

James M Miller

MR. JIM MILLER
PREPARER

Stephen M Absolom

MR. STEPHEN M. ABSOLOM
REAL PROPERTY ACCOUNTABLE OFFICER

Randall W. Battaglia

MR. RANDALL BATTAGLIA
ENVIRONMENTAL COORDINATOR

Gary W Kittell

GARY W. KITTELL
DIRECTORATE OF ENGINEERING & HOUSING

DAVID K. ETTMAN
CAPTAIN, JA
POST JUDGE ADVOCATE

APPROVED:

Franklin H. Cochran

FRANKLIN H. COCHRAN
COLONEL, ORDNANCE CORPS
COMMANDING

PRELIMINARY ASSESSMENT SCREENING FOR OBTAINMENT OF ACCESS RIGHTS TO PRIVATE PROPERTY ADJACENT TO THE WEST CENTRAL BOUNDARY OF SENECA ARMY DEPOT.

I. SCOPE DEFINITION:

A. Proposed Real Property Transaction.

(1) Party Initiating Proposed Action.

This action is required as part of Seneca Army Depot's (SEAD's) responsibility under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Superfund Amendments and Reauthorization Act (SARA) of 1986, and through its inclusion on the U.S. Environmental Protection Agency's (EPA) National Priority List (NPL). Seneca Army Depot is preparing to conduct a Remedial Investigation/Feasibility Study (RI/FS) for its Ash Landfill near the west central boundary of the Depot (Plate 1, 2). The study will also extend off-post to an adjacent railroad right of way, town road and farm fields in order to determine if contamination has gone off-post. This RI/FS will be managed and conducted by the U.S. Army Corps of Engineers, Huntsville.

(2) Proposed Duration of Use.

It is estimated that the RI/FS study will take between 18 and 24 months to complete. However, additional regulatory requests for data and evaluation could extend the duration of the project an additional two (2) or more years. If the study results indicate contamination levels above acceptable regulatory standards. Off-post remediation may require an additional 3 to 20 years.

It is requested that the U.S. Army Corps of Engineers obtain an easement to the off-post land in order for COE, Huntsville to initiate the study. The study will to be initiated during the spring or early summer months of 1991 in order for the Depot to meets its CERCLA, SARA and mandated Inter Agency Agreement (IAG) requirements and schedules. Failure to do so could result in the Depot being subject to civil penalties, fines, public outrage and/or damaged relations with the regulators (EPA/State).

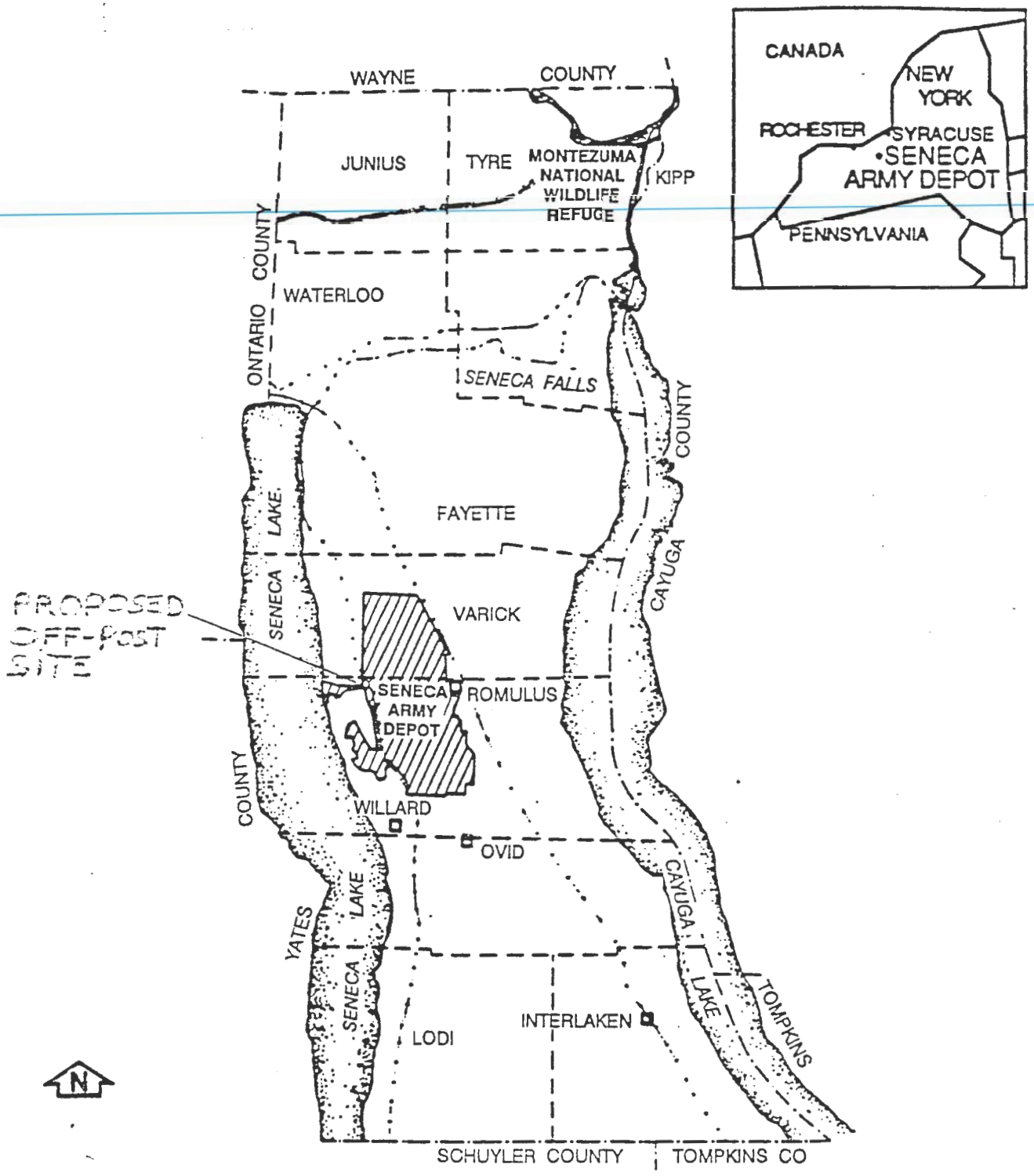
(3) Proposed Nature of Off-Post Action.

At this time, the exact scope of work is not certain but will surely include repeated surface entry for soil and groundwater sampling as well as installation and subsequent periodic sampling and maintenance of permanent monitoring wells on private property. More work may be required depending upon approval of the workplan by USEPA and New York State.

B. Description of Property.

(1) Background.

Seneca Army Depot is located in the Finger Lakes region of central New York State, on the west side of the highland separating Seneca and Cayuga Lakes, approximately 40 minutes south of Lake Ontario in the towns of Romulus and Varick, in Seneca County. Surrounded by sparsely populated farmland, other nearby communities include Geneva, Waterloo, Seneca Falls, Fayette, Ovid, Lodi, and Interlaken. New York State Highways 96 and 96A adjoin SEAD on the east and west boundaries, respectively. The depot covers approximately 10,600 acres.


CANADA
NEW YORK
ROCHESTER
SYRACUSE
•SENECA ARMY DEPOT
PENNSYLVANIA
WAYNE COUNTY
JUNIUS
TYRE
MONTEZUMA NATIONAL WILDLIFE REFUGE
KIPP
ONTARIO COUNTY
WATERLOO
SENECA FALLS
CAYUGA COUNTY
SENECA LAKE
FAYETTE
PROPOSED OFF-POST SITE
VARICK
CAYUGA
SENECA ARMY DEPOT
ROMULUS
WILLARD
OVID
YATES COUNTY
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CAYUGA LAKE
TOMPKINS
LODI
INTERLAKEN
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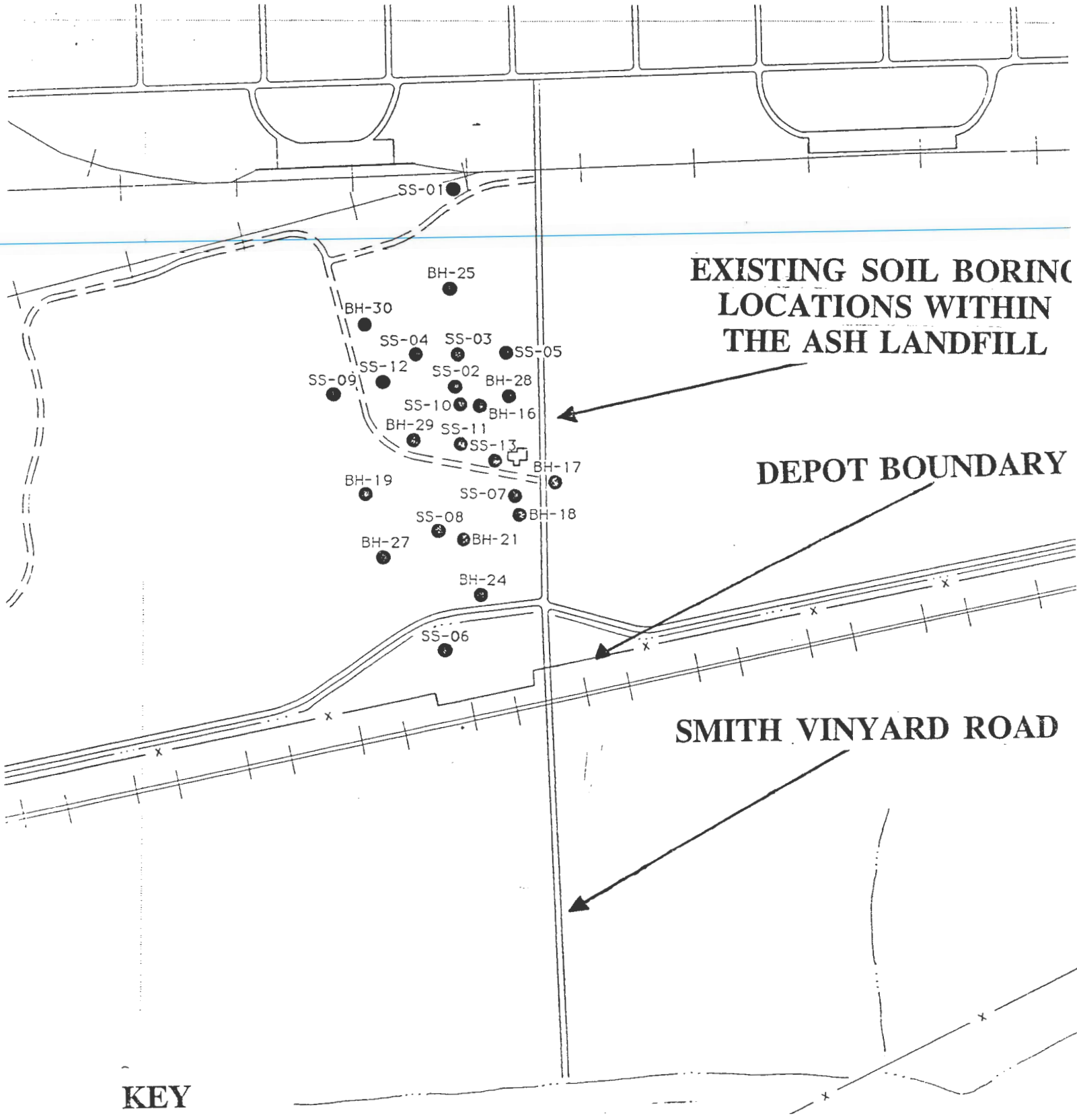
SCHUYLER COUNTY
TOMPKINS CO

PLATE 1



LOCATION OF THE ASH LANDFILL AREA IN RELATION TO THE OFF POST PROPERTY

PLATE 2

The landfill area is located midway along the western boundary of SEAD. From 1941 to 1974, uncontaminated trash was burned in a series of burn pits located east of the existing incinerator building (Building 2207). Between 1974 and 1979, materials intended for disposal were transported to the incinerator. Ashes and other residues from the incinerator were temporarily stored in an earthen pit on the northeast corner of the facility. When the pit was filled, the ashes and residues were removed, transported, and buried in the adjacent landfill. The incinerator was destroyed by a fire in 1979, and the landfill has subsequently been closed and capped.

A recently completed site investigation of the ash landfill area has documented the existence of a narrow plume of groundwater contamination that is believed to extend to, and possibly beyond, SEAD's western boundary. The contaminants of concern are chlorinated VOCs, T1,2DCLE, TCE, and to a lesser extent, 1,2-dichloroethane, vinyl chloride, and chloroform. Additionally, some heavy metals were found at or above background levels.

(2) Boundaries of the Proposed Off-Post Area.

