

military personnel attendance lists, and the amount of propellant used in training).

3.2.8.2 Range Clearance

The final Military Munitions Rule, in 40 CFR §266.202 (a)(1)(iii), states that the recovery, collection, and on-range destruction of unexploded ordnance and munitions fragments during range clearance activities at active or inactive ranges is included within the use of a product for its intended purpose and therefore is not a solid waste. Since the material is not a solid waste, a RCRA permit is not required for its on-range destruction by OB/OD.

The final rule defines “active range” as a military range that is currently in service and is being regularly used for range activities. “Inactive range” is defined as a military range that is not currently being used, but that is still under military control and considered by the military to be a potential range area, and that has not been put to a new use that is incompatible with range activities. “Military range” is defined to include firing lines and positions, maneuver areas, firing lanes, test pads, detonation pads, impact areas, and buffer zones with restricted access and exclusionary areas.

The final rule clarifies, in 40 CFR §266.202(c)(1), that a used or fired military munition is a solid waste, and therefore subject to the RCRA permitting requirements, when transported off range or from a site of use, where the site of use is not a range, for the purposes of reclamation, treatment, disposal, treatment prior to disposal, or storage prior to reclamation, treatment, or disposal.

In the training and range clearance situations, a permitted RCRA OB/OD unit may still be used so long as the permit conditions are met.

3.2.8.3 Emergency Responses

The final Military Munitions Rule, in 40 CFR §262.10(i), 264.1(g)(8), 265.1(c)(11), and 270.1(c)(3), states that immediate responses to actual or potential threats involving explosives and