

*Responses per Respondent:* 3.

*Annual Responses:* 30,000.

*Average Burden per Response:* 5 minutes.

*Annual Burden Hours:* 2,666.

*Needs and Uses:* This collection of information is necessary to obtain demographic data about individuals and family members who utilize the services offered by the Family Support Center. It is also a mechanism for tracking what services are provided and how often. The data elements in these forms are the basis for quarterly data gathering that is forwarded through Major Commands to the Air Staff. Respondents could be all those eligible for services, i.e., all Department of Defense personnel and their families.

*Affected Public:* Individuals or households.

*Frequency:* On occasion.

*Respondent's Obligation:* Voluntary.

*OMB Desk Officer:* Mr. Edward C. Springer.

Written comments and recommendations on the proposed information collection should be sent to Mr. Springer at the Office of Management and Budget, Desk officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

*DOD Clearance Officer:* Mr. Robert Cushing.

Written requests for copies of the information collection proposal should be sent to Mr. Cushing, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302.

Dated: July 7, 1997.

**Patricia L. Toppings,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Programmatic Environmental Impact Statement for the Department of Defense Range Rule

**AGENCY:** Department of Defense.

**ACTION:** Notice of Intent (NOI).

**SUMMARY:** The Department of Defense (DoD) and its predecessor agencies have long used military ranges to prepare and train men and women for the defense of this country. The testing of munitions and training in their use have occurred since pre-Revolutionary times and reached peaks during the World Wars. Munitions sometimes fail to function as intended, resulting in the presence of unexploded ordnance (UXO) on training and test ranges.

These munitions may be found on closed ranges possessed by DoD, transferred ranges (including those in the Formerly Used Defense Sites (FUDS) program, many of which were transferred following the World Wars), and ranges associated with Base Realignment and Closure (BRAC) activities and other property transfers to non-military entities.

The Department of Defense announces its intent to prepare a Programmatic Environmental Impact Statement (PEIS) to consider the environmental impacts associated with the promulgation of the Department of Defense Rule on Closed, Transferred, and Transferring Ranges Containing Military Munitions (hereafter called the DoD range rule). The PEIS will also consider a reasonable range of alternatives to a DoD range rule.

The proposed action is to promulgate the DoD range rule. The promulgation of the proposed rule is necessary for two reasons. First, the rule is needed to ensure that public and worker safety issues are thoroughly identified and considered in the decision making process for UXO response actions. Second, the rule is needed to provide a rational, consistent, and open process that effectively consolidates the several, often disparate, authorities presently applicable to UXO response actions.

#### Alternatives To Be Considered

##### *Proposed DoD Range Rule*

The DoD proposes to adopt the DoD range rule. The draft proposed DoD range rule is available upon request. Please refer to the addresses section at the end of this NOI for information on how to obtain a copy. The DoD range rule would establish a process for identifying, evaluating, and choosing appropriate response actions on closed, transferred, and transferring military ranges that are or have been owned by, leased to, or otherwise possessed or used by the United States and under the jurisdiction of the Secretary of Defense. Response actions would address safety hazards as well as effects on human health and the environment. The DoD Range Rule identifies a process that: (1) Articulates DoD's statutory authority and responsibility; (2) recognizes and draws upon DoD's unique expertise and experience; (3) provides for consistency; (4) ensures response actions will adequately address safety, human health, and the environment; and (5) provides for cost-effective and efficient actions.

Response activities on ranges containing military munitions involve unique explosives safety concerns that

are not normally present during typical response activities. The DoD Range Rule draws upon DoD's unique expertise and experience and is designed to provide a process that will ensure the selection of response actions that are protective of human health and the environment, consistent with these overarching, unique safety concerns.

Under the proposed DoD Range rule, regulators and the public would be provided the opportunity to participate in all site-specific decisions. The rule provides the appropriate federal and state environmental remediation regulatory agencies and American Indian Tribes with the opportunity to concur and participate in the development of the various decision documents under this rule. The rule also provides Federal Land Managers having jurisdiction, custody, or control over property on which a range response will occur, the opportunity to concur and otherwise participate. If a nonoccurrence is received, dispute resolution procedures are established by the proposed rule. Entities entitled to invoke dispute resolution procedures will be established in the final rule.

##### *No Action Alternative*

The no action alternative would continue the current condition or status quo, which amounts to a case-by-case discussion concerning the application of various environmental laws and regulations. The DoD's response activities, on and off ranges have been variously subject to the Defense Environmental Restoration Program (DERP), the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Resource Conservation and Recovery Act (RCRA), or a varying combination thereof. This essentially ad hoc approach has resulted in: (1) A lack of clear direction for the DoD to follow for addressing military munitions responses; and (2) this confusion contributes to public and regulator concern that military munitions are not being addressed adequately.

##### *RCRA Corrective Action*

It is DOD's position that UXO remaining on a closed, transferred, or transferring range does not constitute solid waste subject to RCRA's corrective action authorities. EPA has considered a contrary position but it has not yet made any determination. The RCRA corrective action process consists of a series of steps involved in the identification, evaluation, and cleanup of solid waste management units. The application of the corrective action process to closed, transferred, and transferring military

ranges will be evaluated as a possible alternative in development of the draft PEIS.

