

Defense Environmental Response Task Force

The Defense Environmental Response Task Force (DERTF) was established under the National Defense Authorization Act for FY91 and was reconstituted in the Military Construction Appropriations Act for FY93. The two-fold purpose of the DERTF involves (1) examining environmental issues associated with the restoration and reuse of closing military installations and (2) identifying and recommending ways to expedite and improve environmental restoration at those installations.

The DERTF has observed a dramatic improvement in environmental restoration during FY95.

The DERTF's membership includes representatives from DoD, EPA, the Department of Justice, the General Services Administration, the National Governors' Association, the National Association of Attorneys General, and various public interest groups.

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The DERTF identified the following three areas as crucial for closing installations:

- Consideration of future land use in the remedy selection process
- Public participation in decision-making processes related to restoration and reuse
- Implementation of Fast-Track Cleanup

An essential element of the success of all three areas is the continuation of adequate funding for the BRAC environmental program.

The DERTF also identified another area that is crucial to the success of the Fast-Track Cleanup Program: empowerment. The empowerment of members of the BRAC Cleanup Team which typically consists of representatives of EPA, the state environmental agency, and an installation BRAC environmental coordinator is paramount to timely and appropriate cleanup.

Future Land Use Issues

Consideration of future land use is an essential factor in determining cleanup standards and selecting appropriate remedies. The DERTF formed the Future Land Use working group to investigate the integration of requirements for future land use with the identification of cleanup standards and remedy selection.

The Future Land Use working group has identified several pertinent issues, including the following:

- Integration of reuse plans into the remedy selection process
- Resolution of conflicts among proposed reuse and cleanup plans

- Establishment of institutional controls to ensure the integrity of cleanups and adherence to land use restrictions
- Resolution of issues related to future liability when the initial remedial action ceases to be protective of human health and the environment after the property is transferred

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The Future Land Use working group is also evaluating two additional issues. The first involves the differences between DoD's liability under leasing arrangements and its liability under transfers by deed; this issue is vital to ensuring expeditious redevelopment and securing economic benefits for communities affected by the closure of installations. The second involves applying the lessons learned from EPA's Brownfields Initiative to the reuse of property at closing installations.

EPA's Brownfields Initiative is an organized commitment to help communities revitalize abandoned, idled, or under utilized industrial and commercial facilities and potentially contaminated lands; thereby mitigating potential health risks and restoring economic vitality to those communities.

Stakeholders participating in the reuse and cleanup process typically include members of the Restoration Advisory Board and local community, the BRAC Cleanup Team, the Local Redevelopment Authority, and the property disposal official of the Military Department.

One of the most complex issues involved in incorporating future land use scenarios into cleanup decisions is determining the responsibility for additional cleanup or response actions required under current law or requested by the transferee after cleanup is considered complete. Cleanup of hazardous substances at Federal facilities can proceed under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), RCRA, or an equivalent state law. However, future cleanup may be required if the land use changes, because the original remedy, although protective for the anticipated land use, may not be fully protective under the new land use. The DERTF is studying issues associated with cleanup responsibility when a change in land use is proposed.

Public Participation

The DERTF endorses broad-based public participation in decision-making processes related to both cleanup and reuse. The DERTF recommends that DoD continue to support the activities and diversity of BRAC Cleanup Teams, Restoration Advisory Boards, and all other groups involved in the cleanup decision-making process. The [*Restoration Advisory Board \(RAB\) Report to Congress*](#), which documents the status and

accomplishments of the Restoration Advisory Board initiative, is included as a supplement to this report.

Fast-Track Cleanup Implementation

The implementation of Fast-Track Cleanup requires guidance, communication, contracting mechanisms for environmental restoration, retention of the BRAC environmental coordinator, and adequate funding for the BRAC environmental program. The Fast-Track Cleanup Program also provides funding support to states, EPA, Restoration Advisory Boards, and recipients of technical assistance grants.

During FY95, the DERTF identified numerous initiatives aimed at expediting and improving cleanup and reuse at closing military installations. The following documents were prepared by various DERTF working groups in FY95 to aid stakeholders in the restoration process:

- *BRAC 1995 Quick Reference: Community and Environmental Activities*. This document provides a quick reference to environmental and community milestones for use in planning activities involved in restoration and reuse.
- *Fast Track to FOST: A Guide to Determining Whether Property is Environmentally Suitable for Transfer*. This document outlines six steps to accelerate the environmental review process required to reach a Finding of Suitability to Transfer (FOST).
- *Keys to Opening the Door to BCT Success*. This document emphasizes keys to success that BRAC Cleanup Teams can adopt, such as team building, empowerment, and communication.

DERTF Future Issues

Potential issues the DERTF may consider in FY96 include but are not limited to the following:

- Evaluation of the accomplishments of states and Federal agencies to improve and expedite BRAC cleanups
- Evaluation of (1) the use of institutional controls to protect the remedy and (2) the remedy selection process
- Conflict resolution related to cleanup strategies and redevelopment plans

The DERTF has provided an excellent forum for evaluating issues and making recommendations to expedite the cleanup and transfer of property. While the DERTF will continue to serve as an advisory body to DoD, many installations will also make important contributions to the overall success of the program. These installations will serve as models for the implementation of the DERTF's recommendations. As such, they will also support continued improvements in environmental restoration and cooperation among members of communities affected by closing installations.

"The DERTF believes that implementation of Fast-Track Cleanup, consideration of future land use in the remedy selection process, and public participation in cleanup and reuse decision-making processes are critical issues at closing installations."

--*Sherri W. Goodman*, Deputy Under Secretary of Defense (Environmental Security)