The off-post parcels, for which easements are required, are shown in Plate 3. A legal description is as follows:

PROPERTY A -

Land Parcel Number: 7-1-02

Owner: Albert and Trudy Updike

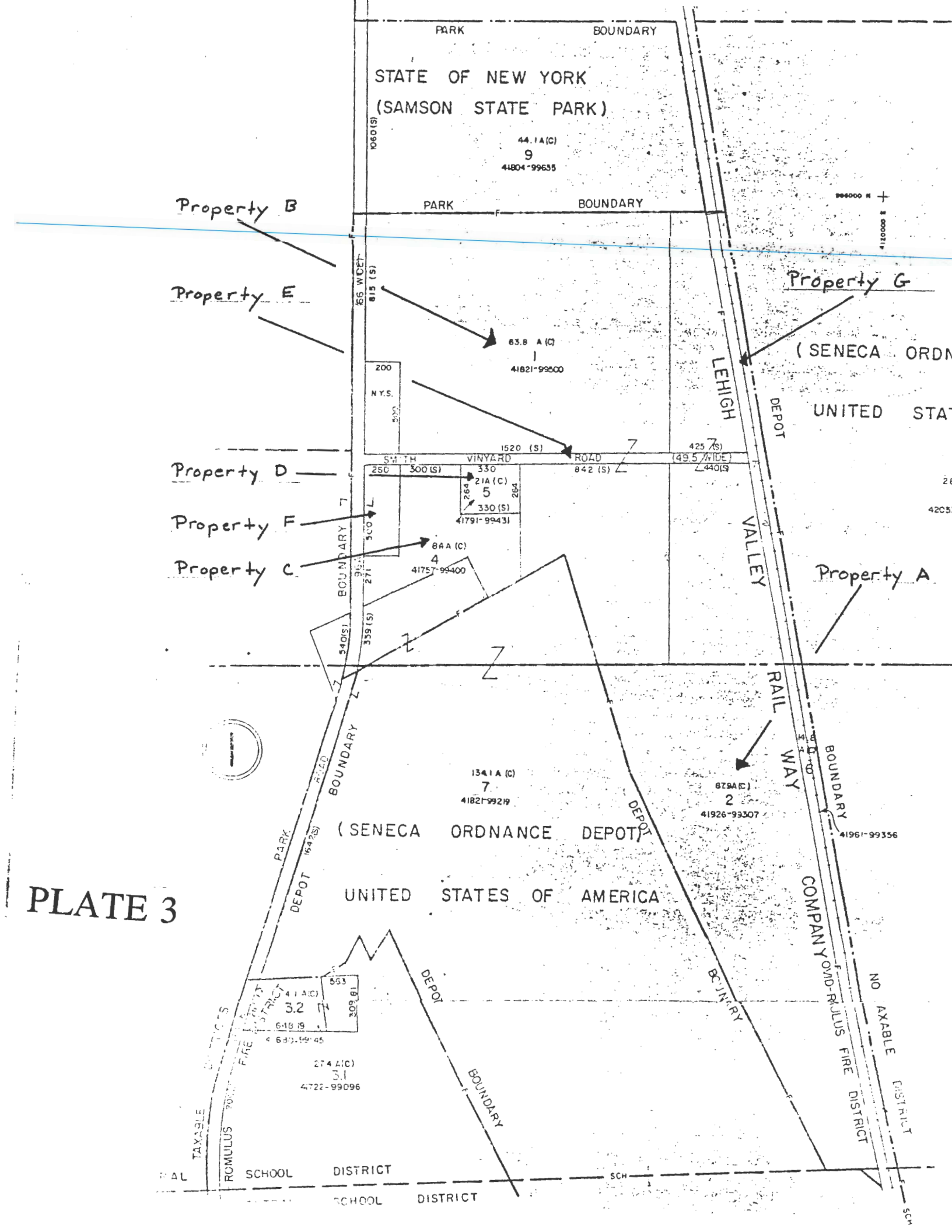
Address: Box 139 Halls Corners Road
Interlaken, NY 14847

State Plain Coordinates: E 41926, N 99307

Acreage: 67.9A

Deed Book: 471

Page: 260


PARK BOUNDARY
STATE OF NEW YORK
(SAMSON STATE PARK)
44.1 A(C)
9
41804-99635
1060(S)
PARK BOUNDARY
Property B
Property E
Property D
Property F
Property C
Property A
Property G
166 WIDE
815 (S)
63.8 A (C)
1
41821-99500
200
N.Y.S.
500
1520 (S)
SMITH VINYARD ROAD
842 (S)
425 (S)
(49.5 WIDE)
440(S)
250
300 (S)
330
21A (C)
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330 (S)
264
41791-99431
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84 A (C)
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41757-99400
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BOUNDARY
COMPANY
NO AXABLE
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ROMULUS FIRE DISTRICT
PARK
DEPOT ROAD
164 (S)
DEPOT
BOUNDARY
553
309.81
41.1 A(C)
3.2
6-18-19
6-18-99145
27.4 A(C)
3.1
4722-99096
TAXABLE
ROMULUS
SCHOOL DISTRICT
SCHOOL DISTRICT
SCH

PLATE 3

PROPERTY B -

Land Parcel Number: 7-1-01

Owner: Joseph and Shirley Nogle

Address: R.D. East Lake Road
Geneva, NY 13165

State Plain Coordinates: E 41821, N 99500

Acreage: 63.80A

Deed Book: 369

Page: 739

PROPERTY C -

Land Parcel Number: 7-1-04

Owner: William Fitch and Sau Dinaburg

Address: 1261 Lapaloma Drive
Daytona Beach, FL 32019

State Plain Coordinates: E 41757, N 99400

Acreage: 8.4A

Deed Book: 291

Page: 176

PROPERTY D -

Land Parcel Number: 7-1-05

Owner: Elizabeth O'Connor

Address: Box 57
Bandor, PA 18017

State Plain Coordinates: E 41791, N 99431

Acreage: 2.1A

Deed Book: 342

Page: 821

PROPERTY E -

Name of Property: Smith Vineyard Road

Owner: Town of Romulus

Acreage: Road Width - 49.5 feet
Road Length - From Seneca Army Depot Western Boundary to State Route 96A.

PROPERTY F -

Name of Property: State Route 96A

Owner: New York State

Acreage: Road Width - 66 feet
Road Length - From Sampson State Park Boundary South to Seneca Army Depot Air Strip Boundary, also the 200 by 500 foot property sources adjacent to State Route 96A and perpendicular to Smith Vineyard Road.

PROPERTY G -

Name of Property: Conrail Railroad

Owner: Conrail Consolidated Rail Corp.

Acreage: Road Width - Approximately 75 feet
Road Length - From Romulus Central School District North to Sampson State Park Boundary

State Plain Coordinate: E 41961, N 99356

(3) Seneca Army Depot and COE, Huntsville, CEHND-ED-PM (Mr. John Romeo), have prioritized easement acquisition such that parcel easements may be obtained in the order A, B, C, D, E, F and G (see Plate 1). This will enable the Army to avoid delays if one of the easements is not available.

While SEAD prefers to obtain easements for all the described off-post properties as soon as possible, it understands that some easements will be more difficult to obtain than others. Rights of entry may be desireable to insure work can start in the early summer of 1991.

II. SCREENING PHASE:

A. Review of Past Hazardous/Contaminating Substance Practices.

(1) Properties in Which it is Known that Substances Were Released.

From 1980 to 1987, the U.S. Army Environmental Hygiene Agency installed 15 wells and conducted a monitoring program in the Ash Landfill site. This study revealed that a contamination plume, with two primary contaminants (trichloroethane (TCE) and Trans-1,2-dichloroethane (1,2DCLE)), were present above regulatory standards. Minute quantities of chloroform, 1,2-dichloroethane, vinyl chloride and diesel fuel were also identified.

From September 1988 to February 1989, the U.S. Army Toxic and Hazardous Materials Agency initiated a site investigation in the Ash Landfill. Test results reconfirmed the presence of those contaminants listed above. In addition, small levels of vinyl chloride and heavy metals were detected below regulatory standards.

In 1988, the Depot instituted a continuing testing program for 3 drinking wells and surface water (seeps and springs) in the off-post parcel. To date, no groundwater contamination has been detected in the drinking water wells. However, surface water (seeps and springs) test results have detected the presence of TCE and 1,2DCLE as levels below regulatory standards. It is suggested that this contamination may be the result of contaminated groundwater from the Ash Landfill seeping to the surface in the off-post area. This is based on the knowledge of a shallow groundwater acquifer in the Ash Landfill area (4 to 10 feet) and the general downward topography from the Ash Landfill site to the off-post area.

Levels of contamination near the west boundary of the Ash Landfill and in the off-post site are as follows:

Ash Landfill Groundwater Monitoring Wells

	Site	
TCE/TRCLE -	#24	2.51 to 4.00 ug/l
	#25	1.00 to 2.51 ug/l
	#15	2.40 to 2.51 ug/l
	#17	170.00 to 293.00 ug/l
T1,2DCLE -	#24	1.0 ug/l BDL (below detection limits)
	#25	1.0 ug/l BDL
	#15	1.0 ug/l BDL
	#17	1.0 ug/l BDL

NOTE: 1.0 ug/l is 1 microgram per liter and approximately 1 part per billion.

Chloroform/CHCL3 -	Site #24	1.0 to 2.25 ug/1
	#25	1.0 to 2.25 ug/1
	#15	1.0 to 2.25 ug/1
	#17	1.0 to 2.25 ug/1
Vinyl Chloride -	#24	1.0 ug/1 BDL
	#25	1.0 ug/1 BDL
	#15	1.0 ug/1 BDL
	#17	1.0 ug/1 BDL
1,2 Dichloroethane -	#24	1.15 ug/1 BDL
	#25	1.15 ug/1 BDL
	#15	1.15 ug/1 BDL
	#17	59.60 ug/1
Heavy Metals -	N/A	

Off-Post Parcel Drinking Water Wells

TCE	- Less than 1.0 ug/1
T,1,2 DCLE	- Less than 1.0 ug/1
Chloroform	- Less than 1.0 ug/1
Vinyl Chloride	- Less than 1.0 ug/1
1-2 Dichloroethane	- Less than 1.0 ug/1
Heavy Metals	- N/A

Off-Post Parcel Surface Water Results

TCE (ug/l) -

#1 - 30.20, #2 - 18.50, #3 - 13.00, #4 - 12.30, #5 - BDL, #6 - BDL, #7 - BDL, #8 - BDL, #9 - BDL, #31 - 23.00

T1,2 DCLE -

#1 - 3.93, #2 - 3.01, #3 through #9 - BDL, #31 - 4.0

Chloroform - N/A

Vinyl Chloride - N/A

1,2 Dichloroethane - N/A

Heavy Metals (ug/l) -

#1: Zn - 253, Pb - 54.60, Cr - BDL, Cd - BDL, Ba - 59.6, Cu - 9.83

#2: Zn - 135, Pb - BDL, Cr - BDL, Cd - BDL, Ba - 42.9, Cu - BDL

#3: Zn - 35.20, Pb - BDL, Cr - BDL, Cd - 4.18, Ba - 30.30, Cu - BDL

#4: Zn - 274, Pb - 44.90, Cr - BDL, Cd - BDL, Ba - 55.20, Cu - BDL

#5: Zn - BDL, Pb - BDL, Cr - BDL, Cd - 9.54, Ba - 29.10, Cu - BDL

#6: Zn - 25.30, Pb - BDL, Cr - 7.61, Cd - BDL, Ba - 49.50, Cu - BDL

#7: Zn - BDL, Pb - BDL, Cr - BDL, Cd - BDL, Ba - 23.70, Cu - BDL

#8: Zn - BDL, Pb - BDL, Cr - BDL, Cd - BDL, Ba - 24.10, Cu - 9.05

#9: Zn - BDL, Pb - BDL, Cr - BDL, Cd - BDL, Ba - 30.00, Cu - BDL

#31: N/A

*All data taken from: Draft-Final Workplan RI/FS Ash Landfill Area
Prepared for COE, Huntsville by ESE Inc., December 1990

(2) Proposed Remedial Investigation/Feasibility (RI/FS) and Risk Assessment Study.

The proposed RI/FS study for the Ash Landfill and adjacent off-post site is targeted to take place in the late spring or early summer months of 1991. The study will determine the source of contamination in the off-post surface water and will determine if contamination is present in the soils and groundwater of the site. The study would also define the extent of contamination on the off-post site (if present). Extensive soil, surface, and groundwater tests will also be conducted in the Ash Landfill on-post.

The RI/FS study will also include a risk assessment that will evaluate the health and safety risk of the Ash Landfill and off-post contamination. Based on the levels of contamination found in the off-post site to date it appears that the health and risk factors involving workers conducting the RI/FS study in the off-post site will be minimal.

The contractor hired to conduct the RI/FS in the Ash Landfill and off-post site is fully aware of the levels of contamination present. Unless significantly higher levels of contamination are discovered it is assumed that level 3 and, if necessary, level 2, clothing and protective gear will provide adequate protection for the workers in these areas.

The contractor will be required to develop a health and safety plan and comply with OSHA 29 CFR 1910.120 and any other applicable Federal and State requirements.

(3) Visual Site Inspection.

A visual inspection of the site on February 11, 1991, did not indicate any unusual odors, stained soils or unnatural surface features. Similar visits to the site in the Spring of 1990 did indicate intermediate seeps and springs that were tested as previously indicated. At that time, no stressed vegetation was noted.

The majority of the proposed RI/FS off-post area is utilized for row crops. Between the west boundaries of the Depot and the east boundary of the off-post land is a railroad. On both sides of the railroad right of way is a narrow strip of land with first stage succession vegetation. During spring and summer visits to the site, this vegetation and the row crops in the proposed off-post site, showed no sign of stress as well as the row crops in the field.

(4) Permit Requirements.

At this time SEAD and HQ DESCOM request that the U.S. Army Corps of Engineers obtain an easement for the entire off-post parcel of land. The RI/FS workplan for this site contains plans to undertake soil sampling monitoring well installation and sampling and surface water/sediment testing.

The specific locations for these test points have not been finalized at this time which is why DESCOM and SEAD are requesting a full site easement. Also, if additional test sites or a remedial action avenue is needed in the future, this action would reduce the potential for schedule delays and additional administrative costs associated with negotiating additional easements to meet these needs. Such delays could result in fines, civil actions and poor community relations.

It is critical that the U.S. Army Corps of Engineers expedite the completion of this easement in order for field work to start in the late spring or early summer months of 1991. The RI/FS is needed to determine the type, presence and extent of contamination present in the Ash Landfill and the adjacent off-post site. It is required for the Army to meet its obligations under CERCLA, SARA and the IAG. Lastly, it is paramount that this work be initiated as soon as possible so that if levels of contamination are found above regulatory standards, action is quickly taken to remediate the health and safety risk to the surrounding population and environment.

B. Magnitude and Extent of Environmental Contamination.

As previously discussed, levels of contamination have been found above regulatory standards in groundwater beneath the Ash Landfill (see II A(1)). It has also been revealed that low levels of contamination have been found in the surface water on the adjacent off-post site.

The proposed RI/FS is needed to define the types, extent (lateral and vertical plume size) and physical features of the Ash Landfill and off-post site (geology, aquifer(s), etc.). This work serves as a foundation in determining if and what type of remedial action is needed to remediate the site of health and safety risks.

C. Potential Environmental Contamination Liabilities Associated with Proposed Real Property Transaction.

As indicated previously, levels of contamination below regulatory standards have been found in the off-post site in surface water samples. The contractor working on the site will have full knowledge of previous tests and will be required to comply with OSHA 29 CFR 1910.120 and other applicable Federal and State requirements. Based on this knowledge at this time, it is felt that the liability associated with the site is minimal.

III. State of Findings.

A. Conclusions and Recommendations.

As this document has indicated, the health, safety and liability risk associated with obtaining an easement to the off-post parcel of land to conduct an RI/FS appear to be minimal at this time. The proposed study is needed to determine if and what types of contaminants are present, plume definition and the physical aspects of the site. This knowledge will be used to provide a decision on what the true health and safety risks are for these sites and if remedial action will be necessary.

It is recommended that the U.S. Army Corps of Engineers obtain the easement for the off-post site in time for the COE, Huntsville contractor to initiate work in the late spring or early summer months of 1991.

B. Record of Environmental Consideration (REC).

A REC is attached.

Record of Environmental
Consideration (REC)

Title: RI/FS for the Ash Landfill and adjacent off-post property.

Description:

The RI/FS will determine the presence, type and extent of contamination on the sites referenced above. Information obtained from these studies will be used to determine the health and safety risks and if the sites require remediation.

