



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, U.S. ARMY GARRISON FORT WAINWRIGHT
1046 MARKS ROAD #6000
FORT WAINWRIGHT, ALASKA 99703-6000

DEC 01 2015

IMFW-PWE

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Land Use Controls/ Institutional Controls (Garrison Policy #38)

1. References:

- a. AR 600-20, Army Command Policy, 6 November 2014.
- b. AR 200-1, Environmental Protection and Enhancement, 13 December 2007.
- c. Memorandum: DUSD (ES/CL), Policy on Land Use Controls Associated with Environmental Restoration Activities, 17 January 2001.
- d. Executive Order 12580, Implementation of Superfund, 23 January 1987, as amended by Executive Order 13308, 20 June 2003, Further Amendment to Executive Order 12580, as Amended, Superfund Implementation.
- e. 40 CFR 300, National Oil and Hazardous Substances Pollution Contingency Plan.
- f. 42 USC 9601 et seq. Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as Amended by the Superfund Amendment and Reauthorization Act of 1986.
- g. 10 USC 2710(b) Military Munitions Response Program, Inventory of UXO, DMM, and MC Defense Sites other than operational ranges.
- h. US Army Garrison Fort Wainwright (USAG FWA) Federal Facility Agreement as amended under CERCLA Section 120, Administrative Docket Number: 1092-04-10-120 April 2007.
- i. USAG FWA Land Use Controls/ Institutional Controls Standing Operating Procedures (SOP).
- j. USAG FWA Land Use Controls/ Institutional Controls Potential Source Area List w/ Status.

2. Purpose: To update and disseminate the Land Use Controls/ Institutional Controls (LUC/IC) Policy for USAG FWA.

3. Applicability:

- a. This policy applies to all individuals, units, directorates, activities, organizations, partners and tenants which includes the U.S Army Corps of Engineers in its entirety, all Prime and Sub-Contractors, and Consultants; all personnel working for contractor owned, contractor operated facilities and operations; Government Owned, Contractor Operated facilities and operations; and personnel living, working, or conducting other authorized activities on USAG FWA controlled lands and are therefore responsible for complying with all established LUC/ICs identified in this document.
- b. These LUC/ICs cover all contiguous and non-contiguous properties under the control of USAG FWA.

IMFW-PWE

SUBJECT: Land Use Controls/ Institutional Controls (Garrison Policy #38)

c. Specific land use restrictions cited in this policy, the USAG FWA Land Use Controls/Institutional Controls (LUC/IC) Standard Operating Procedures (SOP), the USAG FWA Land Use Controls/ Institutional Controls Potential Source Area List w/ Status, as well as those established in the Comprehensive Environmental Response Compensation and Liability Act Record of Decisions, shall be incorporated into all lease agreements, Memoranda of Agreement, and contract documents, as necessary, to reduce the potential for exposure to environmental hazards.

d. In addition to these LUC/ICs, all units or personnel entering USAG FWA Ranges and Training Areas shall also comply with the directives of the Range Control Officer and the Range Control SOP.

e. Penalties for violating this policy include the full range of statutory and regulatory sanctions for military and civilian personnel according to the following citations:

(1) For military personnel, the Uniform Code of Military Justice (UCMJ) Article 92(1), violation of a lawful general regulation, and service-specific regulations.

(2) For civilian personnel, Army Regulation (AR) 690-700, Chapter 751; and the Code of Federal Regulation, Title 5, Chapter 1, Part 752. Commanders should contact their servicing civilian personnel activity for assistance concerning punitive actions for civilian personnel.

4. Procedures: The Directorate of Public Works (DPW) shall ensure that the following standard operating procedures are in place to comply with this policy:

a. All construction, maintenance, repairs, and authorized training activities conducted anywhere within active ranges and training areas that involve soil disturbing activities impacting soils six inches or more below the ground surface in known contaminated areas, shall comply with LUC/ICs requirements in addition to Range Control directives and SOPs.

b. All soil disturbing activities impacting soils six inches or more below the ground surface anywhere on the installation must have a DPW approved DA Form 4283 (Work Order) or DPW approved Service Order, a signed and approved Excavation Clearance Request (ECR) from DPW Customer Service Desk and a completed and signed Project Checklist for Environmental Concerns. During this process, DPW Environmental personnel will identify applicable LUC/ICs, identify known or suspected contamination, and other pertinent information and requirements. This process shall be followed for the listed activities which include but are not limited to the following:

(1) Installation, maintenance, and removal of facilities, infrastructure, landscaping, and private fence/gates in North Haven Communities and Army Family Housing.

(2) Installation, maintenance, and repair of facilities, infrastructure or utilities by DPW workers, service contractors, privatized utility or privatized housing partners, organizations, tenants, Soldiers, units and Family Housing residents.

(3) Military Construction Army (MCA) contracts for facilities, utilities, ranges or other infrastructure.

(4) Landscaping, erosion control, Storm Water Pollution Prevention mitigations or similar activities anywhere on the installation.

