

**BY ORDER OF THE COMMANDER
439TH AIRLIFT WING**

**439TH AIRLIFT WING INSTRUCTION
32-7001**



9 AUGUST 2013

Civil Engineering

MANAGEMENT OF MILITARY MUNITIONS

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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RELEASABILITY: There are no releasability restrictions on this publication

OPR: 439 MSG/CEV

Certified by: 439 MSG/CC
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Supersedes: 439 AWI32-7001, 18 May 2004

Pages: 5

This instruction provides procedures for coordinating among Munitions Flight (439 MXS/MXMW), Explosive Ordnance Disposal (EOD, 439 CES/CED), and Environmental office (439 MSG/CEV) personnel to resolve any munitions-related environmental concerns at the lowest level. This procedure is intended to fulfill the need for advanced procedures with appropriate environmental regulatory agencies that enable EOD personnel to quickly and effectively respond to situations involving munitions, as specified in Air Force Instruction (AFI) 21-201 paragraphs 3.12.4.5.4 and 3.12.4.6. This procedure is a 439th Airlift Wing Instruction (AWI) supplementing AFI 32-7001, *Environmental Management*, as it addresses the environmental management component of munitions responses for Westover Air Reserve Base (ARB).

SUMMARY OF CHANGES

Introduction and Responsibilities sections were added. References were updated to reflect current munitions and EOD instructions. The “Determination of Solid Waste Status” section was deleted, and AFI 21-201 procedures were referenced to explain the Ammunition Disposition Request process for determining disposition of munitions items that Munitions manages. Massachusetts regulations were added.

1. Introduction. The purpose of this instruction is to assure that a partnership is established between the Environmental office, Staff Judge Advocate (SJA, 439 AW/SJA), EOD, and Munitions to plan for and resolve any munitions-related environmental concerns at the lowest

level and ensure appropriate regulatory agency coordination, when required. AFI 32-201, *Conventional Munitions Maintenance Management*, and AFI 32-3001, *Explosive Ordnance Disposal (EOD) Program*, outline Munitions and EOD personnel responsibilities, respectively, related to response to incidents involving munitions. These requirements are outside the scope of AWI 32-7001. The U.S. Environmental Protection Agency, the state of Massachusetts, the U. S. Department of Defense (DoD), and the U. S. Air Force (Air Force) establish criteria for managing munitions that are discovered, including munitions discovered outside the normal military munitions management process. Because Massachusetts does not adopt the Federal Military Munitions Rule, the Code of Massachusetts Regulations (CMR) requirements for emergency response to munitions must also be considered. These regulations specify requirements for coordination with the Massachusetts Department of Environmental Protection (DEP). 310 CMR 40.000 establishes requirements for emergency response in Massachusetts. 310 CMR 40.0317(5) exempts releases of forbidden and Class A or Class B explosives from emergency response notification requirements if the explosives are under military transport or supervision and U.S. Army Explosive Ordnance personnel respond to the release. DEP clarified in email coordinated through the Emergency Response Program Section Chief that U.S. Army Explosive Ordnance personnel include EOD personnel of all branches of DoD, including the Air Force. Although not required, Westover ARB will notify DEP, as a courtesy, when emergency responses require transport off-base or management at the Fort Devens range. Additionally, Massachusetts hazardous waste regulation at 310 CMR 30.104(2)(r) exempts certain explosive emergency responses from hazardous waste regulations and states: “Explosives which are destroyed by, or whose destruction is supervised, by U.S. Army Explosive Ordnance personnel, if such explosives are generated by a Small Quantity Generator, as that term is defined in 310 CMR 30.351(1) and (2), such destruction does not involve land disposal, and such destruction occurs during an immediate response to an immediate threat to human health, safety or welfare or to the environment, by U.S. Army Explosive Ordnance personnel.” The DEP Hazardous Waste Division also views “U.S. Army Explosive Ordnance” personnel to include the Air Force. Additionally, the DEP Emergency Response Program Section Chief confirmed via email that it is the intent for any military unit performing a public safety emergency procedure to be covered by these exemptions (i.e., the exemption from hazardous substance release notification and the exemption from hazardous waste regulations).

2. Responsibilities. Section 2 outlines responsibilities of key Westover ARB organizations in managing potentially unsafe munitions.

2.1. EOD

2.1.1. EOD evaluates hazards of potentially unsafe munitions and determines the appropriate response to minimize their hazards. A Level 1 response is one in which the EOD response specialist determines that the munitions require an immediate response (e.g., not safe to transport or store). A Level 2 response is one in which the EOD response specialist determines that the munitions item is an imminent and substantial endangerment but can be transported and temporarily stored pending destruction.

2.1.2. For Level 1 and Level 2 responses, EOD destroys unsafe explosive ordnance according to local, state, and Federal requirements for emergency response to the explosive hazard. All off-installation emergency EOD responses are conducted in accordance with (IAW) AFI 32-3001, paragraph 7.3. The request for assistance from

civil authorities IAW paragraph 7.3.1 should be provided to Westover in writing to ensure documented compliance with AFI 32-3001, paragraph 7.3.1.

2.1.3. The EOD Flight shall document their response expenses for actions potentially reimbursable under AFI 32-3001, paragraph 7.3.2.2.1.3. The EOD Flight evaluates hazards of potentially unsafe munitions and determines the appropriate response to minimize their hazard. A Level 1 response is one in which the EOD response specialist determines that the munitions require an immediate response (e.g., not safe to transport or store). A Level 2 response is one in which the EOD response specialist determines that the munitions item is an imminent and substantial endangerment but can be transported and temporarily stored pending state notification.