Anticipated Date and/or Duration of Proposed Action (Month/year):

May 1991 to May 1994 or longer if remediation is needed.

It has Been Determined that the Action:

Is categorically excluded under the provision of CX A-18, AR 200-2, Appendix A, (and no extraordinary circumstances exist, as defined in paragraph 4-3, AR 200-2), because the proposed RI/FS will identify the state of the existing environment through field investigations without alteration of the environment or capture of wild animals.

SIGNED: Franklin H. Cochran

FRANKLIN H. COCHRAN
COLONEL, ORDNANCE CORPS
COMMANDING

DATE OF DETERMINATION: 4 Mar 91

CONCURRENCE: Randall W. Battaglia

RANDALL BATTAGLIA
ENVIRONMENTAL COORDINATOR

DATE: 26 FEB 91

SUMMARY OF ACTION

PROJECT: Preliminary Assessment Screening (PAS) for Off-Post CERCLA Fieldwork
FROM: D/EH DATE: 12 Feb 91
STAFF ACTIVITY: Eng/Env Mgt Division
ACTION OFFICER: Stephen M. Absolom
PHONE NUMBER: ext. 41-280
SPONSORING DIRECTOR: Gary W. Kittell

COORDINATION:

DIR/STAFF OFF	CONCUR/NONCUR	SEE ATCH	DIR/STAFF OFF	CONCUR/NONCUR	SEE ATCH

ACTION OFFICER REVIEW:		
CEA: ✓	AJO concur.	
CSM:		
CDR: ✓		

1. BACKGROUND:

In order to execute the workplan for the Ash Landfill on schedule, SEAD is taking all practical measures to obtain an easement that will enable the Army to commence field operations on private property. The proposed field operations include soil sampling, monitoring well installation and sampling, as well as surface water and sediment testing. Our Inter Agency Agreement makes easement acquisition an Army responsibility.

2. DISCUSSION:

Progress in obtaining this easement has been hampered at HQ AMC due to lack of a PAS and REC. HQDESOM and SEAD Environmental are jointly preparing the required PAS and REC.

Keeps in mind we asked for this action last July and this requirement came up in ~~January~~ January after several follow ups by SEAD. Also these are normally used when the Army releases it's own property for private use. This action is actually the opposite. I feel betrayed by the bureaucrats! G. Kittell

3. RESOURCE IMPACT:

None at this time.

4. RECOMMENDATION:

Recommend Commander approve PAS and REC, as written.

5. ACTION REQUIRED:

Sign both documents.

SSE HQ Form 112 Previous Editions Are Obsolete
1 May 87

SENECA ARMY DEPOT

BLDG 123

ROMULUS, N.Y.

14541

DIRECTORATE of ENGINEERING and HOUSING

DATE: 5Mar TIME: _____ # of PAGES W/ COVER SHT: 16

TO: Kevin Healy

OFFICE/CO.: Huntsville

FAX# _____

FROM: Jim Miller

SENECA ARMY DEPOT
FAX# (607) 869-1332
PHONE# (607) 869-1332

COMMENTS: Faxed 5Mar91- rec'd OK

****
*** ACTIVITY REPORT ***
****

TRANSMISSION OK

TX/RX NO.	0923
CONNECTION TEL	712059553089
CONNECTION ID	
START TIME	03/05 09:09
USAGE TIME	19'53
PAGES	20
RESULT	OK

SENECA ARMY DEPOT

BLDG 123

ROMULUS, N.Y.

14541

DIRECTORATE of ENGINEERING and HOUSING

DATE: 5mar TIME: _____ # of PAGES W/ COVER SHT: 16

TO: Tim Toplisek

OFFICE/CO.: DESCOM

FAX# 717-267-9858

FROM: Jim miller

SENECA ARMY DEPOT
FAX# (607) 869-1332
PHONE# (607) 869-1532

COMMENTS:

****
*** ACTIVITY REPORT ***
****

TRANSMISSION OK

TX/RX NO.	0922
CONNECTION TEL	717172679858
CONNECTION ID	
START TIME	03/05 08:52
USAGE TIME	09'49
PAGES	16
RESULT	OK

****
*** ACTIVITY REPORT ***
****

TRANSMISSION OK

TX/RX NO.	0933
CONNECTION TEL	717032743895
CONNECTION ID	
START TIME	03/06 08:53
USAGE TIME	07'40
PAGES	16
RESULT	OK

SENECA ARMY DEPOT

BLDG 123

ROMULUS, N.Y.

14541

DIRECTORATE of ENGINEERING and HOUSING

DATE: 6 Mar TIME: _____ # of PAGES W/ COVER SHT: 16

TO: CPT Webster

OFFICE/CO.: ~~ANC~~ DA

FAX# 703-274-3896

FROM: James Miller

SENECA ARMY DEPOT
FAX# (607) 869-1332
PHONE# (607) 869-1332

COMMENTS:

SENECA ARMY DEPOT

BLDG 123

ROMULUS, N.Y.

14541

DIRECTORATE of ENGINEERING and HOUSING

DATE: 12 Mar TIME: _____ # of PAGES W/ COVER SHT: 16

TO: marie Chuck FROM: James miller

OFFICE/CO.: Amc

SENECA ARMY DEPOT
FAX# (607) 868-1332
PHONE# (607) 868-1332

FAX# 703.274.3895

COMMENTS: _____

****
*** ACTIVITY REPORT ***
****

TRANSMISSION OK

TX/RX NO.	0967
CONNECTION TEL	717032743895
CONNECTION ID	
START TIME	03/12 10:59
USAGE TIME	07'54
PAGES	16
RESULT	OK

SDSSE-OG (740) 17 Oct 91

MEMORANDUM THRU Director of Supply

~~Director of Engineering and Housing~~ Jim Matheos

SUBJECT: Material Removal from Building T2105

1. Reference memorandum, SDSSE-HE, 1 OCT 91, SAB.

2. We have downgraded the asphalt petroleum product to condition code H. This should generate a Material Release Order (MRO) to DRMO. The 5 gallon container labeled "Dichloromethane" does not belong to us nor could we identify the owner through ISA records. We will do a manual document to process to DRMO as a hazardous material.

3. We will notify you upon completion of this cycle. This should take approximately 90 to 120 days to complete.

4. If you have any questions, please feel free to call the undersigned at 41-3105.

DENNIS W. WELLS
C, General Supply Division

PF
cy - Pat
cy - (GS Caution)

SDSSE-HE (420)

1 OCT 1991

MEMORANDUM FOR Supply

SUBJECT: Building T2105 Contents Removal

1. DEH is planning the demolition of Building T2105 in the near future. Upon inspecting the site, it was discovered that the building contains many full 55-gallon metal drums labeled "asphalt petroleum" as well as some other miscellaneous items. A 5-gallon container labeled "dichloromethane" was also discovered stored with these drums. This is not acceptable storage for this material.

2. Request you schedule removal of these items so that the project can proceed as planned.

3. A list of any hazardous substances that were stored in this building that you may be aware of is needed for the record. Please provide this information if you are aware of any such practices.

4. POC is James Mathews at ext. 41-450.

Stephen M Absolom

STEPHEN M. ABSOLOM
Chief, Engineering/Environmental
Management Division

DEPARTMENT OF THE ARMY
HEADQUARTERS, U. S. ARMY MATERIEL COMMAND
5001 EISENHOWER AVENUE, ALEXANDRIA, VA 22333-0001

AMCEN-R

02 APR 1991

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Preliminary Assessment Screenings (PAS)

1. Reference memorandum, OCE, ENVR-EH, 12 Mar 91, subject as above (Encl).

2. Referenced memorandum, outlining definitive guidance on PAS requirements concerning certain actions, is submitted for your information.

3. The statement in paragraph 5 that the renewal of existing outgrants does not require the preparation of a PAS should greatly simplify and expedite the renewal process, and result in a substantial savings of time and money as well.

4. We have received oral guidance that the exception applies to renewal of ingrants as well.

5. Your point of contact at this headquarters for real estate outgranting actions is Mr. Harold Duck DSN 284-9899 and for specific guidance on PAS requirements, Cpt. Clyde Webster/DSN 284-9273.

FOR THE COMMANDER:

Encl

for Dana Chick
STANLEY H. FRIED
Chief, Real Estate Division
Office of the Deputy Chief of Staff
for Engineering, Housing,
Environment, and Installation
Logistics

DISTRIBUTION:

COMMANDER,
U.S. Army Armament, Munitions and Chemical Command, ATTN:
AMSMC-IS, Rock Island, IL 61299-6000
U.S. Army Aviation Systems Command, ATTN: SAVAI-F,
4300 Goodfellow Boulevard, St. Louis, MO 63120-1798

STAN

DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF ENGINEERS
WASHINGTON, D.C. 20310-2600

REPLY TO
ATTENTION OF:

12 MAR 1991

ENVR-EH (200-1c)

MEMORANDUM FOR COMMANDER, U.S. ARMY MATERIEL COMMAND,
ATTN: AMCEN-R (S.H. FRIED),
ALEXANDRIA, VA 22333-0001

SUBJECT: Preliminary Assessment Screenings (PAS)

1. References:

a. Memorandum, AMC, AMCEN-R, 19 Jul 90, subject: Adjustment of Environmental Baseline Studies for Forest Product Sales (encl 1).

b. Memorandum, AMC, AMCEN-R, 27 Jul 90, subject: Environmental Baseline Studies (EBS) Requirements for Renewal of Existing Outgrants (encl 2).

c. Memorandum, AMC, AMCEN-R, 9 Oct 90, subject: Environmental Baseline Studies (EBS) for Oil and Gas Lease Actions (encl 3).

d. Memorandum, HQDA, ENVR-EH, 1 Nov 90, subject: Real Property Transactions and Preliminary Assessment Screenings (PAS) (encl 4).

e. Memorandum, HQDA, ENVR-EH, 1 Nov 89, subject: Real Property Transactions and Environmental Baseline Studies (EBS).

2. In references 1.a., 1.b. and 1.c., your command expressed difficulties in implementing the EBS requirements of section 12-5 of AR 200-1, 23 Apr 90. It appears that these implementation problems have resulted in cumbersome real property transactions because the scope of the EBS was too broad and redundant, and did not focus on the primary issue of environmental contamination.

3. In response to your concerns, the Army Environmental Office (AEO) prepared a revised AR 200-1 which replaces the EBS program with a "Preliminary Assessment Screening" (PAS). The revised AR 200-1 was forwarded to your command under reference 1.d.

4. As stated in reference 1.a., an Environmental Assessment (EA) is required prior to forest product sales. An EA that is prepared under the forest product sales program, which includes all PAS requirements, has complied with the PAS regulation. A separate PAS document is not required.

Encl

ENVR-EH (200-1c)
SUBJECT: Preliminary Assessment Screenings (PAS)

5. In response to reference 1.b., the renewal of existing outgrants does not require the preparation of a PAS.

6. In response to reference 1.c., oil and gas lease real property transactions which were approved prior to reference 1.e. do not require an EBS. New oil and gas lease real property transactions following 1 Jan 91 will require a PAS.

7. POC for this office is Mr. Michael Cain, COM (703) 693-5032 or DSN 223-5032.

FOR THE CHIEF OF ENGINEERS:

4 Encls

PETER J. OFFRINGA
Major General, USA
Assistant Chief of Engineers

EBS - Real Property Transactions + Environmental Baseline Studies

Purpose of EBS is to environmental evaluation of property

Hazards + contamination

protocol
Type II or III all 5 phases of the protocol
Type III known environmental contamination
Type I property - Little potential, Typically housing, administrative
Type II historical, wildlife, sole source aquifer
Health and Ecological Risks
Items for assesment cultural, Historical, Archaeological, Threatened or endangered species, environmentally sensitive areas (wildlife Habitats, sole-source aquifers, surface water supplies, wetlands,
known or potential
Environmental contamination
Asbestos, Radon, unexploded ordance, Hazardous or toxic waste
existing landuse plans, Installation, Restoration Program

Estimated cost of performing the EBS

Five phases Scope definition
survey
sampling
investigative
risk assessment

T-2110 is a LARGE STORAGE SHED THAT WAS Looked at BY my SELF. THERE WAS ONE group of HAZ MAT Low Pri

T-2466 GARAGE small
TRANSITE BOARD

T-2105 ~~LARGE~~ LARGE STORAGE SHED HAS ≈ 720 drum of PETRO "TAR" "ROOFING ASPHALT"

S-2084 STORAGE SHED
ASBESTOS SIGNS ALL AROUND

Appendix B
Environmental Baseline Study (EBS) Protocol

B–1. Introduction

a. An EBS is required by paragraph 12–5. An EBS is a comprehensive evaluation of the existing facility and environmental conditions, particularly regarding hazards and contamination, which is conducted on—

(1) Real property for which a transaction is proposed, whether or not the property is controlled by the Army.

(2) Army-controlled property for which an operating contract, facility contract, or third-party contract is being considered.

b. Typically, an EBS is conducted in a tiered approach and could comprise up to five phases. In some cases, such as the continuation of a pre-existing grazing lease that has had a minimal environmental impact, an EBS might only require—

(1) A short summary of the known environmental conditions of the site, and

(2) A visual site inspection prior to determining the potential risks associated with the site.

c. In all cases, the EBS is intended to develop the minimum amount of information required to assess the potential environmental liabilities associated with the property transaction. An EBS should be conducted early in the planning process of the property transaction planning process so that the Army proponent can—

(1) Be informed of any hazards or contamination associated with the property.

(2) Consider potential significant adverse impacts on the community or environment.

(3) Determine potential environmental liabilities related to the real property transaction.

B–2. Purpose

The purpose of an EBS is to determine the Army's potential liabilities associated with the environmental condition of the proposed property transaction. Once such risks are known, the proponent can choose to proceed or choose to discontinue the property transaction.

B–3. Property and transaction definitions

a. Real property. Land; present possessory interests in land; structures, fixtures, and other improvements on land; surface waters and groundwater within the boundaries of the land; other interests in the land; and future interests in land, in the United States, its territories and possessions.

(1) *Type I property.* Property where little potential exists for environmental contamination or disruption from past, present, or proposed activities. Typically, this includes sites in locations such as housing, administrative, or recreational areas where no hazardous materials were known to be stored or used. However, because of the potential for environmental contamination at these properties from such things as leaking underground storage tanks, few properties should be classified as type I. At the conclusion of the survey phase (para B–7), the Army proponent may decide that no further study is indicated, and may proceed to draft the EBS report.

