

FLW Regulation
No 200-1

18 March 1998

Environmental Quality
ENVIRONMENTAL COMPLIANCE OFFICER

Summary. This regulation defines the responsibilities of an Environmental Compliance Officer and requires the positions be supported and designated in writing within each organization on the installation.

Applicability. This regulation applies to all Commands, Directorates, Brigades, Battalions, Companies and Tenant Activities.

Forms. The –R form located at the end of this regulation is authorized for local reproduction.

Supplementation. Supplementation of this regulation is prohibited without prior approval by Headquarters, United States Army Engineer Center and Fort Leonard Wood (USAECFLW).

Suggested Improvements. The proponent agency of this regulation is the Directorate of Public Works (DPW). Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to Commander, USAECFLW, ATTN: ATZT-DPW-EENR, Fort Leonard Wood, MO 65473-5000.

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Contents	Page
Chapter 1. Introduction	2
Chapter 2. Duties and Responsibilities	2
Chapter 3. Exclusions	3
Appendix A. References	3
Appendix B. Record of Environmental Consideration (REC)	6
Glossary	7

This regulation supersedes FLW Reg 200-1, dated 30 January 1981.

Chapter 1 INTRODUCTION

1-1. Purpose. To establish policy for each command, directorate, and tenant activity on Fort Leonard Wood (FLW) and to assign the responsibilities of Environmental Compliance Officer(s) within their organization.

1-2. References. A list of related publications is listed in appendix A.

1-3. Acronyms. Acronyms used in this regulation are explained in the glossary.

1-4. Objective. To entrust certain duties of environmental compliance and protection with the work force.

Chapter 2 DUTIES AND RESPONSIBILITIES

2-1. Commanders for each command, directorate, brigade, and tenant activity on Fort Leonard Wood-

a. Shall designate, in writing, at least one person as Environmental Compliance Officer (ECO) within their organization. An organization may designate more than one ECO, as they deem necessary. It is highly recommended that ECO's be appointed at company level. Most environmental violations occur as a result of lack of training at company level.

b. Shall notify the Directorate of Public Works (DPW), Environmental Division, in writing, of person(s) designated as ECO. Information provided shall include the ECO's name, organization, office symbol, phone number, area of responsibility and effective date of appointment. ECO designations and changes are to be kept current at all times.

c. Shall assure all designated persons attend annual training for ECO certification.

d. Shall program and budget adequate resources to accomplish environmental self-assessments and compliance.

2-2. The Environmental Compliance Officer is a person assigned at a table of distribution and allowances (TDA) or table of organization and equipment (TO&E) organization or unit to accomplish environmental compliance requirements on behalf of his or her responsible commander, director or supervisor. Duties will include all or some of the following: general requirements; environmental awareness training; recording, reporting and filing; recycling; environmental consideration; spill contingency planning; hazardous material and waste coordination; and, above and underground storage tank inventory.

a. General requirements of an ECO include -

(1) Conducting unit self-assessments.

(2) Disseminating environmental information to others, conducting or coordinating training as required, and demonstrating correct procedures for environmental compliance within their areas of responsibility.

(3) Briefing their chain of command when called upon or to inform the chain of areas of non-compliance. Taking steps to alleviate any areas of non-compliance.

(4) Delegating of ECO duties to other individuals within their organization when appropriate. The ECO remains responsible for actions of these individuals and for ensuring they receive adequate training. The DPW Environmental Division must be notified of the delegation of the duties.

(5) Coordinating with supporting installation environmental staff for requirement clarification and assistance. Coordinate programs concerning hazardous materials use, hazardous waste minimization (HAZMIN), recycling, pollution prevention, natural resource conservation, energy conservation, as well as other programs.

(6) Serving as a member of the HAZMIN committee. The ECO will provide the DPW Environmental Division with the name and phone number for their unit representative.

(7) Understanding that the ECO is not affiliated with the Installation's Environmental Quality Control Committee (EQCC). The EQCC acts on the broad range of environmental issues as covered in AR 200-1. The ECO is expected to brief the chain of command, as the senior leadership of the installation is members/participants of the EQCC.

b. Training and Certification requirements include -

(1) Maintaining current annual certification by attending required annual training.

(2) Conducting environmental training at the organization level on a semi-annual basis.

(3) Ensuring that employees who work with and/or near hazardous wastes (HW) are properly trained annually and ensuring that this training is documented and a copy of employees training record and job description is supplied to the DPW Environmental Division.

c. Recording, Reporting and Filing requirements include -

(1) Maintaining regulations and forms, to include AR 200-1, AR 200-2, and FLW Reg 200-1. Maintain environmental guidance documents specific to your organizations operation (i.e., Spill Prevention Response Plan). Assistance on determining document requirements may be obtained from the DPW Environmental Office.