#### *CERCLA Process*

The implementation of the CERCLA process at closed, transferred, and transferring ranges will also be initially considered as a potential alternative in development of the draft PEIS. CERCLA provides for the identification, evaluation, and response to hazardous substances and constituents released to the environment. CERCLA, as well as the National Contingency Plan (NCP) and Executive Order 12580, identifies DoD as the lead agency with respect to release from its facilities. Other federal agencies have been delegated similar CERCLA authorities in E.O. 12580 in connection with facilities under their jurisdiction, custody, or control. With respect to the application of CERCLA to closed, transferred, and transferring ranges, DoD has identified some initial concerns. For example, confusion exists as to the extent of EPA's response authority, and the application of state applicable or relevant and appropriate requirements (ARARs).

#### *The Formerly Utilized Defense Sites Program*

The FUDS Program was initiated to respond to lands once owned by DoD that are now owned by other government agencies or private interests. The DoD retains responsibility for the response to expended ordnance and explosive waste on these lands. The U.S. Army Corps of Engineers is the DoD Executive Agent for response actions on FUDS. The Corps' policy has been to consider all FUDS ordnance response to be CERCLA actions and use interim DoD Defense Environmental Restoration Program guidance to develop an appropriate response action.

#### **Public Participation**

This notice initiates a period of public scoping that is intended to invite the participation of all interested members of the public, as well as other public agencies. Comments received during the scoping period will be used to assist the DoD in identifying significant issues of public concern regarding potential impacts on the quality of the human environment. The scoping will also assist the Department of Defense in developing a reasonable range of alternatives for consideration in the draft PEIS. The draft PEIS will be published and made available for public review and comment prior to its finalization. After review of the draft PEIS, the DoD will address public comments in a final PEIS that will be

published prior to publication of a Record of Decision (ROD). The ROD will identify the action chosen for implementation based on those alternatives considered in the PEIS.

**DATES:** Written and oral comments on the proposed scope of the DoD Range Rule PEIS are invited from the public. Comments will help to identify issues of concern and to assist in development of alternatives considered in the PEIS. To ensure consideration, comments must be postmarked not later than August 13, 1997. An extension may be provided upon written request to the extent practicable.

**ADDRESSES:** Copies of the draft proposed DoD Range Rule can be requested through one of the toll free numbers below, or from the World-Wide Web address below.

Requests for information regarding the draft proposed DoD Range Rule can be requested 24 hours a day by calling the toll-free number at 1-800-870-6542. Comments may be sent via facsimile to 1-800-870-6547. A toll free number for the hearing impaired is available at 1-800-870-6557. Comments or requests regarding to DoD Range Rule may be sent via Internet e-mail to fbarrule@b-r.com. Comments regarding the PEIS may be sent via Internet e-mail to: fbarreis@b-r.com

**Internet:** World-Wide Web (WWW): <http://www.acq.osd.mil/ens/> or <http://denix.cecer.army.mil/denix/denix.htm>

**FOR FURTHER INFORMATION CONTACT:** For general information on the DoD Range Rule National Environmental Policy Act (NEPA) process, please contact: DoD Range Rule Information Center, Post Office box 3430, Gaithersburg, Maryland 20885-3430, telephone 1-800-870-6542 or via Internet at fbarreis@b-r.com.

Dated: July 9, 1997.

**Patricia L. Toppings,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

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## **DEPARTMENT OF DEFENSE**

### **Office of the Secretary**

#### **Defense Intelligence Agency, Science and Technology Advisory Board Closed Meeting**

**AGENCY:** Department of Defense, Defense Intelligence Agency.

**ACTION:** Notice.

**SUMMARY:** Pursuant to the provisions of Subsection (d) of Section 10 of Pub. L.

92-463, as amended by Section 5 of Pub. L. 94-409, notice is hereby given that a closed meeting of the DIA Science and Technology Advisory Board has been scheduled as follows:

**DATES:** July 29, 1997 (800 a.m. to 1600 p.m.).

**ADDRESSES:** The Defense Intelligence Agency, Bolling AFB, Washington, D.C. 20340-5100.

#### **FOR FURTHER INFORMATION CONTACT:**

Maj. Michael W. Lamb, USAF, Executive Secretariat, DIA Science and Technology Advisory Board, Washington, D.C. 20340-1328, (202) 231-4930.

**SUPPLEMENTARY INFORMATION:** The entire meeting is devoted to the discussion of classified information as defined in Section 552b(c)(1), Title 5 of the U.S. Code and therefore will be closed to the public. The Board will receive briefings on and discuss several current critical intelligence issues and advise the Director, DIA, on related scientific and technical matters.

Dated: July 9, 1997.

**Patricia L. Toppings,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

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## **DEPARTMENT OF DEFENSE**

### **Office of the Secretary**

#### **Defense Science Board Task Force on Open Systems**

**ACTION:** Notice of advisory committee meeting.

**SUMMARY:** The Defense Science Board Task Force on Open Systems will meet in open session on July 29-31, 1997 at Strategic Analysis, Inc., 4001 N. Fairfax Drive, Arlington, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Acquisition on scientific and technical matters as they affect the perceived needs of the Department of Defense.

Persons interested in further information should call Ms. Marya Bavis at (703) 527-5410.

Dated: July 8, 1997.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

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