(2) *Type II property.* Property where some potential exists for environmental contamination or disruption from past, present, or proposed activities. This potential may be due to the past historical usage of the property or to its proximity to critical areas such as a wildlife habitat or a sole source aquifer. When any doubt exists about a type I property, it should be redesignated as a type II property. At the conclusion of the survey phase (para B–7), the Army proponent may decide that no further study is necessary, and that little or no potential exists for environmental contamination or disruption from past, present, or proposed activities. In this case, the property should be redesignated to the type I category, and the EBS report should be drafted.

(3) *Type III property.* Property with known environmental contamination or disruption from past or present activities

b. Transactions.

(1) *Real property transaction.* Any acquisition, granting of use, or disposal of real property which includes but is not limited to: a sale or disposal action; a temporary use (e.g., an easement or right-of-way) regardless of the proposed duration; an exchange; an interservice support agreement; a transfer of real property to or from another DOD or other Federal agency; a real property transfer, disposal, or other action outside the Army that requires an EA; the granting of a lease, license, permit, or renewal thereof. Also, an operating contract, a facility contract, or a third-party contract concerning the use of Army-controlled property.

(2) *Present possessory.* Real property that is controlled by the DA.

(3) *Army proponent.* The lowest level decisionmaker, i.e., the Army unit, element, or organization responsible for initiating or carrying out the proposed action.

(4) *Transaction proponent.* The unit, element, or organization, other than the Army, responsible for initiating or carrying out the proposed action.

c. Environmental disruption. The results of actions that *significantly affect the environment*, as defined in AR 200–2. Such results would include but not be limited to encroachment on endangered species or habitat, damage to other ecologically sensitive areas, or degradation of water quality.

B–4. Assumptions

a. Compliance. An EBS is required for compliance with paragraph 12–5. The EBS protocol is applicable to the U.S. Army (all active, semi-active, and inactive installations), USAR (all installations and activities), and ARNG (all installations, activities, and sites supported with federally appropriated funds), in the United States, its territories, and possessions. The EBS protocol is not applicable to the nonmilitary civil works activities of USACE. Transactions covered by paragraph 12–5 include transfers as well as grants, leases, easements, and other tenancy arrangements, whether within the Army where the current operations would or would not continue, or to/from other Federal agencies and the civilian sector. Consequently, this protocol was prepared to include as many real property transaction scenarios as possible. Only those portions of the protocol that are applicable to the particular proposed transaction or use need be carried out.

b. Environmental assessment/impact statement. In the case that the transaction requires an EBS and an EA or EIS, the EBS will be referenced in the *affected environment* portion of the EA or EIS. When the proposed transaction qualifies for a CX, as described in appendix A of AR 200–2, a separate EBS will be prepared prior to the REC and should be included along with the REC for review.

c. Environmental sampling. On Army-controlled property, any environmental sampling required for the sampling and investigative phases will be restricted to the installation area. Off-post sampling will be conducted only if a request to do so has been sent through the chain of command to HQDA (ENVR–E) WASH DC 20310–2600, and permission granted by DASA(ESOH).

d. Buildings, structures, and fixtures. Buildings, structures, and fixtures will be evaluated for their environmental regulatory compliance only. This would include determining the existence of building contamination. Only those physical plant deficiencies that could affect regulatory compliance will be addressed. This includes such matters as the inadequacy of treatment plant capacity or hazardous waste storage space. Nonregulatory deficiencies—such as leaking roofs, insufficient ventilation, or inadequate public utilities (for example, insufficient electrical service capacity)—will not be considered within the context of the EBS. However, because such matters can be very important, they should be determined separately by the Army proponent.

B–5. Procedure

An EBS may consist of five phases: scope definition, survey, sampling, and investigative and risk assessment. Following the survey phase, and at every phase thereafter, the Army proponent—even in the case that the non-Army party is preparing the EBS—must

determine whether the existing information is adequate to assess the risks involved with the proposed property use.

a. Technical assistance. The Army proponent is encouraged to request technical assistance from the following organizations, which can provide advice on data collection and evaluation and on making determinations as to the adequacy of the information gathered in each phase of the study—

(1) Supporting USACE District, to assist with contracting for conducting the EBS.

(2) Commander, USAEHSC, Kingman Bldg, Fort Belvoir, VA 22060–5580, for evaluating natural and cultural resources.

(3) Commander, USAEHA, ATTN: HSHB–MO–B, Aberdeen Proving Ground 21010–5422, for evaluating natural and cultural resources.

(4) Commander, USATHAMA, ATTN: CETHA–EC–S, Aberdeen Proving Ground, MD 21010–5401, for investigating hazardous chemical contamination.

(5) USACE, Huntsville Division (CEHND–ED–PM), PO Box 1600, Huntsville, Alabama 35807–4301 for investigating explosives and unexploded ordnance.

b. Pre-existing information.

(1) The Army proponent should consult the USACE District, USAEHSC, or USAEHA to have pre-existing data evaluated for usefulness as part of the EBS where—

(a) A large amount of pre-existing environmental information exists, such as an active IRP project or environmental monitoring reports;

(b) The property is appropriately designated in the type I category.

(2) In other cases, all five phases must be completed.

(3) This evaluation process is illustrated in figure B–1.

c. Performing the EBS. The real property transaction proponent must perform the EBS (para B–3), unless Army funding has been provided (para 12–5e(2)). The installation's real estate office must ensure that the EBS is prepared per the requirements of this protocol. Coordination with the organizations listed in B–5*a*(1), (2), or (3) is recommended. Assistance, review, and signature will be requested from the installation environmental officer.

B–6. Scope definition phase

a. Purpose. The purpose of the scope definition phase is to outline the type and extent of the real property transactions being considered and initially define the extent of the EBS required. Typically, an EBS is conducted in a tiered approach and could consist of up to five phases if the proposed property transaction warrants such detail. This phase of the EBS is critical, as it will determine which phases need to be conducted prior to assessing the risks involved with the proposed transfer. In some cases all five phases of the protocol must be conducted; for example, the transfer of an Army industrial site, with suspected contamination, to the civilian sector for unrestricted future use. In other cases it might only be necessary to summarize the existing environmental information and conduct a visual site inspection of the property site; for example, the continuation of an existing agricultural lease that has had a minimal environmental impact. In all cases, the EBS is intended to develop the minimum amount of information required to assess the potential environmental liabilities associated with the property transaction.

b. Real property transaction type. Describe the real property, property type (see definition in para B–3), and the proposed duration of use that are subject to the transaction.

c. Property category. Define the property category (type I, II, or III) based on such information as prior knowledge and historical records. Where any uncertainty exists regarding the potential for environmental contamination or disruption, the property should be classified as type II.

d. Parties. Identify the Army proponent and the other party or parties to the transaction, and state which party initiated the transaction.

e. Proposed use(s). Summarize the proposed and potential future uses.

f. Restrictions. List any existing or potential restrictions on the future uses of the property.

g. Remediation responsibilities. Define the primary responsible party for any potentially required remediation.

B–7. Survey phase

a. Environmental setting. The purpose of the survey phase is to generally describe the environmental setting and to identify and evaluate all subject areas concerned.

(1) *Environmental contamination.* This phase should determine the existence of, or potential for, environmental contamination. The environmental contamination analysis will address not only the environment (land, surface waters, and groundwater), but also the buildings, structures, and facilities on the land. In addition, a report on the status of current environmental regulatory compliance will be provided. If no actual or potential contamination or disruption exists, the EBS need not be extended past this phase.

(2) *Additional investigation.* Where actual or potential environmental contamination or disruption exists, this phase must determine whether any additional investigation is warranted prior to the risk assessment phase. For sites where an extensive amount of information exists, such as a completed IRP project, the remaining phases of the study (para B–5*b*) may not have to be completed.

(3) *Analysis.* Typically, the survey phase will consist of an analysis of existing information along with a visual site inspection of potential contamination sources. No new information should need to be developed to complete the survey phase.

(a) Evaluation areas. Areas requiring evaluation include, but are not limited to, all existing and former sites involved in generating, transporting, storing, treating, or disposing of hazardous materials/substances/wastes, wastewaters, solid wastes, POL/fuels, explosives, ordnance, and other potential hazards, such as excessive noise, asbestos, or radon gas.

(b) Typical locations. Typical locations to be surveyed include industrial operations, maintenance activities, laboratories, storage facilities, burning grounds, impact areas, landfills, incinerators, treatment plants, USTs, and former oil or hazardous substance spill sites.

(c) Other areas. Other matters requiring evaluation include but are not limited to: forests and woodlands, fish and wildlife populations and habitat, threatened and endangered species, soils and vegetation, A&G uses, prime and unique farmland, native prairies and grasslands, surface water and groundwater supplies and quality, wetlands and flood plains, outdoor recreation resources, and cultural and historical resources.

(4) *Simple transactions.* For simple transactions, such as the continuation of existing agricultural leases, it may be necessary to conduct only the survey phase. This must be examined for each specific situation, as even a simple transaction could pose significant liabilities. For example, agricultural leases could result in soil and groundwater contamination of Army property due to improper use of pesticides and herbicides. Grazing leases could result in claims against the Army in the event that the cattle grazed on contaminated land.

b. Environmental setting. This element establishes the environmental framework for the subject property and its vicinity. This information is necessary for investigating the potential migration pathways of contaminants, evaluating the potentially exposed human populations, determining which environmental media may require additional sampling, and determining whether the potential exists for environmental disruption. Sources for this information include IRP documents, installation assessments, installation or programmatic EA/EISs, installation master and mobilization plans, regulatory permit applications, and reports prepared by other agencies such as USAEHA, USATHAMA, U.S. Geological Survey, U.S. Soil Conservation Service, and State, regional, and local planning organizations.

(1) *General information.* Special conditions relating to the property, such as inclusion in a public planning district, proximity to a national wilderness area, or other Army or non-Army jurisdictional limitations on real property uses.

(2) *Property information.* Background information that includes a description of the physical and environmental framework of the property. This information should be obtained primarily from a review of existing documentation, which should be referenced whenever possible.

(a) History. Description of past and present activities on/in the real property. Include any data on past and present generation of hazardous substances or wastes.

(b) Location. A map should show the subject property in its geographical context. A scale of 1:24,000 is suggested.

(c) Physiography/surface hydrology. Topography, flood plain and wetland locations, low and minimum receiving stream flow, water supply capabilities, and flood potential of existing and proposed use.

(d) Soils. Type, depth, erosion, and contaminant migration potentials.

(e) Geology. Summary of the geology of the region and the subject property, emphasizing the potential for migration of contaminants.

(f) Hydrogeology. Depth to uppermost aquifer, ground water quality, rate and direction of flow, water supply capabilities, potential for contaminant migration, and potential for contaminating deeper aquifers.

(g) Meteorology. Precipitation and evaporation rates, prevailing wind speed and direction, temperatures.

(h) Contaminated structures, buildings, or fixtures. An identification of the structure and the kind of contamination potential, for example, asbestos, radon, PCB transformers, pesticides/rodenticides/herbicides, chemical agents, explosives.

(i) UXO. Description includes types, locations, and amounts.

(j) Land use patterns. Residential, commercial, industrial, agricultural, etc., compatibility of proposed use with existing neighboring usage.

(k) Noise. For Army-controlled property, the ICUZ contours. For non-Army property, an assessment of the ambient and, if applicable, the potential noise level contours of the proposed use and the possible impact of such noise on Army activities.

(l) Existing ecological baseline. Subject areas include but are not limited to those listed in *a*(3)*(c)* above.

(m) Miscellaneous. Any additional concerns specific to the property.

c. Population. This element summarizes the existing and potential human populations on the property and in the region. This information is needed to assess the potential for exposure to any contamination that might result from the proposed use of the property. Sources of this type of information include the installation master and mobilization plans; State, regional, and local planning agencies; and commercial demographic surveys. In very few cases are future populations on Army-controlled property known, (for example, stationing of a new infantry division) and must therefore be assumed, using reasonable, yet conservative procedures.

d. Environmental compliance. This element summarizes the status of compliance with existing environmental requirements, any closure requirements if pollution control facilities would have to be abandoned due to the transaction, and any anticipated future regulatory requirements. Sources of this information include the installation's environmental and spill contingency plans, regulatory agency inspection reports, discharge monitoring data, USAEHA environmental audits and program reviews, closure plans, and mobilization environmental exercises.

(1) *Current regulatory status.* Review existing conditions to determine any substantive or administrative violations of environmental regulations. Identify any current or pending enforcement actions.

(2) *Closure requirements.* Review existing facilities to determine necessary closure requirements for existing environmental permits.

(3) *Future regulatory status.* Review proposed property usage to determine future regulatory requirements.

e. Survey of sites of potential environmental concern. This element summarizes each site having an existing or potential environmental impact. Suggested sources of this information include IRP documents, RCRA facility assessment documents, solid waste management unit (SWMU) evaluations, treatment plant evaluations; permit applications, installation or programmatic EA/EISs, and installation spill contingency plans.

(1) Site survey summary.

(2) Individual site descriptions.

(a) Site type (for example, generation, storage, or disposal site).

(b) Site area and site map (maximum scale of 1 inch = 50 feet).

(c) History.

(d) Operating practices.

(3) Materials/wastes used or generated.

(a) Material/waste summary.

(b) Physical/chemical/toxicological characteristics.

(c) Migration and dispersal characteristics.

(d) Evidence of impact. Includes an evaluation of the adequacy of existing data to determine the potential for the presence or absence of contamination or impact.

f. Exposure assessment. Includes a summary of the potential for exposing existing and future human populations to an adverse environmental impact.

g. Summary of findings. All known and identifiable potential sources of contamination and environmental disruption, if any, should be identified and evaluated for their adverse environmental impact potential. This report should provide the basis, if applicable, for future sampling and the technical justification where no sampling beyond the existing data is deemed necessary. Recommendations should include a list of those sites or areas, if any, that should be studied further and a description of the kind of study necessary. The report should reach one of the following possible conclusions on all sites—

(1) *Risk assessment.* If no additional sampling beyond the existing data is necessary, due to the absence of significant pollution potential, then the risk assessment phase should be conducted.

(2) *Investigative.* If adequate data are available to determine the presence of contamination or disruption, but not its extent, then the investigative phase should be conducted.

(3) *Sampling.* If insufficient data are available to determine either the presence or the absence of contamination or disruption, then the sampling phase should be conducted.

(4) *EBS draft report.* If, at the conclusion of the survey phase, a type I property remains as originally categorized, no further study will be needed. Therefore, the EBS report may now be drafted.

B–8. Sampling phase

a. Purpose. The purpose of the sampling phase is to verify the presence or absence of environmental contamination or disruption. Appropriate sampling and analyses are conducted at all areas or sites identified in the survey phase for which additional data are needed in order to assess the risks involved with the property transfer. This sampling is not intended to determine the magnitude and extent of any contamination, but only confirm its presence or absence. Standard methodologies such as those listed in para B–13 should be employed. Following the sampling phase, the resulting data should be evaluated to determine the need for additional study. The outline at *b* below is provided for scoping purposes; however, a more detailed outline is not possible because of the site-specific nature of the sampling phase.

b. Functional elements of the sampling phase.

