



DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY ALASKA
600 RICHARDSON DRIVE #5000
FORT RICHARDSON, ALASKA 99505-5000



REPLY TO
ATTENTION OF:

APVR-RPW-EV (200-1c)

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Institutional Controls

1. All organizations conducting activities on United States Army Alaska (USARAK) controlled land are responsible for complying with established Institutional Controls. Institutional controls are administrative, procedural, and regulatory measures to control human access to and usage of property. They are applicable to all known or suspected contaminated sites where contamination has been left in place.
2. These controls have been established to implement the selected remedial actions agreed upon by the U.S. Army (Army), the U.S. Environmental Protection Agency (USEPA), and the Alaska Department of Environmental Conservation (ADEC) in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as amended by the Superfund Amendment Reauthorization Act (SARA). These controls also apply to remedial actions agreed upon under Two-Party Compliance Agreements. These agreements are concluded between USARAK and ADEC and apply to petroleum/oil/lubricants- (POL) contaminated sites.
3. Institutional controls such as limitations on access, water use, excavations, and property transfers will supplement engineering controls as appropriate for short-term and long-term management to prevent or limit human and environmental exposure to hazardous substances, pollutants, or contaminants. Specific institutional controls include, among other things: limitations on the depth and location of excavations, prohibition of or restrictions on well drilling and use of ground water, requirements for worker use of personal protective equipment, site monitoring, and prohibition of certain land uses, types of vehicles, etc.
4. Organizational units, tenants, and support/contractor organizations must obtain an Excavation Clearance Request (ECR) (see enclosure) for all soil disturbing activities impacting soils six inches or more below the ground surface. The review process for approval of an ECR begins with the identification of the current status (known or suspected hazardous waste site or "clean" site) of a work location. ECR's for work in known or suspected hazardous waste sites:

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- a. will include specific limitations and controls on such work;
 - b. will include specific institutional control procedures, and notification, monitoring, reporting, and stop work requirements;
 - c. may include procedures for management, characterization, and disposal of any soil or groundwater encountered or removed;
 - d. will identify "project managers" for both the unit/contractor requesting the work and DPW Environment Resources.
5. The DPW project manager will conduct on-site inspections of each work site (at which institutional controls apply) to determine continued compliance with the terms and conditions of the approved ECR. DPW has the authority to revoke ECR approval if the specified terms and conditions are not being met. ECR forms are available at the Customer Service Desks at:
- a. Building 730 at Fort Richardson;
 - b. Building 3015 at Fort Wainwright;
 - c. Building 605 at Fort Greely.
6. USARAK has negotiated (with USEPA and/or ADEC) decision documents and/or Records of Decision (RODs) that mandate the implementation of institutional controls. USARAK Directorate of Public Works, Environmental Resources Department (PWE), maintains copies of all decision documents and RODs requiring institutional controls in its real property files. PWE provides regularly updated post maps showing all areas affected by institutional controls. These maps can easily be accessed by using an approved intranet mapping interface application. Copies of these maps will be available to each directorate, activity, and tenant organization. To ensure the effectiveness of institutional controls, all organizational units and tenant activities will be informed on an annual basis of institutional controls on contaminated soils and groundwater in effect near their facilities.
7. Institutional controls are enforceable by the U.S. Environmental Protection Agency (USEPA) and the Alaska Department of Environmental Conservation (ADEC). Failure to comply with an institutional control mandated in a decision document or ROD will violate the USARAK Federal Facility Agreement and may result in stipulated fines and penalties. This does not include the costs of corrective actions required due to violation of an established institutional control.

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8. Where institutional controls are applicable to any organization, tenant, or activity, land use restrictions shall be incorporated into either a lease or memorandum of agreement, as appropriate. Costs for any and all remedial actions and fines and/or stipulated penalties levied as a result of a violation of an established institutional control shall be funded by the violating activity or organization.

