The Department of the Navy
Base Realignment and Closure
Implementation Guidance

FOREWORD

On behalf of the Secretary of the Navy, it is my pleasure to release *The Department of the Navy (DON) Base Realignment and Closure (BRAC) Implementation Guidance (NBIG)*. This Guidance complements the *DoD BRAC Implementation Regulations and Base Redevelopment & Realignment Manual (BRRM).*

This Guidance can be used by all parties involved in the efficient execution of all Navy and Marine Corps BRAC actions. It describes the roles and responsibilities of each Navy and Marine Corps Component involved in the BRAC process and prescribes procedures on the implementation of base closure and realignment actions.

The NBIG is effective immediately, is mandatory for use by all Navy and Marine Corps Components, and supersedes DON guidance for prior BRAC rounds, except as incorporated or referenced in this Guidance.

For involved communities navigating this journey with us, the DON intends for this document to be a helpful resource providing you additional insight into the many facets of the complex BRAC process. The DON looks forward to the successes of BRAC 2005.

Electronic copies are available at: http://www.bracpmo.navy.mil/

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(a) 10 USC 2687, Defense Base Closure and Realignment Act of 1990 (P.L. 101-510), as amended

(b) 32 CFR 174, Revitalizing Base Closure Communities, as amended

(c) 32 CFR 176, Revitalizing Base Closure Communities and Community Assistance - Community Redevelopment and Homeless Assistance, as amended

(d) 2002 National Defense Authorization Act (P.L. 107-107)

(e) Operating Agreement between DASN (I&F), CNIC, and HQMC (LF), Concerning the Establishment and Operation of the BRAC PMO, 3 Mar 2005

(f) Operating Agreement between DASN (I&F) and COMNAVFACENGCOM, Concerning the Establishment and Operation of the BRAC PMO, 28 September 2004

(g) DoD 4165.66-M, Base Redevelopment and Realignment Manual (DoD BRRM), 1 March 2006

(h) SECNAVINST 5430.7N, Assignment of Responsibilities and Authorities in the Office of the Secretary of the Navy, 9 June 2005

(i) ASN (I&E) Memorandum, Assignment of Responsibilities and the Delegation of Authority to the Director BRAC PMO, and Delegation of Authority to Execute those Responsibilities, 14 November 2005

(j) Principal Under Secretary of Defense (Acquisition, Technology, and Logistics) Memorandum, Base Realignment and Closure 2005 Implementation Planning, 14 October 2005

(k) Principal Under Secretary of Defense (Acquisition, Technology, and Logistics) Memorandum, Base Realignment and Closure 2005 Implementation Planning, 21 September 2005

(l) 16 USC 470, National Historic Preservation Act of 1966

(m) 41 CFR 101, Federal Property Management Regulations

(n) Office of the Under Secretary of Defense (OUSD), Acquisition and Technology Memorandum, Environmental Review Process to Obtain the Finding of Suitability Required for Use of Early Transfer Authority for Property Not on the National Priorities List, 24 April 1998

(o) DODI 1015.1, Programs for Military MWR, 3 November 1995

(p) SECNAVINST 5210.8D, Department of the Navy Records Management Program, 31 December 2005

(q) The United States Navy Layaway Procedures for Historic Properties, July 1996

(r) Protecting Our Naval Heritage: A Navy Official's Guide to Record Management Responsibilities at All Closing Installations (and Other Naval Facilities), September 1996

(s) 42 USC 4321, The National Environmental Policy Act of 1969, as amended

(t) 32 CFR 775, Procedures For Implementing The National Environmental Policy Act

(u) SECNAVINST 5090.6A, Environmental Planning For Department of the Navy Actions, 26 April 2004

(v) OPNAVINST 5090.1B Ch-4, Environmental and Natural Resources Program Manual, 4 June 2003

(w) MCO P5090.2A, Environmental Compliance and Protection Manual

(x) CNO Letter Ser N45/N4U732460, 23 September 2004

(y) 16 USC 460, Endangered Species Act

(z) SECNAVINST 4000.35A, Department of the Navy Cultural Resources Program, 9 April 2001

(aa) 36 CFR Part 800, Protection of Historic Properties

(bb) 16 USC 470 aa-11, Archaeological Resources Protection Act

(cc) 25 USC 3001, Native American Graves Protection and Repatriation Act

(dd) 43 CFR 10, Department of the Interior Native American Graves Protection and Repatriation Act

(ee) 36 CFR 79, Curation of Federally-Owned and Administered Archeological Collections