(1) Locations for sampling.

(2) Analytical parameters.

(3) Analytical methodology.

(4) Sampling methodology.

(5) QA/QC procedures.

(6) SOH plan.

(7) Decontamination procedures.

(8) Data evaluation procedures.

(9) Report preparation/presentation.

c. Report of findings. This report should include an account of the sampling recommended in the survey phase. A sufficient amount of sampling data should be presented for each site that would reasonably verify the presence or absence of contamination

or impact. This report should provide the basis for any future investigation, as well as the technical justification where no further investigation is deemed necessary. The report should reach one of these two possible conclusions on all sites—

(1) *Risk assessment.* If no additional investigation is necessary due to the confirmed absence of impacts, then the risk assessment phase should be conducted.

(2) *Investigative.* If an adequate amount of data is available to determine the presence of an environmental impact, but not its extent, then the investigative phase should be conducted.

B–9. Investigative phase

a. Purpose. The purpose of the investigative phase is to determine the nature, magnitude, and extent of any environmental impacts. The appropriate study is conducted at all areas or sites identified in the sampling phase as requiring additional data. Standard methodologies such as those listed in para B–13 should be employed. The investigative phase should result in sufficient data to assess the risks associated with the proposed property transaction. A suggested outline for the investigative phase is presented below for scoping purposes. A more detailed outline is not possible because of the site-specific nature of this phase.

b. Functional elements of the investigative phase.

(1) Locations for sampling.
(2) Analytical parameters.
(3) Analytical methodology.
(4) Sampling methodology.
(5) Field testing methodology.
(6) QA/QC procedures.
(7) SOH plan.
(8) Decontamination procedures.
(9) Data evaluation procedures.
(10) Report preparation/presentation.

c. Report of findings. The investigation phase should result in sufficient information to determine the nature, magnitude, and extent of any environmental contamination or disruption. This should include, but not be limited to, defining the lateral and vertical extent of contamination, the magnitude of contamination present, the directions and rates of contaminant migration, and the magnitude and impacts of any environmental disruption. Following the investigative phase, enough information should be provided to adequately conduct the risk assessment phase.

B–10. Risk assessment phase

a. Purpose. The purpose of the risk assessment phase is to characterize the risks associated with the property transfer, when some potential for environmental contamination or disruption has been identified in a preceding phase of the study. This should include both human health and environmental or ecological risks. Standard risk assessment methodologies should be used wherever possible, such as those listed in para B–13 (for example, EPA methods for public health risk assessment and environmental impact assessment used for conducting EAs and EISs). In effect, the risk assessment phase is analogous to the environmental consequences section of an EIS. Occasionally, because of unique site considerations such as military-unique contaminants, the development of risk assessment methods for the subject real property may be necessary. Any assumptions required for the risk assessment process should be reasonable yet conservative. All human health risk assessments must be approved by HQDA (SGSP–SP), per the requirements of paragraph 1–16c(6).

b. Human health risk assessment.

(1) *Contamination assessment.*

(a) Contaminant identification. Determine the types and quantities of contaminants present at the site.

(b) Contaminant hazard identification. Determine the significance of those contaminants (that is, toxicity, migration potential, etc.). Select driver or indicator contaminants.

(2) *Exposure assessment.*

(a) Contaminant release analysis. Evaluate the release potential for each contaminant and identify each on-site release point and estimate the potential quantity of such release.

(b) Contaminant transport and fate analysis. Determine the extent and magnitude of those contaminants. Determine the potential exposure pathways. Evaluate the contaminants' physical/chemical properties.

(c) Exposed populations analysis. Identify, enumerate, and characterize those human population segments that might become exposed to the contaminants.

(d) Integrated exposure analysis. Determine individual, chemical-specific exposure assessments for each potential exposure route. Determine total exposure to contaminants from all routes.

(e) Uncertainty analysis. Analyze the uncertainties associated with the exposure assessment process. This includes such things as the assumed input variables (intake rates, migration characteristics, exposure pathways, contaminant release rates, etc.)

(3) *Public health assessment.*

(a) Toxicity analysis. Determine the toxicity of the contaminants.

(b) Intake analysis. Determine human intake rates.

(c) Uncertainty analysis. Analyze the uncertainties associated with the public health assessment process. This includes such items as the baseline toxicological data, extrapolation of animal studies data to human health effects, use of high-dose animal studies to model low-dose environmental exposure, and use of models for dose-adverse effects.

(4) *Risk characterization.* Determine the public health risks associated with the intakes: that is, what the likelihood is that humans will experience any of the various forms of toxicity associated with the site contamination. Summarize total risks associated with exposure to the site. (Social, economic, and political considerations are not included.)

c. Ecological risk assessment. Determining the impact of environmental disruptions on ecosystems is very difficult due to their natural variability and the incomplete data derived from investigations. No single set of risk assessment methods is universally applicable to all ecological risk assessment problems. The variations in types of stresses, receptors, ecological conditions, and available data require risk assessment methodology which can be adapted to site-specific conditions. The methodology summarized below is provided for guidance only, and should be adapted for local conditions where necessary.

(1) *Hazard identification.* Evaluate site-specific data on environmentally disruptive factors. This would include environmental contamination as well as attributes such as a proposed change in land use and wildlife habitats.

(2) *Exposure assessment.* Identify the potential exposed populations and their distribution in the affected areas.

(3) *Ecological disruption assessment.* Determine the potential environmental or ecological disruption from the various stresses, commonly relying on modelling.

(4) *Risk characterization.* Determine the ecological risks associated with the exposures or disruptions; that is, what the likelihood is that an ecosystem will experience any degradation due to environmental contamination or disruption. Summarize total risks associated with exposure to the site, together with estimates of costs and duration of time needed for mitigation or remediation of the contamination or disruption from past, present, or proposed activities. (Social and political considerations are not included.)

d. Report of findings. At the conclusion of the risk assessment phase, sufficient information should exist to determine the potential public health and ecological risks associated with the proposed property transaction. This information should be presented in a final report that summarizes the findings of this phase.

B–11. EBS report

Following completion of the EBS, the entire EBS effort will be compiled in a single draft report. The EBS report format should follow the format of the EBS protocol.

a. Executive summary. The Army proponent will ensure that the EBS report contains an executive summary of all findings and recommendations resulting from each phase of the study. This summary will draw conclusions and provide recommendations on the acceptability of the proposed real property transaction. For a

type I property, the summary will include the following statement: "The survey phase of this study has identified little or no potential for environmental contamination or disruption from past, present, or proposed activities."

b. Review process. The Army proponent will forward the draft EBS report along with the associated REC, EA, or EIS to the appropriate Army reviewing office. The reviewing office will use the EBS protocol section-by-section as guidance for determining the adequacy of the draft EBS.

(1) *Adequate EBS.* If the EBS is deemed adequate, the Army proponent will incorporate it by reference and provide a copy of the EBS executive summary within the associated final REC, EA, or EIS. The complete EBS will be preserved in the same files as the background materials that support the REC, EA, or EIS, and in the same location and together with the final REC, EA, or EIS. In addition, if the transaction is such that the Army retains possessory rights (for example, reverter clause, reservation of right to re-enter, outgrants, land use permits), copies of the complete EBS report will be preserved, at a minimum, in the Army proponent's office and in the Army real estate office that carried out the transaction.

(2) *Inadequate EBS.* If the EBS is deemed inadequate, the reviewing office will return it to the Army proponent for revision and resubmittal for review.

B–12. Modifications

Prior to conducting an EBS, the Army proponent should ensure that the methodology to be used complies with the guidance presented in this protocol. Requests to use a methodology outside the scope of this protocol should be submitted in writing through command channels to HQDA (ENVR–E) WASH DC 20310–2600 for approval prior to conducting the EBS.

B–13. References

A listing of suggested references is included below. This list should not be considered all-inclusive.

a. Army regulations.

(1) AR 200–2.
(2) AR 405–10.
(3) AR 405–80.
(4) AR 405–90.

b. USACERL publications.

(1) Environmental Review for Management Action (environmental audit protocol, draft technical report).
(2) Guidelines for Review of EA–EIS Documents, Technical Report N–92.
(3) Procedures for Environmental Impact Analysis and Planning, Technical Report N–130.

c. USAEHA publications.

(1) Environmental Operations Review Protocol.
(2) Environmental Sampling Guide, TG 155, July 1987.
(3) Water Quality Information Paper No. 32: Risk Analysis and the Development of Water Quality Criteria, September 1988.

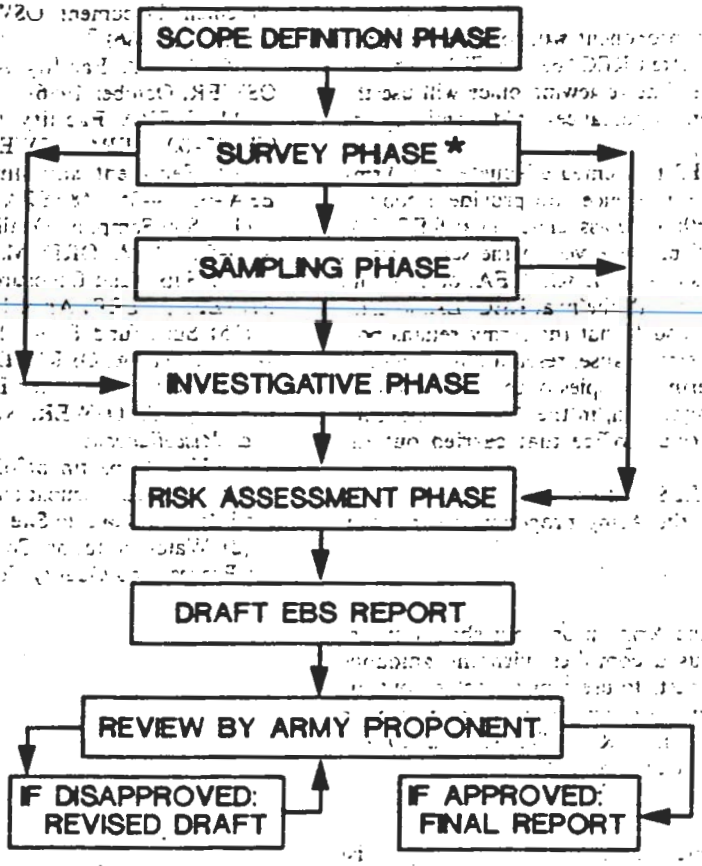
d. EPA publications.

(1) Expanded Site Inspection, Transitional Guidance for FY 1988, Office of Solid Waste & Emergency Response (OSWER) Directive 9345.0–02 (USEPA, Office of Remedial Response (OERR), October 1987).
(2) Guidance on Feasibility Studies under CERCLA (EPA, OSWER, April 1985).
(3) Guidance on Remedial Investigations Under CERCLA, (EPA, OSWER, May 1985).
(4) Handbook, Ground Water, EPA–625/6–87–016 (EPA, Office of Research and Development (ORD), March 1987).
(5) Handbook for Sampling and Sample Preservation of Water and Wastewater, EPA–600/4–82–029 (EPA, ORD, September 1982).
(6) Methods for Chemical Analysis of Water and Wastes, EPA–600/4–79–020 (EPA, ORD; revised March 1983).
(7) Preliminary Assessment Guidance, FY 1988, OSWER Directive 9345.0–01, (EPA, OERR, January 1988).
(8) Preparation of Soil Sampling Protocol: Techniques and Strategies, EPA–600/4–83–020 (EPA, ORD May 1984).
(9) RCRA Ground Water Monitoring Technical Guidance Enforcement Document, OSWER Directive 9950.1 (EPA, OSWER, September 1986).
(10) RCRA Facility Assessment Guidance, Draft, (EPA, OSWER, October 1986).
(11) RCRA Facility Investigation Guidance, EPA 530/SW–87–001, (EPA, OSWER, March 1988).
(12) Sediment Sampling Quality Assurance Users Guide, EPA–600/4–85–048 (EPA, ORD, July 1985).
(13) Soil Sampling Quality Assurance User's Guide, EPA–600/4–84–043 (EPA, ORD, May 1984).
(14) Superfund Exposure Assessment Manual, EPA–540/1–88/001 (EPA, OERR, April 1988).
(15) Superfund Public Health Evaluation Manual, EPA 540/1–86–060 (EPA, OERR, December 1986).
(16) Test Methods for Evaluation of Solid Waste, SW 846, 3d edition (EPA; OSWER, November 1986).

e. Miscellaneous.

(1) U.S. Department of Health and Human Services, Public Health Service, Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, October 1985.
(2) Water Pollution Control Federation, Wastewater Sampling for Process and Quality Control, 1980.

ENVIRONMENTAL BASELINE STUDY (EBS) FLOW CHART



* For a Type I property, the next step after the survey phase is the drafting of EBS Report.

Figure B–1. Environmental baseline study flow chart

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SUBJECT: Environmental Baseline Studies (EBS)

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DEPARTMENT OF THE ARMY
HEADQUARTERS, U. S. ARMY MATERIEL COMMAND
5001 EISENHOWER AVENUE, ALEXANDRIA, VA 22333-0001

18 JUL 1990

AMCEN-R

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Environmental Baseline Studies (EBS)

1. Environmental Baseline Study policy guidance concerning requirements, preparation and submission is still undergoing revisions by HQDA on a regular basis. This Division is maintaining contact with HQDA, and is developing a systematized method of submitting and reviewing EBS's at HQ AMC. We will continue to advise you of changes and updates as they occur.

2. AMCEN-R is the managing office in HQ AMC for the EBS program. As such, we are tasked with the receipt and review of every EBS submitted, the number of which is continually increasing. AMCEN-A will provide consultation on environmental issues.

3. In an attempt to establish a uniform system and avoid processing delays, we have prepared and are enclosing a cover sheet for the submittal of an EBS. Please ensure that its use is implemented immediately, as each EBS must be signed and approved prior to submittal to this office. A few EBS's have been submitted unsigned or with incomplete execution. If you have forwarded an EBS without the signature of the preparer, the Installation Environmental Coordinator, the Installation Commander, and approval of the Major Subordinate Command, please complete, execute and forward a cover sheet to this office without delay. Upon receipt, we will attach it to your EBS and resume processing. It is important to understand that no EBS report will be acted upon without the required signatures. It is equally important to understand that each EBS must follow the format of the protocol and address each issue contained therein. Incorrectly formatted EBS's will be returned for revision.

