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ACQUISITION,
TECHNOLOGY
AND LOGISTICS

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MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY (INSTALLATIONS AND ENVIRONMENT)
ASSISTANT SECRETARY OF THE NAVY (INSTALLATIONS AND ENVIRONMENT)
ASSISTANT SECRETARY OF THE AIR FORCE (INSTALLATIONS, ENVIRONMENT, AND LOGISTICS)
DEFENSE LOGISTICS AGENCY (DSS-E)

SUBJECT: Policy on DoD Required Actions Related to Perchlorate

On January 10, 2005, the National Academy of Sciences completed its toxicological review of perchlorate. Based on the results of the NAS review, the U.S. Environmental Protection Agency (EPA) adopted an oral reference dose (RfD) for perchlorate, which, when used to calculate a Drinking Water Equivalent Level (DWEL), is equivalent to 24.5 parts per billion (ppb). If EPA determines regulation under the Safe Drinking Water Act (SDWA) is appropriate, it will establish a Maximum Contaminant Level Goal (MCLG). Once an MCLG is established, EPA will set an enforceable Maximum Contaminant Level (MCL), which is set as close to the MCLG as feasible using the best available analytical and treatment technologies and taking cost into consideration. Historically, MCLs have been set at levels different from the DWEL. Until such time as EPA or the states promulgate standards for perchlorate, DoD is establishing 24 ppb as the current level of concern for managing perchlorate. Once established, DoD will comply with applicable state or federal promulgated standards whichever is more stringent.

This guidance supersedes the September 29, 2003, memorandum, "Interim Policy on Perchlorate Sampling," and applies to active and closed installations, operational and other than operational ranges, and Formerly Used Defense Sites (FUDS) within the United States, its territories, and possessions, except where otherwise noted. The sampling results generated pursuant to this guidance must be retained by the installation and included in regular updates to each Component's perchlorate database. Semi-annual Environmental Management Reviews will include, on an as-needed basis, reporting requirements for perchlorate.

For drinking water systems and wastewater effluent discharges, perchlorate sampling and follow-on actions taken pursuant to this policy will be considered an Environmental

Quality Status Class I requirement under DoDI 4715.6, "Environmental Compliance," and DoDI 4715.5, "Management of Environmental Compliance at Overseas Installations."

DoD Components shall program resources and address perchlorate under the following programs:

Environmental Restoration

DoD shall sample for perchlorate as required by the National Contingency Plan. Where sampling indicates perchlorate concentrations in water exceed the level of concern (24 ppb) established above, DoD Components are directed to conduct site-specific risk assessments in accordance with the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Defense Environmental Restoration Program (DERP), and/or the National Contingency Plan to evaluate the extent of actual or potential exposures. No federal or state Applicable or Relevant and Appropriate Requirements (ARARs) have been promulgated at this time. Risk assessors and risk managers may, when appropriate, identify other federal or state advisories, criteria, or guidance to be considered (see 40 CFR 300.400(g)(3)). If a site-specific risk assessment indicates perchlorate concentrations could potentially result in adverse health effects, the DoD Components will prioritize the site for appropriate risk management.

DoD Components may only use environmental restoration funding for activities meeting DERP eligibility requirements described in the current version of the DERP Management Guidance.

Any overseas response actions will be conducted in accordance with international agreements and DoDI 4715.8, "Environmental Remediation for Overseas Activities."

Operational Ranges

DoD Components will assess for the off-range migration of perchlorate from operational ranges in their respective Operational Range Assessment programs consistent with DoDD 4715.11, "Environmental and Explosives Safety Management on Operational Ranges Within the United States," and DoDD 4715.12, "Environmental and Explosives Safety Management on Operational Ranges Outside the United States."

DoD-owned Drinking Water Systems

DoD-owned drinking water systems that are required to sample for inorganic analytes pursuant to regulatory requirements shall add perchlorate to their current analyte list. Installations with confirmed results that indicate the presence of perchlorate in finished drinking water shall notify their headquarters and consult with them on appropriate actions, which may include development of an action plan to reduce exposure to perchlorate as appropriate for the protection of public health. At a minimum, these installations shall

continue sampling quarterly until they and their major command are satisfied that perchlorate concentrations are likely to remain below the level of concern (24 ppb). Installations that do not detect perchlorate in drinking water at concentrations above 4 ppb for two consecutive sampling events are not required to continue sampling for perchlorate unless otherwise required to do so by regulation or permit terms. The requirements of this paragraph also apply to water systems at overseas permanent facilities that are required to conduct sampling.

DoD Wastewater Effluent Discharges

DoD Components shall sample semi-annually for perchlorate at permitted point sources where use of perchlorate is associated with processes related to the manufacture, maintenance, processing, recycling, or demilitarization of military munitions. Sampling will be conducted in conjunction with effluent sampling conducted under the permit applicable to that point source. Installations with confirmed results that indicate the presence of perchlorate in wastewater effluent discharges shall notify their headquarters and consult with them on appropriate actions. Depending on applicable water quality standards and other factors (e.g., mixing zones), permit modifications and/or follow-on actions may be required. Nothing in this policy is intended to diminish any requirements established by wastewater discharge permits issued by EPA, state, or host nation regulatory authorities for DoD installations or operations.

This policy is effective immediately.

Philip W. Grone
Deputy Under Secretary of Defense
(Installations and Environment)