(2) Maintaining required data records for submission to, or for viewing by, the DPW Environmental Division and certain regulatory agencies. These records may be required for general viewing, compliance inspections, or reporting to higher headquarters.

(3) Providing information needed for audit purposes and participating in the audit process. Accomplishing corrective actions on all non-compliance items and issues.

(4) Collecting and submitting timely information for environmental permit applications and participating in the permitting process for facilities operated by the activity.

d. Environmental considerations required of the ECO include notifying the DPW Environmental Division of any alterations in training, activities, equipment, facilities, material or processes which may affect environmental compliance or reporting. A Record of Environmental Consideration (REC) is provided at appendix B for the purpose of notification. It is necessary to provide this notice during the planning phase in order for an evaluation of impacts to the environment, natural or cultural resources to be considered. Complete the form at appendix B and provide a general project description.

e. Installation Spill Prevention Response Plan (SPRP) requirements include -

(1) Maintaining a copy of the SPRP on sites which handle or store materials that, if released, could contaminate soil, ground water or surface water. Reporting any spills or leaks immediately to the Fire Department.

(2) Complying with the provisions of the SPRP, to include cleanup of minor spills.

(3) Preparing a FLW Form 1296-R, (Spill Report), for each spill incident. Units will forward this form to DPW Environmental Division within 3 days of the incident.

(4) Maintaining adequate spill containment equipment at locations, which handle or store materials, which could potentially contaminate soil, ground water or surface water.

(5) Responding to spills or emergencies. Unit response is initial control and containment of large spill. Minor spills may be handled with general housekeeping procedures.

f. Hazardous Materials and Hazardous Wastes (HM/HW) requirements include -

(1) Maintaining compliance with the FLW Hazardous Waste Minimization (HAZMIN) Plan and the Hazardous Waste Management Plan.

(2) Maintaining an accurate inventory of HM as required by Emergency Planning Community Right To Know Act (EPCRA).

(3) Ensuring that employees who work with and/or near HW are properly (annually) trained and that training is documented. Provide training documentation to the DPW Environmental Office within 10 working days.

(4) Ensuring that HW are properly accumulated, packaged, labeled and transported to the Defense Reutilization and Marketing Office (DRMO) for disposal.

(5) Preparing the proper documentation to initiate turn-in procedures for HW. Documentation includes DD 1348-1A (Issue Release/Receipt Document), Waste Profile Sheet and the Material Safety Data Sheet (MSDS).

(6) Implementing HW reduction, recycling, recovery, or substitution methods to minimize hazardous items wherever possible and feasible. Promote HAZMIN goals to increase user awareness and reduce disposal cost.

g. Above ground storage tank (AST) and under ground storage tank (UST) requirements include -

(1) Immediately report any indication of an AST or UST leak to the Fire Department and notify the DPW Environmental Division.

(2) Ensuring leak detection devices remain operational. Ensure inventory records are maintained to enable early detection of a storage tank leak.

(3) Assisting with removal of contents in the event of a tank leak.

(4) Ensuring proper clean-up materials are kept on hand for minor spills or leaks.

(5) Ensuring the drain valve on the AST secondary containment berm remains closed and secured unless draining rainwater.

(6) Ensuring proper housekeeping measures for maintenance of ASTs and USTs.

2-3. The Directorate of Public Works, Environmental Division shall -

a. Coordinate and conduct all training required by the ECO's position.

b. Provide ECOs with a list of reference materials and forms and provide updates to these materials and new forms during annual training. The Environmental Division will assist the ECO in determining specific reference material requirements.

c. Maintain a current listing of all ECOs and individuals that have been designated responsible for specific environmental tasks or programs.

d. Provide, upon request, compliance assistance visits.

Chapter 3 Exclusions

3-1. Exceptions will be granted on a case-by-case basis for organizations which does not generate hazardous waste or otherwise affect the environment.

3-2. An ECO shall be designated by the organization's senior leader as directed in chapter 2, paragraph 1a; however the content of paragraph 2, ECO's duties, may be waived. This waiver will be granted at the discretion of the DPW Environmental Division.

3-3. The ECO's duties for organizations granted this waiver will include-

a. Serving as point of contact with the DPW Environmental Division. ECOs will be utilized to disseminate information concerning environmental and energy facts, programs and actions, request information and assistance from the environmental office.

b. Coordinating office-recycling programs.

c. Responding to data calls for environmental reporting.

d. Attending training sponsored by the DPW Environmental Division.