IMFW-PWE

SUBJECT: Land Use Controls/ Institutional Controls (Garrison Policy #38)

(5) Installation of investigative test pits, soil borings, remediation systems, dewatering wells, monitoring wells, or potable water wells for whatever reason. Submission of the request for installation and justification for dewatering or potable water wells shall be coordinated through the DPW Environmental Office not less than 365 days prior to installation of the wells.

c. If any of the above listed activities occurs in an area of known or suspected contamination, the Work Order shall be accompanied by a US Army, EPA and ADEC approved Work Plan that is written and submitted by the proponent of the work that addresses the following:

(1) The nature of the contaminants of concern.

(2) How the construction workers will deal with the contaminated media.

(3) Protection of existing ground water monitoring wells.

(4) Decommissioning of existing ground water monitoring wells that must be removed to facilitate the construction of new facilities or infrastructure.

(5) Installation of new or replacement ground water monitoring wells

(6) Construction and maintenance requirements for long-term contaminated soil stockpiles.

(7) Final disposition of the exhumed contaminated material.

(8) How the remaining/residual contaminated media will be mitigated to prevent future accidental exposure to contaminants of concern.

d. The discovery of readily identified or potentially hazardous waste, buried waste containers, discarded military munitions, unexploded ordnance, munitions debris, "unusual debris" or other forms of contamination in surface soil, sub-surface soil, ground water, or indoor/outdoor air within the cantonment area shall comply with the following process:

(1) Immediately cease all work or training, move away from the area and notify the DPW Environmental Division at 361-9686 and await further guidance before proceeding with any other soil disturbing activity.

(2) If DPW cannot be reached, call the emergency responders (911 on Post) or 353-9170 if calling from a cell phone or Family Housing Area.

(3) If these items are found within an active training area or range, immediately move away from the area and notify Range Control via radio or call 353-1244.

(4) Tenants or contractor's signature on an ECR acknowledges their understanding of Army Reporting Requirements regarding new contaminant finds. Failure to report this contamination constitutes a violation of US Code and Army Regulations.

e. Newly identified contaminated areas that cannot be immediately remediated shall be added to the LUC/IC list within 90 calendar days of final investigation report on the area being received and approved.

IMFW-PWE

SUBJECT: Land Use Controls/ Institutional Controls (Garrison Policy #38)

f. DPW shall maintain all information and an electronic map of all Installation Restoration Program sites and Military Munitions Response Program Sites. The map shall be updated as soon as practicable but, within 90 calendar days of final investigation report on the area being received and approved by the Army, the EPA, and the ADEC.

g. Groundwater restrictions prohibit the drilling of water wells for potable water, fire suppression, irrigation or other purposes anywhere on the installation without written consent of the Garrison Commander or approved representative. Coordination for these activities must begin not less than 365 calendar days prior to the date required. DPW Environmental will provide the necessary coordination with the EPA and ADEC.

h. DPW shall sample and analyze ground water monitoring wells up-gradient from the Installation Drinking Water Supply wells to ensure no contaminants of concern are migrating towards these wells from adjacent contaminated sites. DPW shall ensure that the analytical test methods used are capable of detecting the contaminants of concern at levels that are protective of human health.

i. Construction on known or potentially contaminated areas will not proceed until the site has been properly evaluated for its intended use as follows:

(1) If Family Housing is planned for an area, investigative results will compare soil and groundwater results against unrestricted use scenarios. Occupants will be protected against exposure to hazardous levels of contaminants.

(2) If new or upgraded infrastructure or unoccupied industrial facilities are planned, engineering controls will be incorporated into the design to ensure construction workers are not exposed to contaminant levels exceeding the OSHA PEL.

(3) If volatile organic compounds or other hazardous materials are left in the soil or ground water under occupied building foundations, facility designs shall incorporate protective measures to prevent vapor intrusion into the breathing zone of the facility and prevent exposure to hazardous levels of sub-slab contaminants by occupants during normal activities.

j. DPW shall monitor sub-slab soil gas for all buildings in the Taku Gardens Family Housing area at each change of occupancy, but not less than every three years or until the US Army, EPA and ADEC agree the monitoring is no longer required.

k. DPW shall ensure the disposal of contaminated soil or groundwater approved for removal from the work site must be containerized and disposed of per IAW USARAK Pamphlet 200-1, Hazardous Materials and Regulated Waste Management.

l. Implementation details shall be updated in the USAG FWA Land Use Controls/Institutional Controls Standard Operating Procedures.

5. Modification or Revocation: Future modifications or revocation of this policy shall be conducted in consultation with the US Environmental Protection Agency (Region 10) and the Alaska Department of Environmental Conservation (Military Contaminated Sites Program).

6. This policy supersedes Garrison Policy #38, SAB, dated 7 Apr 14.

IMFW-PWE

SUBJECT: Land Use Controls/ Institutional Controls (Garrison Policy #38)

7. The Point of Contact for this policy is Mr. Clifford A. Seibel, Directorate of Public Works, Environmental Division Chief at 361-6220 or email clifford.a.seibel@us.army.mil.



SEAN C. WILLIAMS
COL, SF
Commanding

DISTRIBUTION:
DIST A (FWA)