(ff) 33 USC 1251, Clean Water Act

List of Acronyms

- **AASHTO** – American Association of State Highway and Transportation Officials
- **AAUSN** – Assistant for Administration to the Under Secretary of the Navy
- **ACHP** – Advisory Council on Historic Preservation
- **AIS** – Annual Inspection Summary
- **AOC** – Area of Concern
- **APF** – Appropriated Funds
- **AQCR** – Air Quality Control Region
- **AR** – Administrative Record
- **ARAR** – Applicable Relevant and Appropriate Requirements
- **ARPA** – Archaeological Resources Protection Act
- **ASME** – American Society of Mechanical Engineers
- **ASN (I&E)** – Assistant Secretary of the Navy (Installations and Environment)
- **AST** – Above Ground Storage Tank
- **BCM** – Base Closure Manager
- **BEC** – BRAC Environmental Coordinator
- **BEQ** – Bachelor/Base Enlisted Quarters
- **BMP** – Best Management Practice
- **BMSL** – BRAC Maintenance Service Level
- **BRAC** – Base Realignment and Closure
- **BRACMIS** – Base Realignment and Closure Management Information System
- **BRACON** – Base Realignment and Closure Construction
- **BRAC PMO** – BRAC Program Management Office
- **BRRM** – Base Reuse and Redevelopment Manual
- **BSO** – Budget Submitting Office
- **BTC** – Base Transition Coordinator
- **BUMED** – Bureau of Medicine and Surgery
- **CAA** – Clean Air Act
- **CATEX** – Categorical Exclusion
- **CEQA** – California Environmental Quality Act
- **CERCLA** – Comprehensive Environmental Response, Compensation, and Liability Act

- **CERFA** – Community Environmental Response Facilitation Act
- **CESE** – Civil Engineering Support Equipment
- **CFM** – Cubic Feet per Minute
- **CFR** – Code of Federal Regulations
- **CMC** – Commandant of the Marine Corps
- **CNIC** – Commander, Navy Installations Command
- **CNO** – Chief of Naval Operations
- **CNR** – Chief of Naval Research
- **CPA** – Certified Public Accountant
- **COBRA** – Cost of Base Realignment Action
- **CSO** – Caretaker Site Office
- **CWA** – Clean Water Act
- **DASN (I&F)** – Deputy Assistant Secretary of the Navy (Installations and Facilities)
- **DASN (E)** – Deputy Assistant Secretary of the Navy (Environment)
- **DBCRA** – Defense Base Closure and Realignment Act of 1990
- **DERP** – Defense Environmental Restoration Program
- **DLA** – Defense Logistics Agency
- **DoD** – Department of Defense
- **DODI** – Department of Defense Instruction
- **DON** – Department of the Navy
- **DONBIG** – Department of the Navy BRAC Implementation Guidance
- **DOPAA** – Description of Proposed Action and Alternatives
- **DOS** – Determination of Surplus
- **DRMO** – Defense Reutilization and Marketing Office
- **EA** – Environmental Assessment
- **ECP** – Environmental Condition of Property
- **EDC** – Economic Development Conveyances
- **EIS** – Environmental Impact Statement
- **EOD** – Explosive Ordnance Detachment
- **EPA** – Environmental Protection Agency
- **ER, N** – Environmental Restoration, Navy
- **ESA** – Endangered Species Act
- **FAA** – Federal Aviation Administration

- **Fed-to-Fed** – Federal entity to federal entity transfer
- **FFA** – Federal Facilities Agreement
- **FISC** – Fleet Industrial Supply Center
- **FMB** – Office of Budget/Financial Management Division N82
- **FHSG** – Family Housing Construction
- **FOIA** – Freedom of Information Act
- **FONSI** – Finding of No Significant Impact
- **FOSET** – Finding of Suitability for Early Transfer
- **FOSL** – Finding of Suitability to Lease
- **FOST** – Finding of Suitability to Transfer
- **FY** – Fiscal Year
- **GEPA** – Georgia Environmental Policy Act
- **GSA** – General Services Administration
- **HQMC (LF)** – Headquarters, Marine Corps (Facilities and Services)
- **HUD** – Department of Housing and Urban Development
- **HVAC** – Heating, Ventilating, and Air Conditioning
- **HWAA** – Hazardous Waste Accumulation Areas
- **ICRMP** – Integrated Cultural Resource Management Plan
- **iNFADS** – Internet Naval Facilities Assets Data Store
- **INRMP** – Integrated Natural Resource Management Plan
- **IR** – Installation Restoration
- **IRP** – Installation Restoration Program
- **ISR** – Installation Summary Report
- **ISSAs** – Inter-Service Support Agreements
- **kVA** – Kilo Volt-Amps
- **LBP** – Lead Based Paint
- **LLRW** - Low Level Radioactive Wastes
- **LOC** – Level of Concern
- **LRA** – Local Redevelopment Authority
- **MARFOR** – Marine Corps Force
- **MCI** – Marine Corps Installations
- **MCO** – Marine Corps Order
- **MEC** – Munitions and Explosives of Concern