Appendix A RELATED REFERENCES

Due to the volume and constantly evolving environmental laws and regulations, the DPW Environmental Division has available for viewing only regulations with an asterisk (*). Federal and State references may also be viewed by appointment with the Staff Judge Advocate Office. Army regulations and FLW regulations can be found at the Clark Library, Bldg. 3202, and the Truman Education Center Library, Bldg. 499.

a. FEDERAL

(1) 29 Code of Federal Regulations (CFR) part 1910 Occupational Safety and Health Standards (Asbestos, Hazardous materials, Lead, and Pesticides)

(2) *40 CFR part 50 National Primary and Secondary Ambient Air Quality Standards (Air)

(3) *40 CFR parts 60-62 & 82 National Emission Standards for Hazardous Air Pollutants & Protection of Stratospheric Ozone (Air, Asbestos, and Pesticides)

(4) *40 CFR part 112 Oil Pollution Prevention (Spill Notification and Response)

(5) *40 CFR part 122 EPA Administered Permit Programs: National Pollutant Discharge Elimination System (Water Quality)

- (6) *40 CFR parts 141 & 142 National Primary Drinking Water Regulations & National Primary Drinking Water Regulations Implementation (Lead, and Water Quality)
- (7) *40 CFR parts 258 & 275 Criteria for Municipal Solid Waste Landfills (Solid Waste)
- (8) *40 CFR parts 260-270 Hazardous Waste Management System-EPA Administered Permit Programs (Hazardous Waste)
- (9) *40 CFR part 280 Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks (Underground Storage Tanks)
- (10) *40 CFR parts 1500-1508 Council of Environmental Quality Regulations for Implementing the Procedural Provisions (Environmental Impact Considerations)
- (11) 46 CFR 79 Curation of Federally-Owned and Administered Archaeological Collections (Cultural Resources)
- (12) *49 CFR 170-189 Department of Transportation Regulations (Hazardous Materials, and Hazardous Waste)
- (13) Executive Order 11900 Protection of Wetlands (Natural Resources)
- (14) Executive Order 11988 Floodplain Management (Natural Resources)
- (15) Executive Order 12088 Federal Compliance with Pollution Standards (Asbestos and Radon)
- (16) Executive Order 12856 Emergency Planning Community Right to Know Act Compliance and Pollution Prevention Act
- (17) Compliance for Federal Facilities
- (18) Archaeological Resource Protection Act (Cultural Resources)
- (19) Clean Air Act (Air, Asbestos, and Spill Notification and Response)
- (20) Clean Water Act (Water Quality)
- (21) Comprehensive Environmental Response, Compensation, and
- (22) Liability Act (Hazardous Materials)
- (23) Endangered Species Act (Natural Resources)
- (24) Farmland Protection Policy Act (Natural Resources)
- (25) Federal Water Pollution Control Act (Natural Resources)
- (26) Federal Insecticide, and Rodenticide Act (Pesticides)
- (27) Fish and Wildlife Conservation Act (Natural Resources)
- (28) Hazardous Materials Transportation Act (Hazardous Waste)
- (29) Hazardous Materials Transportation Act (Hazardous Materials)
- (30) Housing and Urban Development Policy (Lead)
- (31) National Historic Preservation Act (Cultural Resources)

- (32) National Environmental Policy Act (Environmental Impact Considerations)
 - (33) Native American Graves Protection and Repatriation Act 1990 (Cultural Resources)
 - (34) Noise Control Act of 1972 (Noise)
 - (35) Quiet Communities Act (Noise)
 - (36) Resource Conservation and Recovery Act (Hazardous Waste, Solid Waste, Spill Notification and Response, and Underground Storage Tanks)
 - (37) Safe Drinking Water Act (Lead, and Water Quality)
 - (38) Supervened Amendments and Reauthorization Act (Hazardous Materials, and Radon)
 - (39) Toxic Substance Control Act (Asbestos, and Hazardous Materials)
 - (40) Wild and Scenic Rivers Act (Natural Resources)
- b. State.
- (1) *10 Code of State Regulation (CSR) 10 Missouri Air Conservation Commission (Air)
 - (2) *10 CSR 20 Missouri Clean Water Commission (Spill Notification and Response, Underground Storage Tanks, and Water Quality)
 - (3) *10 CSR 25 Hazardous Waste Management Commission (Hazardous Waste, and Spill Notification and Response)
 - (4) *10 CSR 60 Missouri Public Drinking Water Program (Water Quality)
 - (5) *10 CSR 80 Solid Waste Management (Solid Waste)
 - (6) *Missouri Clean Air Law (Air)
 - (7) *Missouri Clean Water Law (Spill Notification and Response, Underground Storage Tanks, and Water Quality)
 - (8) *Missouri Drinking Water Law (Water Quality)
 - (9) *Missouri Pesticide Use Act (Pesticides)
 - (10) *Missouri Hazardous Waste Management Law (Hazardous Waste, and Spill Notification and Response)
 - (11) *Missouri Solid Waste Law (Solid Waste)
 - (12) *Wildlife Code of Missouri (Natural Resources)
- c. Department of Defense.
- (1) DoD Directive 4150.7 Pest Management Program (Pesticides)
 - (2) DoD Directive 4700.4 Natural Resources Conservation and Management (Natural Resources)
- d. Army Regulations.
- (1) AR 40-5 Preventive Medicine (Solid Waste, and Water Quality)
 - (2) *AR 200-1 Environmental Protection and Enhancement (Air, Asbestos, Environmental Compliance Assessment System,

