

4.8.1 Phasing of Remediation Activities

Because of the process operations of the OB/OD units, remediation usually will be required before the closure of such units. It is likely that the units will not be closed until the facility at which they are located itself is closed or its mission altered substantially. Many OB/OD units are collocated with weapons ranges. It therefore is quite possible that range cleanup activities will take place during the same time period as closure of such units. Presented below is a discussion of some of the implications related to the closure of OB/OD units during range remediation activities.

Range remediation activities likely will be regulated under DoD's range rule (32 CFR 178). It is important to remember that, even though the OB/OD unit may be part of a range, the unit is subject to closure requirements under RCRA and must be remediated in accordance with those requirements, not the requirements of the range rule. However, there may be reason to allow the closure of a unit to take place over a longer time frame than the regulatory standard.

EPA has written numerous policy memos providing clarification regarding the definition of "RCRA empty". These memos are available on the [RCRA Online](http://www.epa.gov/oswer/rcraonline) website at <http://www.epa.gov/oswer/rcraonline>.

The primary reason a permit writer may wish to include closures activities in a larger range remediation, and therefore a longer time period, is related to safety. The OB/OD unit may be located on what is currently a inactive portion of a range; however, the area may have been part of the active range at an earlier time. Since it is often difficult to determine the earlier status of areas within weapons ranges, it is appropriate to perform surveys of the unit to determine whether UXO is present from earlier range activities. If UXO is found at the unit, it would be necessary to remove the UXO and render it safe before closure activities begin at the unit.

UXO detection surveys are time consuming, labor intensive, and expensive. It would be reasonable to allow a survey at an OB/OD as part of a larger effort if several requirements are met. These requirements are:

- The range remediation activities take place in the same approximate time frame as closure of the unit
- There are no issues associated with leaving waste in place at the unit for a longer than normal period of time (that is, the permit writer is not aware of any circumstances that would lead to damage to human health or accelerated damage to the environment)
- The closure plan makes explicit reference to the range remediation activities and provides a schedule for implementation

The permit writer may recognize other site- or unit-specific requirements that are more appropriate for the facility of concern. Should the permit writer decide to allow a longer time for closure, he or she has the authority to do so under 40 CFR §264.113.