Encl
Excavation Clearance Request

JAMES J. LOVELACE
Major General, USA
Commanding

DISTRIBUTION:

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**U.S. Army Alaska Institutional Controls
Standard Operating Procedures**

1. References:

- a. AR 200-1, Environmental Protection and Enhancement
- b. AR 200-2, Army Institutional Control Program Enforcement
- c. Interim Army Management Plan for Land Use Controls Associated with Environmental Restoration Activities; Memorandum, Dept. of the Army, USAEC, 17 Aug 01
- d. USARAK 200-4, Environmental Quality; Hazardous Waste, Used Oil and Hazardous Materials Management
- e. AR 210-20, Army Installation Master Planning
- f. 40 CFR 300, National Oil and Hazardous Substances Pollution Contingency Plan.
- g. 42 USC 1901 et seq. Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as Amended by the Superfund Amendment and Reauthorization Act of 1986.
- h. Federal Facility Agreements for Forts Richardson and Wainwright
- i. Defense-State Memorandum of Agreement
- j. Operable Unit Records of Decision and/or other decision documents as appropriate.

2. Purpose. These Standard Operating Procedures establish the responsibilities, policies and procedures for complying with Department of Defense (DOD), Department of the Army (DA), and US Army, Alaska (USARAK) regulations as well as Federal and State Laws for instituting, maintaining, and enforcing Institutional Controls (IC) on Federal Facilities.

These controls have been established to implement the selected remedial actions agreed upon by the U.S. Army (Army), the U.S. Environmental Protection Agency (EPA), and the Alaska Department of Environmental Conservation (ADEC) in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act as amended by the Superfund Amendment Reauthorization Act. The details of these agreements may be found in the Decision Documents (DD) and Records of Decision (RODs) which are maintained in the Public Works, Environmental Offices. These agreements have been executed in accordance with the authority cited in Section 1.

These controls also apply to remedial actions agreed upon under Two-Party Compliance Agreements. These agreements are concluded between USARAK and ADEC and apply to petroleum/oil/lubricants- (POL) contaminated sites.

Institutional Controls are legal or administrative actions designed to minimize the risk of human exposure to a hazardous substance. The establishment of IC's substantially reduces the costs of cleanup while maintaining essential health and safety requirements. Violation of IC's may significantly increase the costs of site maintenance and cleanup. Institutional Controls, including limitations and restrictions to human access, water use, and property transfer restrictions will supplement engineering controls as appropriate for short- and long-term management to prevent or limit exposure to hazardous substances. Typical controls are:

- Installation and maintenance of signs or fences to restrict access to an area;
- Patrols and enforcement of access restrictions by Military Police;
- Widespread availability of and easy access to an intranet mapping interface application which is capable of accessing Geographic Information System (GIS) data layers which contain information pertaining to contaminated sites. Such information must include the location of contaminated areas, location of water wells, water chemistry, depth to groundwater, etc.;
- Identification of contaminated areas and associated levels of contamination on real property records and land planning maps for notification of future users;
- Provide all contract agencies with construction, excavation and well installation restrictions.

These controls have been established to prohibit or limit access to, or use of, the land, surface water, and ground water and are applicable to all known or suspected contaminated sites. The following are examples of the restrictions agreed upon in the RODs:

- Prohibitions or limitations on the construction or renovation of new or existing facilities to include residential area new construction, road repair and realignment, utility work, digging, trenching, excavation, paving, or drilling of soil borings and wells.
- Recreational use of natural resources i.e., camping, fishing, hunting etc., and training activities i.e., bivouac, combat maneuvers, land navigation, construction of fighting positions, etc., can be prohibited or limited depending on the type of contaminant present.
- Groundwater restrictions prohibit the drilling of water wells for potable water, fire suppression, irrigation or other purposes.

These restrictions remain in place until EPA, ADEC, and the Army mutually decide the contamination has been reduced, through cleanup activities or natural attenuation, to levels protective of human health and the environment. In making their decision, EPA, ADEC, and the Army will consider levels specified in the ROD or other decision document. If no decision document exists, EPA, ADEC, and the Army will consider the application of maximum contaminant levels (MCLs) for potable groundwater or risk-based concentrations for soil, sediment, surface water and other uses of groundwater.

3. Scope: These Standard Operating Procedures apply to all USARAK units and activities. Military and Civilian Support Activities, Tenant Organizations and agencies, and Government and Civilian Contractors that occupy, use, build, repair or maintain facilities on USARAK controlled lands.