4. Submittal will be through channels from the installation to the Major Subordinate Command, and forwarded to this office by MSC endorsement or memorandum. Since the EBS must accompany and be filed with the final real estate action which necessitated it, the complete EBS, not just the Executive Summary, must be submitted.

5. The appropriate action officer at our office will be able to discuss EBS requirements and submittals with you. The official point of contact for EBS matters at AMC is Mr. Harold Duck, DSN 284-9273.

FOR THE COMMANDER:

Encl

STANLEY H. FRIED
Chief, Real Estate Division
Office of the Deputy Chief of Staff
for Engineering, Housing,
Environment, and Installation
Logistics

CF:
HQDA, ENVR-EH (Mr. Cain)

AMCEN-R
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Volunteer Army Ammunition Plant, ATTN: SMCVO-CR, P.O. Box 22607, Chattanooga, TN 37422-2607

DIRECTOR,
Defense Logistics Agency, ATTN: DLAH-WI, Cameron Station, Alexandria, VA 22314
U.S. Army Materials Technology Laboratory, ATTN: SLCMT-ISF-R, Arsenal Street, Watertown, MA 02172-0001

The Adj General, Vermont National Guard, ATTN: VT-FE (Maj Nye), Bldg #5, Camp Johnson, Winooski, VT 05404-1697
General Electric Company, Armament Systems Department, ATTN: Ms. Bushey, Room 1316, Data Mgt, Lakeside Avenue, Burlington, VT 05401-4985

ENVIRONMENTAL BASELINE STUDY

(Identification of Area Studied)

INSTALLATION NAME
AND ADDRESS

DATE OF EBS COMPLETION

PREPARED BY:

Name and Title of Preparing Officer	Date

REVIEWED BY:

Name and Title of Environmental Coordinator	Date

This Environmental Baseline Study has been reviewed, and to the best of my knowledge, using all information available to this organization at the time it was performed, accurately reflects the environmental condition of the property surveyed.

INSTALLATION COMMANDER	DATE

ENCL

U.S. ARMY YUMA PROVING GROUND

ENVIRONMENTAL BASELINE STUDY (EBS) REPORT

EXECUTIVE SUMMARY

SUBJECT: U.S. Border Patrol Request for Modification of Department of the Army Permit No. DACA09-4-82-155 to Authorize Construction of a Water Line from a YPG Water source to the Border Patrol Checkpoint at Milepost 52 on U.S. Highway 95.

1. An Environmental Baseline Study (EBS) has been completed for the proposed project to modify subject permit to outgrant additional land to the U.S. Border Patrol and authorize the permittee to construct a potable water line from a water source in the Kofa Range Area of Yuma Proving Ground (YPG) to the Border Patrol checkpoint at Milepost 52 on U.S. Highway 95.

2. The EBS consists of completion of the Scope Definition and Survey Phases. A copy of the EBS is provided for reference at Enclosure 1.

3. During the Scope Definition Phase, the scope and magnitude of the project was analyzed. It has been determined that the proposed project will not result in any hazardous contamination of the land involved, and that measures will be taken to prevent any other environmental concerns because of the project.

4. The Survey Phase consisted of researching available records and files associated with the California-Arizona Maneuver Area (CAMA) activities dating back to 1942, and existing records, files and contamination maps associated with YPG test activities since 1952. Records, files, and maps indicate the only military use of the land has been for buffer purposes, and that no contamination exists on the land. A site survey of the area has confirmed the land has not been contaminated by any means, and it has been determined the land involved qualifies as a Type I Property. Other information contained in the survey phase was obtained from existing environmental and other documentation, and discussions with installation environmental personnel. The survey phase of this study has identified little or no potential for environmental contamination or disruption from past, present or proposed activities. It is determined that the proposed action qualifies for a record of environmental consideration which is provided at Enclosure 2 for completion of the NEPA documentation.

PREPARED BY:_____ DATE:_____ TELEPHONE:AV 899-3137
JAMES R. MARLER
Realty Specialist

APPROVED BY:_____ DATE:_____ TELEPHONE:AV 899-2753
PAULETTE SAUNDERS
Environmental Coordinator

CERTIFIED BY:_____ DATE:_____ TELEPHONE:AV 899-2163
ROBERT M. BAKER
COL, EN
Commanding

U.S. ARMY YUMA PROVING GROUND

ENVIRONMENTAL BASELINE STUDY (EBS)

SUBJECT: U.S. Border Patrol Request for Modification of Department of the Army Permit No. DACA09-4-82-155 to Authorize Construction of a Water Line From a YPG Water Source to the Border Patrol Checkpoint at Milepost 52 on U.S. Highway 95.

1. Scope Definition Phase

a. Purpose: To outline the type of real property transaction being considered and to define the extent of the EBS required.

b. Real Property Transaction Type: Amend Department of the Army Permit No. DACA09-4-82-155 to outgrant an additional 20' wide by approximately 2,720' long strip of land to the U.S. Border Patrol for construction by said agency of a potable water line beginning at a Yuma Proving Ground (YPG) water source in the Kofa Range Area to the Border Patrol traffic checkpoint at Milepost 52 on U.S. Highway 95. The existing permit is valid through 30 April 1992.

c. Property Category: Based on historical records and documents associated with the California-Arizona Maneuver Area (CAMA) activities dating back to 1942; mapping of contaminated areas resulting from YPG activities since 1952; and an on-site visual survey of the area, it is determined that the land involved qualifies as a Type I property.

d. Parties: The Army proponent for the transaction is the Corps of Engineers, on behalf of YPG. The other party involved is the U.S. Border Patrol which initiated the action for amendment of aforementioned permit and approval to construct the proposed water line.

e. Proposed Use(s): The proposed use of the land involved with this action will permit the U.S. Border Patrol to construct, operate, and maintain a metered potable water line from a water source in the Kofa Range Area to the Border Patrol traffic checkpoint at Milepost 52 on U.S. highway 95.

f. Restrictions: Use of the land involved will be restricted to controlled ingress and egress, to and from the land, for the purpose of construction, operation, and maintenance of the proposed water line.

g. Remediation Responsibilities: The U.S. Border Patrol shall be held responsible for any environmental restoration that may be required as a result of their activities.

2. Survey Phase

a. Purpose: To generally describe the environmental setting and to identify and evaluate all subject areas concerned.

b. Environmental Setting:

(1) General Information - The scope of the project has been analyzed, and exiting YPG and CAMA files have been researched. Information contained in the files, and the subsequent on-site survey of the property, indicate the proposed action will not occur on land containing any type of contamination.

(2) Property Information

(a) History - Historically, portions of the property have been used to support a now abandoned section of U.S. Highway 95; a still valid right-of-way for 1 of the 2 El Paso Natural Gas Lines on YPG; and the balance of the property appears to have been used as a buffer zone for certain CAMA activities conducted in the early 1940's. The property involved with the proposed action has been used as a buffer zone between U.S. Highway 95 and YPG's Kofa Range Area on a continuous basis since the beginning of this installation in July 1952. None of the aforementioned activities have generated any hazardous waste.

(b) Location - A drawing identifying the location of the property is provided at the exhibit herewith.

(c) Physiography/Surface Hydrology - The property is located in an alluvial valley with a 1% slope to the Gila, and Colorado Rivers. There is no surface water on the property and there is no flood potential of existing and proposed uses.

(d) Soils - Soils are typical of the lower Sonoran Deserts. Erosion is not a major factor in this area as it is only evident in the arroyos which traverse the property. Contaminant migration is not a concern as there is not, nor will there be, any contaminant exposure associated with the proposed action or use of the property.

(e) Geology - Gravelly surficial materials represent the primary geologic character of the property involved. Again, contaminant migration is not a concern for the reasons stated above.

(f) Hydrogeology - The depth of the uppermost aquifer is approximately 600'. It is located in the Gila River Watershed, and flows in a southerly direction. Contaminant migration is not a concern for previously stated reasons.

(g) Meteorology - The land involved receives approximately 3 inches per annum rainfall. Prevailing winds, from the north in winter and southwest in summer, average from 4 to 6 mph. The temperatures in the area can exceed 115 degrees Fahrenheit during summer months.

(h) Contaminated Structures/Buildings/Fixtures - There are none on the property.

(i) Noise - There is no noise associated with the project. The land use in the area is entirely military.

(j) Unexploded Ordnance - Records research and subsequent site survey have determined that no unexploded ordnance is on the property.

(k) Land Use Patterns - As previously stated, the property involved is a military buffer zone, therefore, the proposed use is considered to be compatible with existing military uses.

(l) Existing Ecological Baseline - There are no other areas involved with the proposed action which require evaluation.

(m) Miscellaneous - There are no additional concerns specific to the property.

c. Population: There is no permanent population within 7 miles of the property. Because of it's location, and the military necessity to retain the property as a buffer zone, it is not anticipated that any permanent population will ever exist on the site.

d. Environmental Compliance:

(1) Current Regulatory Status - No violations of environmental regulations are involved with this project.

(2) Closure Requirements - No closure requirements are involved with this project.

e. Survey Sites of Potential Concern:

(1) Summary - See above information.

(2) Individual Site Descriptions

(a) Site Type - The site is a military buffer zone.

(b) Site Area Map - See exhibit.

(c) History - See paragraph 2.b.(2)(a) above.

(d) Operating Practices - See above information.

(3 Materials/Waste

(a) Material/Waste Summary - There are no materials or waste on the property.

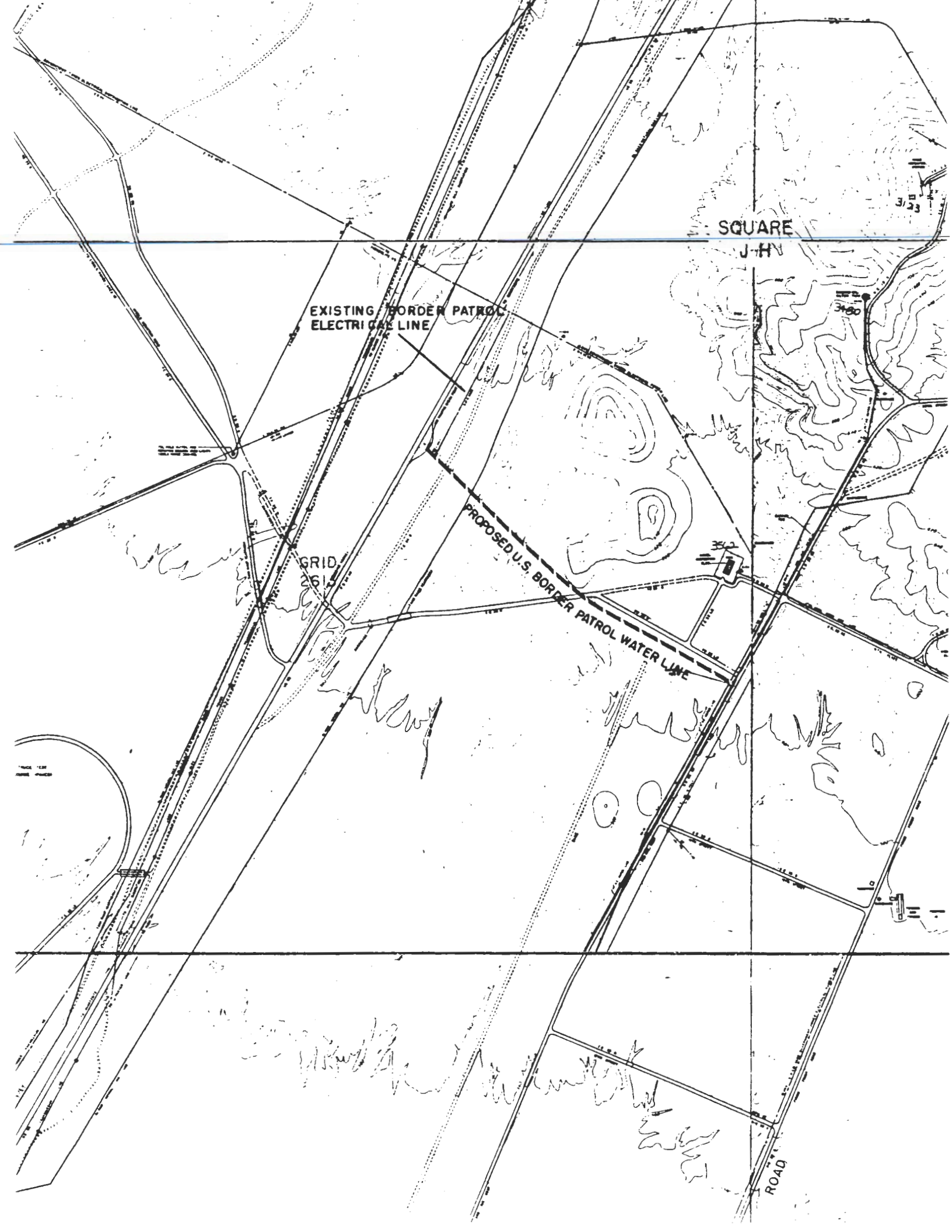
(b) Physical/Chemical/Toxicological - There are none associated with the property.

(c) Migration and Dispersal Characteristics - Migration or dispersal characteristics are not a concern for previously stated reasons.

(d) Evidence of Impact - There is no evidence of impacts.

f. Exposure Assessment: There is no potential for exposing existing and/or future human populations to an adverse environmental impact because of the proposed water line construction.

g. Summary of Findings: Based on aforementioned information, the property involved is determined to be Type I. It is recommended that the EBS Report be prepared for coordination and approval.


SQUARE
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EXISTING BORDER PATROL
ELECTRICAL LINE
PROPOSED U.S. BORDER PATROL WATER LINE
GRID
261
ROAD

U.S. ARMY YUMA PROVING GROUND

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

TO: Paulette Saunders, USAYPG Environmental Coordinator

FROM: James R. Marler, USAYPG Realty Specialist

PROJECT TITLE: U.S. Border Patrol Request for Modification of Department of the Army Permit No. DACA09-4-82-155 to Authorize Construction of a Water Line From a YPG Water Source to the Border Patrol Checkpoint at Milepost 52 on U.S. Highway 95.

BRIEF DESCRIPTION: The proposed action will modify aforementioned permit to outgrant additional land and authorize the U.S. Border Patrol to construct a potable water line from a source in the Kofa Range Area to the Border Patrol trailer at the checkpoint at Milepost 52 on U.S. Highway 95.

ANTICIPATED DATE AND/OR DURATION OF PROPOSED ACTION: The action will be effective upon Army approval and shall last throughout the term of aforementioned permit (30 April 1992), and any subsequent renewal of said permit.