2.1.4. The EOD Flight shall not transport ordnance from an off-installation site onto the installation until such time as the installation SJA has determined that: (1) doing so will not violate the prohibitions set forth in 10 United States Code § 2692 IAW AFI 32-3001, paragraph 31.4.2.2.1; and (2) doing so will not violate any Hazardous Materials Transportation Act or hazardous waste permitting, placarding, or manifesting requirements IAW AFI 32-3001, paragraph 3.1.5. EOD can contact the SJA via the command post if after duty hours.

2.2. Munitions. For DoD stock-listed conventional munitions, Munitions is responsible for processing Ammunition Disposition Requests IAW Air Force requirements to determine proper disposition of the item. These items are outside the scope of this procedure because the DoD Designated Disposition Authority determines disposition of these items, which may include transferring the item for use elsewhere.

2.3. Environmental Office. The Environmental office is responsible for providing regulatory guidance and regulatory interface, if needed, based on DEP recommendations. Environmental also coordinates with DEP, as a courtesy, for EOD munitions responses involving transport off-base.

2.4. SJA (439 AW/SJA or 951 RSPTS OL-E/SJA). SJA is responsible for participating in planning to resolve any munitions-related environmental concerns and developing a memorandum of agreement with DEP, if considered to be beneficial. SJA reviews and provides recommendations for planned actions to coordinate with DEP.

3. Management of Response to Munitions. Section 3 provides procedures for Level 1 and Level 2 responses.

3.1. When suspect munitions are discovered, they must be reported to the Command Post in order to activate appropriate response actions, including mobilizing EOD to respond. Munitions, the Environmental office, and/or SJA could also be called on to provide their respective expertise.

3.2. EOD will investigate, determine if the situation threatens the safety of personnel or property, and determine the response level, if response is required.

3.3. For both Level 1 and Level 2 responses, either EOD or the Command Post will coordinate with the Environmental office. Environmental personnel will coordinate with SJA, if necessary, for the particular response and determine whether a courtesy call to DEP is appropriate.

3.4. EOD will follow DoD and Air Force EOD requirements to address the munitions response.

3.5. The Environmental office or the Command Post, if Environmental is unavailable, will notify the state regional environmental regulatory authority, DEP Western Region at (413) 755-2231, of the planned detonation, if a courtesy call is appropriate based on the nature of the response.

3.6. Trained and authorized EOD personnel will destroy the item and maintain a standard EOD After Action Report of the event for 3 years.

4. Legal and Regulatory Review and Concurrence. Section 4 describes responsibilities for achieving compliance with regulatory requirements.

4.1. Environmental Office Actions:

4.1.1. The Environmental office will coordinate with SJA, when appropriate, for review and recommendations regarding the response action EOD has determined for a munitions-related incident. The SJA can be reached via the command post after hours.

4.1.2. After SJA review and receipt of their recommendations, the Environmental office will ensure all regulatory-required documentation is maintained.

4.2. SJA Actions:

4.2.1. SJA will review planned actions and make recommendations, as needed, regarding Level 1 and Level 2 responses.

4.2.2. If SJA deems necessary, Environmental personnel will arrange a meeting with appropriate Air Force and DEP officials to discuss the details of munitions-related responses and obtain DEP concurrence with the response action.

4.3. 439th Airlift Wing Command Post Actions:

4.3.1. If the Environmental office and SJA are unavailable to provide coordination with DEP, the Command Post will implement and document the verbal notification to DEP outlined in Section 3.5.

5. Execution of Level 1 and Level 2 Responses. Section 5 outlines requirements for Level 1 and Level 2 responses.

5.1. If the munitions are associated with a Level 1 or Level 2 response and are destroyed at Westover ARB, appropriately trained and authorized EOD personnel will perform the destruction. The Environmental office will maintain a log, memorandum, or other appropriate documentation of DEP notifications and SJA coordination regarding Level 1 and Level 2 responses, as applicable.

5.2. Munitions, the Environmental office, and EOD components will jointly ensure that any special requirements established by DEP through the concurrence process are accomplished.

STEVEN D. VAUTRAIN, Colonel, USAFR
Commander

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

Title 40, Code of Federal Regulations, Part 266, Subpart M, Military Munitions Rule.

DoD 6055.9-STD, *Ammunition and Explosives Safety Standard*, 5 October 2004.

AFI 21-201, *Conventional Munitions Maintenance Management*, 7 March 2012.

AFI 32-3001, *Explosive Ordnance Disposal Program*, 2 June 2011 incorporating change 2, 28 March 2012.

Air Force Joint Instruction 32-3002, *Interservice Responsibilities for Explosive Ordnance Disposal*, 14 February 1992.

Air Force Manual 91-201, *Explosives Safety Standards*, 12 January 2011 incorporating change 1, 22 June 2012.

439 AWI 21-201, *Inspection, Certification and Verification of Munitions Residue and Certification of Empty Containers*.

310 CMR 30.000, Massachusetts Hazardous Waste Regulation.

310 CMR 40.0000, Massachusetts Contingency Plan Regulation.

1998 DoD, Policy to Implement the U. S. Environmental Protection Agency's Military Munitions Rule.

Abbreviations and Acronyms

AFI—Air Force Instruction

ARB—Air Reserve Base

WI—Airlift Wing Instruction

CMR—Code of Massachusetts Regulations

DEP—Massachusetts Department of Environmental Protection

DoD—U. S. Department of Defense

EOD—Explosive Ordnance Disposal

SJA—Staff Judge Advocate