4. Responsibilities:

a. The **Installation Commander** or his designee shall approve all Decision Documents and Records of Decision regarding remedial actions and Institutional Controls on USARAK controlled lands in accordance with DA guidance. Installation Commander shall also require compliance with these Decision Documents and Records of Decision.

b. **Directorate of Public Works** shall execute all aspects of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) in accordance with the Defense Environmental Restoration Program and as agreed upon in the Federal Facility Agreements and the Defense-State Memorandum of Agreement. Public Works shall also:

(1) Establish, maintain, and routinely update complete records of all known or suspected sites, restoration actions and Institutional Controls;

(2) Document all actions and Institutional Controls in the Installation Action Plan, environmental GIS data base (REMOTE), and Master Plan. Distribute to affected units, organizations, and tenants, at the point they are affected on annual basis.

(3) Ensure that all affected tenants and contractor organizations are informed of:

(a) Known soil and ground water contamination in their areas of operation;

(b) Institutional Controls associated with remedial activities;

(c) Potential human health risks and environmental impacts associated with violating the controls;

(d) Potential fines, penalties, and criminal implications resulting from violations of the Institutional Controls.

(4) Provide oversight and review of all Excavation Clearance Requests (ECR's) to ensure that all activities that involve disturbance of soil or use of groundwater comply with current environmental laws.

(5) Conduct on-site inspections of all projects for which Institutional Controls are indicated or specified on an approved ECR. The inspections will determine compliance with Institutional Controls and with monitoring, reporting, notification, and stop work requirements specified in the ECR or its attachments.

(6) Ensure all affected, contracting mechanisms (i.e., job order contract, military construction, in-house projects, etc.) are modified to include the appropriate environmental information to prevent violation of Institutional Controls policies and prevent potential fines, penalties, and criminal implications resulting from violations of the Institutional Controls.

USARAK Form 81-E (Excavation Clearance Request) must be appropriately annotated by DPW-Environment Resources to prevent the undertaking of work inconsistent with established Institutional Controls at a particular site. If a dispute with a subordinate activity or tenant arises due to DPW-Environment Resources' non-concurrence on Form 81-E with proposed site work because of the potential for an Institutional Controls violation, the Commander's Policy Memorandum on Institutional Controls shall provide the basis for final resolution.

On-site inspections conducted by DPW Environment Resources during the course of work will confirm whether the work is conducted in compliance with the conditions specified in the ECR and its supporting documentation. If the work is inconsistent with requirements, DPW has the authority to issue a stop-work order. USARAK will not be responsible for costs incurred as a result of a stop-work order issued as a result of a violation of an Institution Control policy.

c. Directorate of Contracting shall determine the necessary protocols and language to be incorporated into applicable contract mechanisms to inform potential contractors of the environmental status of USARAK Installations regarding contamination. Such language or protocols will emphasize;

(1) The need for contractors to obtain an ECR prior to conducting any soil disturbing activities anywhere on USARAK controlled lands;

- (2) Required attendance at an Explosive Ordnance Disposal (EOD) briefing on unexploded ordnance (UXO);
- (3) Potential fines, penalties, and criminal implications resulting from violations of the Institutional Controls;
- (4) Contractor familiarity with and adherence to the requirements of USARAK 200-1 Pamphlet, Hazardous Materials and Regulated Waste Management;
- (5) The need for contractors to coordinate with DPW Environmental personnel prior to conducting any soil disturbing activities or gaining access to fenced or restricted areas associated with Institutional Controls anywhere on USARAK controlled lands;

d. Directorate of Plans, Training, Security, and Mobilization (DPTSM) shall:

- (1) Provide all troop units utilizing the training areas information regarding known and potential sources of contamination in the training areas;
- (2) Provide information regarding Institutional Controls and the potential fines, penalties, and Criminal implications resulting from violations of the Institutional Controls;
- (3) Provide (through the Integrated Training Area Management (ITAM) program) maps and related information regarding USARAK sites with Institutional Controls;
- (4) Attend Institutional Controls status update meetings as required by the Installation Commander.

e. U.S. Army Corps of Engineers, Alaska District shall ensure that all contract mechanisms incorporate a complete section that provides a detailed explanation of the following information:

- (1) The environmental status of the installation in question and the existence of Institutional Controls and the potential fines, penalties, and criminal implications resulting from violations of the Institutional Controls;
- (2) The requirements for obtaining an ECR prior to performing any type of excavation, trenching, or disturbance of soil;
- (3) The notification requirements for reporting spills, previously unknown soil or ground water contamination, and;

(4) How to dispose of hazardous and non-hazardous wastes, contaminated soil and ground water etc. from USARAK controlled lands in compliance with the requirements of USARAK 200-1 Pamphlet, Hazardous Materials and Regulated Waste Management.

f. **All DOD Personnel** responsible for initiating DA Form 4283, Work Request, are required to become familiar with the Institutional Controls within the immediate work area.

g. **Civilian Tenant Organizations** shall coordinate all work involving the disturbance of soil or installation of a well anywhere on USARAK-controlled lands with the Directorate of Public Works and obtain proper authorization prior to the commencement of work.

h. **Defense Reutilization Management Office** shall dispose of all investigation-derived waste in accordance with the appropriate laws and regulations.