REASON FOR USING RECORD OF ENVIRONMENTAL CONSIDERATION: An Environmental Baseline Study (EBS) for the proposed project has been completed. The study determined that the land involved is a Type I Property, and that the proposed project will pose little or no potential for environmental contamination or disruption. It has been determined that the action qualifies for Categorical Exclusion (CX) A-7, per Appendix A, AR 200-2, and that no extraordinary circumstances exist as defined in paragraph 4-2.b., AR 200-2.

PREPARED BY:

_____ DATE: _____ TELEPHONE: AV 899-3137

JAMES R. MARLER
USAYPG Realty Specialist
(Project Proponent)

REVIEWED/APPROVED BY:

_____ DATE: _____ TELEPHONE: AV 899-2753

PAULETTE SAUNDERS
USAYPG Environmental Coordinator

DEPARTMENT OF THE ARMY
HEADQUARTERS, U. S. ARMY MATERIEL COMMAND
5001 EISENHOWER AVENUE, ALEXANDRIA, VA 22333-0001

18 JUL 1990

AMCEN-R

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Environmental Baseline Studies (EBS)

1. Environmental Baseline Study policy guidance concerning requirements, preparation and submission is still undergoing revisions by HQDA on a regular basis. This Division is maintaining contact with HQDA, and is developing a systematized method of submitting and reviewing EBS's at HQ AMC. We will continue to advise you of changes and updates as they occur.

2. AMCEN-R is the managing office in HQ AMC for the EBS program. As such, we are tasked with the receipt and review of every EBS submitted, the number of which is continually increasing. AMCEN-A will provide consultation on environmental issues.

3. In an attempt to establish a uniform system and avoid processing delays, we have prepared and are enclosing a cover sheet for the submittal of an EBS. Please ensure that its use is implemented immediately, as each EBS must be signed and approved prior to submittal to this office. A few EBS's have been submitted unsigned or with incomplete execution. If you have forwarded an EBS without the signature of the preparer, the Installation Environmental Coordinator, the Installation Commander, and approval of the Major Subordinate Command, please complete, execute and forward a cover sheet to this office without delay. Upon receipt, we will attach it to your EBS and resume processing. It is important to understand that no EBS report will be acted upon without the required signatures. It is equally important to understand that each EBS must follow the format of the protocol and address each issue contained therein. Incorrectly formatted EBS's will be returned for revision.

4. Submittal will be through channels from the installation to the Major Subordinate Command, and forwarded to this office by MSC endorsement or memorandum. Since the EBS must accompany and be filed with the final real estate action which necessitated it, the complete EBS, not just the Executive Summary, must be submitted.

AMCEN-R
SUBJECT: Environmental Baseline Studies (EBS)

5. The appropriate action officer at our office will be able to discuss EBS requirements and submittals with you. The official point of contact for EBS matters at AMC is Mr. Harold Duck, DSN 284-9273.

FOR THE COMMANDER:

Encl

Stanley H. Fried

STANLEY H. FRIED
Chief, Real Estate Division
Office of the Deputy Chief of Staff
for Engineering, Housing,
Environment, and Installation
Logistics

CF:
HQDA, ENVR-EH (Mr. Cain)

ENVIRONMENTAL BASELINE STUDY

(Identification of Area Studied)

INSTALLATION NAME
AND ADDRESS

DATE OF EBS COMPLETION

PREPARED BY:

Name and Title of Preparing Officer _____ Date _____

REVIEWED BY:

Name and Title of Environmental Coordinator _____ Date _____

This Environmental Baseline Study has been reviewed, and to the best of my knowledge, using all information available to this organization at the time it was performed, accurately reflects the environmental condition of the property surveyed.

INSTALLATION COMMANDER _____ DATE _____

ENCL

DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF ENGINEERS
WASHINGTON, D.C. 20310-2600

REPLY TO
ATTENTION OF:

23 MAR 1989

CEEC-P (415-15)

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: Environmental Survey Guidance for Potential Construction Sites

1. During recent months the Army has experienced a series of problems related to contaminated construction sites and unexploded ordnance not identified during the site selection phase of the work. These conditions put construction workers and the Army in great jeopardy. Every effort must be made to assure safe working conditions for builders as well as for the occupants of completed facilities.

2. By memorandum for the Director of the Army Staff, Attn: DAEN-ZCZ, dated 18 November 1988, Mr. Lewis D. Walker, Deputy for Environment, Safety and Occupational Health, OASA(I&L), requested that actions be taken to avoid problems with contaminated sites during site selection prior to commencing design of a project. In the rewrite of AR 415-15, Military Construction Programing and Execution, provisions are being made to assure thorough analysis of each proposed construction site. However, in order to avoid delay, the attached "EXCERPT FROM DRAFT AR 415-15" (enclosure 1) and "INTERIM GUIDANCE FOR CONSTRUCTION SITE CLEARANCE (enclosure 2) are provided for your immediate application. AR 415-15 applies to MCA, Minor MCA, and AFH projects, however, these requirements apply to all project site selections including, for example, NAF, DMFO, Army reimbursable work, i.e., O&MA, and Third Party Contracts on Government owned lands.

3. MACOMS should assure that all projects under their jurisdiction not under construction are analyzed in accordance with the attached instructions. The results of these analyses will be provided, as soon as possible, to the design/construction agent for all sites which have been selected and are not under construction.

FOR THE CHIEF OF ENGINEERS:

Encl

PETER J. OFFRINGA
Major General, USA
Assistant Chief of Engineers

Encl 3

CEEC-P
SUBJECT: Environmental Survey Guidance for Potential Construction Sites

DISTRIBUTION:

COMMANDER IN CHIEF
U. S. ARMY, EUROPE AND SEVENTH ARMY
U. S. FORCES COMMAND

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MILITARY TRAFFIC MANAGEMENT COMMAND
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EIGHTH U. S. ARMY
U. S. ARMY WESTERN COMMAND
U. S. ARMY SOUTHERN COMMAND

DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF ENGINEERS
WASHINGTON, D.C. 20310-2600

REPLY TO
ATTENTION OF:

ENVR-EH (200-1c) 1 NOV 1990

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Real Property Transactions and Preliminary Assessment Screenings (PAS)

1. References:

a. Memorandum, HQDA, ENVR-EH, 1 Nov 89, subject: Real Property Transactions and Environmental Baseline Studies (EBS).

b. AR 200-1, 23 Apr 90, "Environmental Protection and Enhancement."

2. Since the issuance of EBS regulations (references 1.a and 1.b above), MACOMs and subordinate installations have expressed difficulties implementing these requirements. These field implementation problems resulted in cumbersome real property transactions. An analysis of EBS determined that the scope of the program was too broad and redundant, and it did not focus on the primary issue of environmental contamination. Consequently, the Army Environmental Office (AEO) has prepared guidance for a more focused implementation of the EBS program that concurrently replaces the EBS program with a "Preliminary Assessment Screening" (PAS). The replacement of the EBS program with the PAS is intended to reduce confusion; incorporate the EBS program concept into existing Army programs; and generally focus and simplify the intent of the EBS, which is to document significant contamination and reduce Army liability.

3. A PAS will determine if hazardous substances were stored, released into the environment or structures, or disposed of on a proposed real property transaction site. The purpose of a PAS is to develop sufficient information to support a Record of Environmental Consideration (REC) or to be integrated into an Environmental Assessment (EA) or Environmental Impact Statement (EIS); to adequately assess the health and safety risks; define the nature, magnitude, and extent of any environmental contamination; and identify the environmental contamination liabilities associated with a real property transaction. The PAS is not a separate document within NEPA, but is a necessary additional evaluation for real property transactions required under NEPA.

ENVR-EH (200-1c)
SUBJECT: Real Property Transactions and Preliminary Assessment Screenings (PAS)

4. Request you transmit the enclosed policy guidance to all Environmental and Real Estate Offices within your command, and ensure that new real property transactions initiated 60 days after the date of this memorandum comply with the provisions of the enclosure.

5. If you have comments on this new guidance, please provide them to the AEO within 45 days from the date of this memorandum. Your comments will be considered in the final language change for the revision of AR 200-1.

6. The Army Environmental Office POC on this matter is Mr. Michael Cain, commercial (703) 693-5032, or DSN 223-5032.

FOR THE CHIEF OF ENGINEERS:

GARY JONES
DEPUTY ASSISTANT
CHIEF OF ENGINEERS

for PETER J. OFFRINGA
Major General, USA
Assistant Chief of Engineers

Encl

DISTRIBUTION:
COMMANDER-IN-CHIEF, FORCES COMMAND, ATTN: FCEN-RDO

COMMANDER,
US ARMY CORPS OF ENGINEERS, ATTN: CEMP-RI
US ARMY HEALTH SERVICES COMMAND, ATTN: HSLO-F
US ARMY INTELLIGENCE AND SECURITY COMMAND, ATTN: IALOG-IF
US ARMY TRAINING AND DOCTRINE COMMAND, ATTN: ATBO-GE
US ARMY MATERIEL COMMAND, ATTN: AMCEN-A
MILITARY TRAFFIC MANAGEMENT COMMAND, ATTN: MT-LOF
US ARMY PACIFIC, ATTN: APEN-FE
US ARMY MILITARY DISTRICT OF WASHINGTON, ATTN: ANEN-E
US ARMY TOXIC AND HAZARDOUS MATERIALS AGENCY, ATTN: CETHA-RM
US ARMY STRATEGIC DEFENSE COMMAND, ATTN: BMDSC-RE
US ARMY CRIMINAL INVESTIGATION COMMAND, ATTN: CILO-EN
US ARMY ENVIRONMENTAL HYGIENE AGENCY, ATTN: HSHB-ME-SH
US ARMY SPECIAL OPERATIONS COMMAND, ATTN: AOEN
SUPERINTENDENT, US MILITARY ACADEMY, ATTN: MAEN
CHIEF, ARMY RESERVE, ATTN: DAAR-CM
CHIEF, NATIONAL GUARD BUREAU, ATTN: NGB-ARI-E

Revised AR 200-1

12-5. Real property transactions

a. The Army proponent for a real property acquisition, transfer, or disposal transaction, which involves other than an Army agency and is within the United States, its territories and possessions will comply with the requirements set forth in this paragraph, in addition to the procedures found in AR 405-10, AR 405-80, and AR 405-90. For the definition of acquisition, transfer, or disposal, see glossary. (Note that the definitions of these terms do not include Government owned - Contractor operated (GOCO) contracts, renewal of existing contracts, third party contracts, and interservice support agreements).

b. Sections 12-5 (Real Property Transactions) and Appendix B (Environmental Baseline Study Protocol) of AR 200-1, 23 April 1990, are hereby superseded and cancelled.

c. Preliminary Assessment Screening (PAS). A PAS is conducted to determine if hazardous substances (as defined in glossary) were stored, released into the environment or structures, or disposed of on a site. The purpose of a PAS is to develop sufficient information to adequately assess the health and safety risks, define the nature, magnitude, and extent of any environmental contamination, and identify the potential environmental contamination liabilities associated with a real property acquisition, transfer, or disposal transaction.

d. A PAS provides information which will be integrated and documented in a Record of Environmental Consideration (REC), Environmental Assessment (EA), or Environmental Impact Statement (EIS) for all real property acquisition, transfer, or disposal transactions which meet all of the following conditions:

(1) The real property acquisition, transfer, or disposal transaction is within the United States, its territories, or possessions.

(2) The real property acquisition, transfer, or disposal transaction is conducted with a non-Army party.

e. A PAS screening must determine the type and quantity of such hazardous substance and period of time over which such storage, release into the environment or structures, or disposal took place, to the extent such information is available on the basis of a comprehensive records search and site inspection.

f. Items to be considered during the PAS process should include, but are not limited to:

(1) Properties or structures in which it is known that hazardous substances were stored, released, or disposed of.

(2) Installation Restoration Program (IRP) Initial Installation Assessment documents, Preliminary Assessment/Site Investigation (PA/SI) reports, Remedial Investigation/Feasibility Study (RI/FS) status reports; land use plans, and other environmental review reports; Installation Master Plan; Asbestos Surveys; etc.

(3) Aerial photos.

(4) Visual Site Inspection (unusual odors, stained soils, stressed vegetation, leachate seeps, land features related to human activities, unnatural surface features, etc.).

(5) Any permit, permit discontinuance or closure requirements.

(6) Other sources of information such as interviews or review of historic records.

g. The Army proponent is responsible for the completion of the PAS portion of the REC, EA, or EIS for transactions they have initiated. Non-Army parties will be requested to perform the PAS for transactions they have initiated.

h. Following completion of a PAS:

(1) The Army proponent will ensure that the findings of the screening are compiled in the form of a brief PAS statement of findings. The PAS statement of findings will be included in the REC.

(2) The Army proponent will ensure that the statement of findings for the PAS are integrated into the "Affected Environment" portion of the EA or EIS, whichever is appropriate.

(3) The statement of findings for the PAS will draw conclusions and provide recommendations on the acceptability of the proposed real property acquisition, transfer, or disposal transaction. Based on the PAS, the proponent must determine whether there is any reason to suspect that any hazardous substance was stored, released into the environment or structures, or disposed of on the subject property.

i. When the PAS indicates that no hazardous substance storage, release into the environment or structures, or disposal took place on the subject property or that the existence of a release of hazardous substances into the environment is not considered probable, the following applies:

(1) The PAS will be made part of the real property acquisition, transfer, or disposal transaction record to serve as documentation for the hazardous substance contamination condition of the property.

(2) Upon completion of i(1) above, the Army proponent has satisfied the PAS requirements of this section.

j. If the existence or potential for a release of hazardous substances into the environment or structures of the subject property is determined through the PAS process (comprehensive records search and site inspection), the Army proponent must carry out the DERP investigation procedures of AR 200-1, Chapter 9 or elect to exclude that portion of property from the real property acquisition, transfer, or disposal transaction. This does not apply to releases for which appropriate response action has already been taken.

k. Contamination on Army property will be identified through appropriate command channels and appropriate action will be taken to minimize risks associated with the real property acquisition, transfer, or disposal transaction.

l. The Army may require the owner of land it intends to acquire to address identified contamination in accordance with the National Contingency Plan (NCP), 40 CFR Part 300 prior to undertaking the acquisition.

m. For real property acquisition, transfer, or disposal transactions initiated by non-Army parties:

(1) The Army proponent will assure completion of a PAS and should participate actively when a non-Army party performs a PAS.

(2) The Army will prepare the PAS even though the non-Army party initiated the transaction if that party is either unwilling or is unable to conduct the PAS and the Army proponent determines that the transaction would be in the best interest of the Army.

(3) The Army proponent that prepares a PAS for a real property acquisition, transfer, or disposal transaction initiated by a non-Army party may request technical assistance from the supporting USACE District, USAEHA, USATHAMA or USACE Huntsville Division as appropriate.