Hazardous Waste, Noise, Radon, Solid Waste, Underground Storage Tanks, and Water Quality)

- (3) *AR 200-2 Environmental Effects of Army Actions (Environmental Impact Considerations)
- (4) *AR 200-3 Natural Resources-Land, Forest and Wildlife Management (Natural Resources)
- (5) AR 420-40 Historic Preservation (Cultural Resources)
- (6) AR 420-46 Water and Sewage (Water Quality)
- (7) AR 420-47 Solid and Hazardous Waste Management (Hazardous Waste, and Solid Waste)

e. United States Army Training and Doctrine Command. TRADOC Guidance Memorandum 27 April 1992, Subject Lead Management Program (Lead)

f. Fort Leonard Wood.

- (1) FLW Reg 15-4 Fort Leonard Wood Historical Board (Cultural Resources)
- (2) FLW 210-2 Administration Fort Leonard Wood Conservation Council (Natural Resources)
- (3) FLW 210-14 Range and Training Areas (Natural Resources)
- (4) FLW 210-21 Hunting and Fishing (Natural Resources)
- (5) FLW Asbestos Management Plan (Asbestos)
- (6) FLW Hazardous Waste Management Plan (Hazardous Waste)
- (7) FLW Hazardous Waste Minimization Plan (Hazardous Waste)
- (8) FLW Historic Preservation Plan (Cultural Resources)
- (9) FLW Installation Compatibility Use Zone Plan (Environmental Impact Considerations, and Noise)
- (10) FLW Installation Spill Prevention Response Plan (SPRP)
- (11) FLW Natural Resources Management Plan (Natural Resources)
- (12) FLW Pest Management Plan (Pesticide)

g. Local. Cooperative Agreement for Conservation and Development of Fish and Wildlife Resources on the Fort Leonard Wood Military Reservation, Missouri (Natural Resources)

Section II. Prescribed Form. FLW Form 1296-R, Spill Report. (Prescribed in paragraph 2-2e.)

Section III. Referenced Form. DD Form 1348-1A, Issue Release/Receipt Document.

Appendix B
RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Variation from this format is acceptable provided basic information and approvals are included in any modified document.

To: (DPW Environmental Division)

From: (Proponent)

Project Title: _____

Brief Description: _____

Anticipated date and/or duration of proposed action: (Month/year)

Reason for using record of environmental consideration
(choose one):

a. Adequately covered in an (Environmental Assessment or
Environmental Impact Statement) entitled (name), (dated).

OR,

b. Is categorically excluded under the provisions of Categorical
Exclusion (CX)_____, AR 200-2, appendix A, (and no extraordinary
circumstances exist as defined in paragraph 4-3, because

Explain why further environmental analysis and documentation are not required

(Date)

(Project Proponent)

(Date)

(Installation Environmental Coordinator)

For use of this format, see AR 200-2, Environmental Effects of Army Actions, Chapter 3-1, 4-1 and Appendix A or, consult your installation
environmental coordinator.

Glossary

AR
Army regulation

AST
above ground storage tank

CFR
Code of Federal Regulation

CSR
Code of State Regulation

DA
Department of the Army

DPW
Directorate of Public Works

DRMO
Defense Reutilization and Marketing Office

ECO
Environmental Compliance Officer

EQCC
Environmental Quality Control Committee

EPCRA
Emergency Planning Right To Know Act

FLW
Fort Leonard Wood

HAZCOM
Hazardous Communications Standard

HAZMIN
Hazardous Waste Minimization

HM
Hazardous Material

HW
Hazardous Waste

MSDS
Material Safety Data Sheet

REC
Record of Environmental Consideration

SPRP
Spill Prevention Response Plan

TB
technical bulletin

TDA
Table of Distribution and Allowances

TO&E
Table of Organization and Equipment

TRADOC
United States Army Training and Doctrine Command

USAECFLW
United States Army Engineer Center and Fort Leonard Wood

UST
underground storage tank