5. Specific procedures and instructions will be provided by DPW Environment Resources to personnel working in areas where Institutional Controls are in place. An after-action report is required as specified in the ECR within 30 days.

6. Work in areas where Institutional Controls are not specified

If Institutional Controls are not specified on the ECR and contamination is found, the following apply:

a. If contaminated soils, drums, unexploded ordnance, or unusual debris are found on or around any work site, the organization conducting the work shall stop work immediately and notify the Fire Department or "911" in accordance with USARAK Pamphlet 200-1, Hazardous Materials and Regulated Waste Management. Work at the site will be suspended until the area is cleared by DPW Environment Resources. Site clearance by Range Control is required if unexploded ordnance is involved.

b. Contaminated soil or groundwater removed from the work site must meet container type, sampling and analysis for potential contamination, marking and labeling, and moving and storage requirements specified in Pamphlet 200-1 (above) or as otherwise specified by DPW Environment Resources prior to removal. Soil and groundwater shall not be removed from any part of the installation without written authorization from an authorized USARAK representative. All operations involving hazardous waste will be accomplished in accordance with USARAK Regulation 200-4, Environmental Quality: Hazardous

Waste, Used Oil and Hazardous Materials Management and USARAK Pamphlet
200-1, Hazardous Materials and Regulated Waste Management.

**EXCAVATION CLEARANCE REQUEST
DIRECTORATE OF PUBLIC WORKS, FORT RICHARDSON, ALASKA**

NOTE: Locates require 72-hour advance notice (except where indicated)

Request clearance to proceed with work at: _____
(specific location)

Work Order /Contract #: _____ Contractor Firm: _____

Contractor POC Name/Phone: _____

TYPE OF WORK REQUIRED: (provide brief but complete description of work to be performed. Attach additional sheets as necessary.)

Project Dates: _____ thru _____ Above Construction Checked for Conflicts with the Following:

| <u>Department</u> | <u>Conflict</u> | <u>Signing Official</u> | <u>Date</u> |
|--|------------------|-------------------------|-------------|
| Utilities, Bldg. 700 384-1807 (Steam, Gas, Water) | Yes No | _____ | _____ |
| Utilities, Bldg. 700 384-3677 (Elect, Alarms) | Yes No | _____ | _____ |
| Utilities, Bldg. 704 384-1717 (sewer/POL) | Yes No | _____ | _____ |
| Environmental, Bldg. 724 384-3042 / 3295 | Yes No | _____ | _____ |
| → Institutional Controls ¹ | Yes No | Source Area: _____ | _____ |
| Master Planning, Bldg. 730 384-3019 | Yes No | _____ | _____ |
| Engineering, Contract Mgmt., Bldg. 724 384-3054 | Yes No | _____ | _____ |
| Davis Hwy. Borrow Pit / Mat'l disposal site coordinator DPW Contract Mgmt., Bldg. 724 | Yes No | _____ | _____ |
| Fire Department, Bldg. 654 384-3130 / 3131 | Yes No | _____ | _____ |
| 59 th Signal Bn, Bldg. 652 384-0001 (communications) | Yes No | _____ | _____ |
| Honeywell, Bldg. 1114, 428-1701 | Yes No | _____ | _____ |
| Underground Locating Service – Local Request No.: _____ | | | |
| 278-3121 covers: | ACS Yes No | _____ | _____ |
| | ENSTAR Yes No | _____ | _____ |
| | GCI Cable Yes No | _____ | _____ |

Explanation of Conflicts Identified Above (annotate on drawings or include additional information sheets)

if Required:
Alaska Railroad – if excavation within 100 ft. of railroad right-of-way, (907) 265-2401 (10 day advance notice required)
Ammo Storage Area A or B, Bldg. 700, Robert Holt, 384-3643 (Security only)
Provost Marshal, Bldg. 656, 384-0801 (Road closures only)
DPW Customer Service Desk, Bldg. 730, 384-3664 / 3620 (Loss of utility only)

¹ If Institutional Controls are in force in the excavation area, additional preparation, reporting, monitoring, and record-keeping requirements will apply. The unit/contractor project manager must confer with DPW Environment Resources for specific instructions including specific controls required by decision documents and Records of Decision (RODs).