Revised AR 200-1

Glossary

(These terms will be new. Add to existing AR 200-1 Glossary.)

Section II

Terms

Acquisition
Obtain, use, or control real property by purchase, condemnation, donation, exchange, easement, license, lease, permit, revestment and recapture as defined in chapter 1-4, Estates and methods of acquisition, of AR 405-10.

Army Proponent
The lowest level decisionmaker, i.e., the Army unit, element, or organization responsible for initiating or carrying out the proposed action.

Disposal (Real Property)
Any authorized method of permanently divesting DA of control of and responsibility for real estate.

Hazardous Substance
d. For the purpose of this regulation, chapter 12-5, Real property transactions, hazardous substances will also include Polychlorinated biphenyls (PCB's); Petroleum, Oil, and Lubricants (POL); Friable Asbestos; and Unexploded Ordnance (UXO).

Real Property
Land; present possessory interests in land; structures, fixtures, and other improvements on land; surface waters and ground water within the boundaries of the land; other interests in the land; and future interests in the land, in the United States, its territories and possessions.

Storage
The holding of hazardous substances (as defined in this section) for a temporary period prior to the hazardous substance being either used, neutralized, disposed of, or stored elsewhere.

Transfer
Permits to other government agencies, easements, leases (except agricultural or grazing leases) and licenses (except minor licenses granted by the installation's commander incident to post administration).

ENVR-EH (200-1c)
SUBJECT: Real Property Transactions and Preliminary Assessment Screenings (PAS)

(CONT)
CF:
DASA(ESOH)
DASA(I&H)
SAGC
DAJA-EL
DACS-SF
DASG-ZA
COMMANDER,
US FORCES KOREA/EIGHTH US ARMY, ATTN: ENJ
US ARMY SOUTH, PANAMA, ATTN: SOEN

DEPARTMENT OF THE ARMY
HEADQUARTERS, U. S. ARMY MATERIEL COMMAND
5001 EISENHOWER AVENUE, ALEXANDRIA, VA 22333-0001

S: COB 13 Dec 90

AMCEN-A

28 Nov 90

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Real Property Transactions and Preliminary Assessment Screening (PAS)

1. References:

a. Memorandum, HQ DA, ENVR-EH, 1 Nov 90, subject: Real Property Transactions and Environmental Baseline Studies (EBS).

b. AR 200-1, 23 Apr 90, "Environmental Protection and Enhancement."

c. AR 200-2, 23 Dec 88, "Environmental Effects of Army Actions."

2. Effective 1 Jan 91, Environmental Baseline Study (EBS) will no longer be required for a real property acquisition, transfer, or disposal transaction, which involves other than an Army agency and is within the United States, its territories and possessions.

3. On 1 Jan 91, Preliminary Assessment Screening (PAS) will be required as documentation for actions stated in paragraph 2 above. Note that no preliminary assessment screening process will be necessary for Government owned - Contractor Operated Contracts (GOCO), renewal of existing contracts, third party contracts, and interservice support agreements. Moreover, Sections 12-5 (Real Property Transactions) and Appendix B (Environmental Baseline Study Protocol) of AR 200-1, 23 Apr 90 are hereby superseded and cancelled.

4. The purpose for this change in procedure is to align real estate transactions that involve other than Army agencies with currently required environmental documentation, as required in AR 200-2. Therefore, once a real estate transaction has been initiated at the installation, the Real Estate Office must inform their Environmental Office at the installation to initiate a PAS.

5. The PAS will now be a very brief document (not to exceed 5 pages) to determine if any health and safety risks and/or environmental contamination exist, and identify potential contamination. The PAS document must determine the type(s), quantity, period of the contamination (if applicable) utilizing available records, reports, inspections, and surveys as a

minimum. The PAS must conclude with a statement of finding and recommendation for the decision maker on the acceptability of the proposed real estate transaction. Further guidance has been given in the revised AR 200-1 (encl 1) regarding the processing of a PAS.

6. Upon completion of the PAS the installation's Environmental Office, and Real Estate must review and sign the document before approval by the installation commander. The documents must then be forwarded to the installation's Major Subordinate Command (MSC) for an endorsement. The MSC will forward the PAS to the Real Estate Division at HQ AMC (AMCEN-R) with the real estate transaction documentation.

7. Review these procedures in the memo and the enclosure. Provide comments to this office by close of business 13 Dec 90. Comments not submitted by this date will be considered as concurrence. Please address your comments, or questions to CPT Clyde V. Webster, AMCEN-A, (703) 274-9016, DSN 284-9016; or to Mr. Harold Duck, AMCEN-R, X9273. You may fax your comments to (703) 274-3895.

FOR THE COMMANDER:

Encl

ANDRES TALTS, P.E.
Chief, Environmental Quality Division
Office of the Deputy Chief of Staff
for Engineering, Housing, Environment,
and Installation Logistics

DISTRIBUTION:
COMMANDER
AMCCOM, ATTN: AMSMC-ISE, Rock Island, IL 61299-6000
AVSCOM, ATTN: SAVAI-F, St. Louis, MO 63120-1798
CECOM, ATTN: AMSEL-SF-REE, Ft. Monmouth, NJ 07703-5109
DESCOM, ATTN: AMSDS-IN-E, Chambersburg, PA 17201-4170
LABCOM, ATTN: AMSLC-EL, Adelphi, MD 20783-1145
MICOM, ATTN: AMSMI-EQ, Redstone Arsenal, AL 35898-5340
TACOM, ATTN: AMSTA-XE, Warren, MI 48397-5000
TECOM, ATTN: AMSTE-ST-E, Aberdeen Proving Ground, MD 21005-5055
TROSCOM, ATTN: AMSTR-X, St. Louis, MO 63120-1798

DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF ENGINEERS
WASHINGTON, D.C. 20310-2600

REPLY TO
ATTENTION OF:

ENVR-EH (200-1c)

1 NOV 1990

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Real Property Transactions and Preliminary Assessment Screenings (PAS)

1. References:

a. Memorandum, HQDA, ENVR-EH, 1 Nov 89, subject: Real Property Transactions and Environmental Baseline Studies (EBS).

b. AR 200-1, 23 Apr 90, "Environmental Protection and Enhancement."

2. Since the issuance of EBS regulations (references 1.a and 1.b above), MACOMs and subordinate installations have expressed difficulties implementing these requirements. These field implementation problems resulted in cumbersome real property transactions. An analysis of EBS determined that the scope of the program was too broad and redundant, and it did not focus on the primary issue of environmental contamination. Consequently, the Army Environmental Office (AEO) has prepared guidance for a more focused implementation of the EBS program that concurrently replaces the EBS program with a "Preliminary Assessment Screening" (PAS). The replacement of the EBS program with the PAS is intended to reduce confusion; incorporate the EBS program concept into existing Army programs; and generally focus and simplify the intent of the EBS, which is to document significant contamination and reduce Army liability.

3. A PAS will determine if hazardous substances were stored, released into the environment or structures, or disposed of on a proposed real property transaction site. The purpose of a PAS is to develop sufficient information to support a Record of Environmental Consideration (REC) or to be integrated into an Environmental Assessment (EA) or Environmental Impact Statement (EIS); to adequately assess the health and safety risks; define the nature, magnitude, and extent of any environmental contamination; and identify the environmental contamination liabilities associated with a real property transaction. The PAS is not a separate document within NEPA, but is a necessary additional evaluation for real property transactions required under NEPA.

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SUBJECT: Real Property Transactions and Preliminary Assessment Screenings (PAS)

4. Request you transmit the enclosed policy guidance to all Environmental and Real Estate Offices within your command, and ensure that new real property transactions initiated 60 days after the date of this memorandum comply with the provisions of the enclosure.

5. If you have comments on this new guidance, please provide them to the AEO within 45 days from the date of this memorandum. Your comments will be considered in the final language change for the revision of AR 200-1.

6. The Army Environmental Office POC on this matter is Mr. Michael Cain, commercial (703) 693-5032, or DSN 223-5032.

FOR THE CHIEF OF ENGINEERS:

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CHIEF, ARMY RESERVE, ATTN: DAAR-CM
CHIEF, NATIONAL GUARD BUREAU, ATTN: NGB-ARI-E

ENVR-EH (200-1c)
SUBJECT: Real Property Transactions and Preliminary Assessment Screenings (PAS)

(CONT)
CF:
DASA(ESOH)
DASA(I&H)
SAGC
DAJA-EL
DACS-SF
DASG-ZA
COMMANDER,
US FORCES KOREA/EIGHTH US ARMY, ATTN: ENJ
US ARMY SOUTH, PANAMA, ATTN: SOEN

Revised AR 200-1

12-5. Real property transactions

a. The Army proponent for a real property acquisition, transfer, or disposal transaction, which involves other than an Army agency and is within the United States, its territories and possessions will comply with the requirements set forth in this paragraph, in addition to the procedures found in AR 405-10, AR 405-80, and AR 405-90. For the definition of acquisition, transfer, or disposal, see glossary. (Note that the definitions of these terms do not include Government owned - Contractor operated (GOCO) contracts, renewal of existing contracts, third party contracts, and interservice support agreements).

b. Sections 12-5 (Real Property Transactions) and Appendix B (Environmental Baseline Study Protocol) of AR 200-1, 23 April 1990, are hereby superseded and cancelled.

c. Preliminary Assessment Screening (PAS). A PAS is conducted to determine if hazardous substances (as defined in glossary) were stored, released into the environment or structures, or disposed of on a site. The purpose of a PAS is to develop sufficient information to adequately assess the health and safety risks, define the nature, magnitude, and extent of any environmental contamination, and identify the potential environmental contamination liabilities associated with a real property acquisition, transfer, or disposal transaction.

d. A PAS provides information which will be integrated and documented in a Record of Environmental Consideration (REC), Environmental Assessment (EA), or Environmental Impact Statement (EIS) for all real property acquisition, transfer, or disposal transactions which meet all of the following conditions:

(1) The real property acquisition, transfer, or disposal transaction is within the United States, its territories, or possessions.

(2) The real property acquisition, transfer, or disposal transaction is conducted with a non-Army party.

e. A PAS screening must determine the type and quantity of such hazardous substance and period of time over which such storage, release into the environment or structures, or disposal took place, to the extent such information is available on the basis of a comprehensive records search and site inspection.

f. Items to be considered during the PAS process should include, but are not limited to:

(1) Properties or structures in which it is known that hazardous substances were stored, released, or disposed of.

(2) Installation Restoration Program (IRP) Initial Installation Assessment documents, Preliminary Assessment/Site Investigation (PA/SI) reports, Remedial Investigation/Feasibility Study (RI/FS) status reports; land use plans, and other environmental review reports; Installation Master Plan; Asbestos Surveys; etc.

(3) Aerial photos.

(4) Visual Site Inspection (unusual odors, stained soils, stressed vegetation, leachate seeps, land features related to human activities, unnatural surface features, etc.).

(5) Any permit, permit discontinuance or closure requirements.

(6) Other sources of information such as interviews or review of historic records.

g. The Army proponent is responsible for the completion of the PAS portion of the REC, EA, or EIS for transactions they have initiated. Non-Army parties will be requested to perform the PAS for transactions they have initiated.

h. Following completion of a PAS:

(1) The Army proponent will ensure that the findings of the screening are compiled in the form of a brief PAS statement of findings. The PAS statement of findings will be included in the REC.

(2) The Army proponent will ensure that the statement of findings for the PAS are integrated into the "Affected Environment" portion of the EA or EIS, whichever is appropriate.

(3) The statement of findings for the PAS will draw conclusions and provide recommendations on the acceptability of the proposed real property acquisition, transfer, or disposal transaction. Based on the PAS, the proponent must determine whether there is any reason to suspect that any hazardous substance was stored, released into the environment or structures, or disposed of on the subject property.

i. When the PAS indicates that no hazardous substance storage, release into the environment or structures, or disposal took place on the subject property or that the existence of a release of hazardous substances into the environment is not considered probable, the following applies:

(1) The PAS will be made part of the real property acquisition, transfer, or disposal transaction record to serve as documentation for the hazardous substance contamination condition of the property.

(2) Upon completion of i(1) above, the Army proponent has satisfied the PAS requirements of this section.

j. If the existence or potential for a release of hazardous substances into the environment or structures of the subject property is determined through the PAS process (comprehensive records search and site inspection), the Army proponent must carry out the DERP investigation procedures of AR 200-1, Chapter 9 or elect to exclude that portion of property from the real property acquisition, transfer, or disposal transaction. This does not apply to releases for which appropriate response action has already been taken.

k. Contamination on Army property will be identified through appropriate command channels and appropriate action will be taken to minimize risks associated with the real property acquisition, transfer, or disposal transaction.

l. The Army may require the owner of land it intends to acquire to address identified contamination in accordance with the National Contingency Plan (NCP), 40 CFR Part 300 prior to undertaking the acquisition.

m. For real property acquisition, transfer, or disposal transactions initiated by non-Army parties:

(1) The Army proponent will assure completion of a PAS and should participate actively when a non-Army party performs a PAS.

(2) The Army will prepare the PAS even though the non-Army party initiated the transaction if that party is either unwilling or is unable to conduct the PAS and the Army proponent determines that the transaction would be in the best interest of the Army.

(3) The Army proponent that prepares a PAS for a real property acquisition, transfer, or disposal transaction initiated by a non-Army party may request technical assistance from the supporting USACE District, USAEHA, USATHAMA or USACE Huntsville Division as appropriate.

Glossary

(These terms will be new. Add to existing AR 200-1 Glossary.)

Section II

Terms

Acquisition
Obtain, use, or control real property by purchase, condemnation, donation, exchange, easement, license, lease, permit, revestment and recapture as defined in chapter 1-4, Estates and methods of acquisition, of AR 405-10.

Army Proponent
The lowest level decisionmaker, i.e., the Army unit, element, or organization responsible for initiating or carrying out the proposed action.

Disposal (Real Property)
Any authorized method of permanently divesting DA of control of and responsibility for real estate.

Hazardous Substance
d. For the purpose of this regulation, chapter 12-5, Real property transactions, hazardous substances will also include Polychlorinated biphenyls (PCB's); Petroleum, Oil, and Lubricants (POL); Friable Asbestos; and Unexploded Ordnance (UXO).

Real Property
Land; present possessory interests in land; structures, fixtures, and other improvements on land; surface waters and ground water within the boundaries of the land; other interests in the land; and future interests in the land, in the United States, its territories and possessions.

Storage
The holding of hazardous substances (as defined in this section) for a temporary period prior to the hazardous substance being either used, neutralized, disposed of, or stored elsewhere.

Transfer
Permits to other government agencies, easements, leases (except agricultural or grazing leases) and licenses (except minor licenses granted by the installation's commander incident to post administration).