GENERAL REQUIREMENTS FOR EXCAVATION / SOIL BORING WORK

In conducting excavation and/or soil boring work on Fort Richardson, the unit or contractor may uncover or expose soil and/or groundwater CONTAMINATED with hazardous waste. The unit or contractor is required to recognize the following **REQUIREMENTS** during the course of any / all work at Fort Richardson, *regardless of location or environmental status of the work site*:

MONITORING: The unit or contractor shall monitor the excavation or boring for signs or indications of contaminated soil or water. These may include active or passive, physical or instrumental, or other methods. DPW Environment Resources may stipulate the methods or procedures for monitoring. Evidence of contamination includes (but is not limited to):

- a) Chemical, hydrocarbon, or petroleum odors
- b) Iridescent / petroleum sheen on water or soil surfaces
- c) Free/floating non-aqueous liquids. Such liquids frequently float on water.
- d) Observation of colored or off-color inclusions or concretions of non-soil material
- e) Articles, materials, or containers which may contain hazardous chemicals or hazardous waste
- f) Instrumental field screening (PID instrument) and/or sampling and laboratory analysis for specific chemicals or classes of chemicals
- g) Other indicators as appropriate or necessary or as specified by DPW Environment Resources.

NOTIFICATION: At the first sign or indication of hazardous waste contamination in the excavated soil or purged water, the unit or contractor project manager must notify the Fire Department (384-0774) or 911. Work must cease and not resume until DPW Environment Resources has investigated the problem and authorized work to continue. Proper notification in cases of suspected contamination is a condition of continuing project approval.

STOP WORK: The unit or contractor will immediately stop work if evidence of contamination is encountered during excavation or soil boring work.

MONITORING RECORDS: The unit or contractor is required to create and maintain monitoring records during the course of the work. He may be required to provide originals or copies of monitoring records to DPW Environment Resources.

SITE INSPECTIONS: DPW Environment Resources will conduct site inspection(s) during the course of work. The unit or contractor's project manager will notify DPW Environment Resources' project manager on the first day of site work and both managers will schedule the inspection(s). The DPW Environment Resources project manager for this project is:

DPW Environment Resources Project Manager's Name

Phone number

GENERAL CONDITIONS OF PROJECT APPROVAL

1. This clearance authorizes commencement of excavation work only and **THIS IS NEITHER A NOTICE TO PROCEED NOR A WORK AUTHORIZATION.**
2. This excavation clearance is effective upon the date of signature by DPW official below: **EXCAVATION SHALL COMMENCE WITHIN 30 CALENDAR DAYS.**
3. Requester's Project Manager will provide two copies of required work site drawings with Excavation Clearance Request form. DPW Environment Resources will retain one copy of these drawings.
4. Requester will retain original completed Excavation Clearance Request form. DPW Customer Service Desk will retain a copy of the approved request form.
5. Boring locations must be marked on a 1/100 scale drawing.
- 6- All soil and/or water excavated or removed from the work site shall be disposed of in accordance with guidance from DPW Environmental Resources.
7. Obtain written instruction from Environment Resources Project Manager on procedures for sampling, analysis, soil/water containerization, storage, removal, etc.
8. An after action report concerning work at sites where institutional controls are in place shall be submitted to the project manager, DPW Environment Resources Dept. NLT 30 days following completion of work.
9. Approval of this Excavation Clearance Request is conditional upon Unit/Contractor's continued compliance with the terms and conditions of mandated Institutional Controls, environmental monitoring, notification, record-keeping, etc., requirements specified in this document and any attachments. Failure to comply with these conditions and requirements may result in immediate repeal of this approval.

APPROVED: _____
DPW Deputy Director or Department Chief / Date

Unit/Contractor Project Manager's Signature Date

EXPIRATION DATE (+30 days from above approval date): _____

Additional sheets/instructions attached. Number of sheets attached: _____

Institutional Controls and / or additional control or monitoring requirements attached. Number of sheets attached: _____