- **MILCON** – Military Construction
- **MILDEP** – Military Department
- **MIL-HDBK** – Military Handbook
- **MOA** – Memorandum of Agreement
- **MSDS** – Material Safety Data Sheet
- **MWR** – Morale, Welfare and Recreation
- **NAF** – Non-Appropriated Fund
- **NAFI** – Non-Appropriated Fund Instrumentality
- **NAGPRA** – Native American Graves Protection and Repatriation Act
- **NAVFAC** – Naval Facilities Engineering Command
- **NAVFOR** – Navy Force
- **NBIG** – Navy BRAC Installation Guidance (a.k.a. DONBIG)
- **NCP** – National Contingency Plan
- **NEPA** – National Environmental Policy Act of 1969
- **NERP** – Department of the Navy Environmental Restoration Manual
- **NFPA** – National Fire Protection Association
- **NHC** – Naval Historical Center
- **NHPA** – National Historic Preservation Act
- **NLT** – No Later Than
- **NMCI** – Navy Marine Corps Intranet
- **NMFS** – National Marine Fisheries Service
- **NOI** – Notice of Interest
- **NONC** – Notice of Non-Compliance
- **NOSSA** – Naval Ordnance Safety and Security Activity
- **NOV** – Notice of Violation
- **NPL** – National Priorities List
- **ODUSD** – Office of the Deputy Under Secretary of Defense
- **OEA** – Office of Economic Adjustment
- **O&M** – Operation & Maintenance
- **OPNAVINST** – Office of the Chief of Naval Operations, Instruction
- **OSD** – Office of the Secretary of Defense
- **OTC** – One-Time-Compliance
- **OUSD** – Office of the Under Secretary of Defense

- **OWS** – Oil Water Separator
- **PA** – Programmatic Agreement
- **PBC** – Public Benefit Conveyance
- **P.L.** – Public Law
- **POA&M** – Plan of Action and Milestones
- **POC** – Point of Contact
- **POM** – Program Objectives Memorandum
- **PR** – Program Review
- **PVC** – Polyvinyl Chloride
- **PWC** – Public Works Center
- **RASO** – Radiological Affairs Support Office
- **RCRA** – Resource Conservation and Recovery Act
- **REC** – Regional Environmental Coordinator
- **RH** – Relative Humidity
- **ROD** – Records of Decision
- **SASP** – State Agency for Surplus Property
- **SECDEF** – Secretary of Defense
- **SECNAV** – Secretary of the Navy
- **SECNAVINST** – Secretary of the Navy, Instruction
- **SEPA** – State Environmental Policy Act
- **SEQRA** – State Environmental Quality Review Act
- **SHPO/THPO** – State Historic Preservation Officer/Tribal Historic Preservation Officer
- **SMEs** – Subject Matter Experts
- **SPCC** – Spill Prevention Control and Countermeasures
- **SWMU** – Solid Waste Management Units
- **TSD** – Treatment Storage and Disposal
- **TYCOM** – Type Commander
- **UFC** – Uniform Fire Code
- **USC** – United States Code
- **USACE** – United States Army Corps of Engineers
- **USFWS** – US Fish and Wildlife Service
- **UST** – Under Ground Storage Tank
- **WBDG** – Whole Building Design Guide

Section 1.0 Introduction and Process Overview

1.1 Introduction

1.1.1 Base Realignment and Closure 2005

Congress authorized a 2005 round of Base Realignment and Closure (BRAC) by amending the BRAC statute known as *Defense Base Closure and Realignment Act of 1990* (DBCRA) (reference a). Department of Defense (DoD) regulations governing the disposal of property at installations being closed and realigned and how to address the impacts of realignment at receiving installations are found in 32 Code of Federal Regulations (CFR) Pars 174 (reference b) and 176 (reference c). The amendments to the DBCRA under the fiscal year (FY) 2002 National Defense Authorization Act (Public Law 107-107) (reference d) created a new BRAC Commission and timetable for the 2005 decision process. The Commission conducted its analysis of the DoD recommendations, held public hearings, and made recommendations to the President for closures and realignments. After review, the President forwarded the recommendations to Congress on 15 September 2005. Congress allowed the time stipulated in the statute for Congressional action to elapse, and the Commission's recommendations became effective as of 9 November 2005. This date is important because it drives the statutory timetables for property screening, disposal, closures, and realignments, and is referenced as the "date of approval" in this guidance.

1.1.2 DON BRAC Implementation Overview

The BRAC 2005 execution process consists of several concurrent and linked phases requiring coordination among participating Department of the Navy (DON) components. Since the last BRAC round in 1995, the United States Navy and Marine Corps have undergone significant reorganizations. For instance, responsibilities for Navy installations have been vested in the Commander, Navy Installations Command (CNIC). Similarly, in an effort to improve command and control, the Marine Corps has reorganized installation responsibility under three major and two minor Marine Corps Installations (MCIs) regions. DON established the BRAC Program Management Office (BRAC PMO) to oversee and manage implementation of BRAC actions throughout the Navy and Marine Corps. Figure 1 represents the DON organizational structure for BRAC 2005.

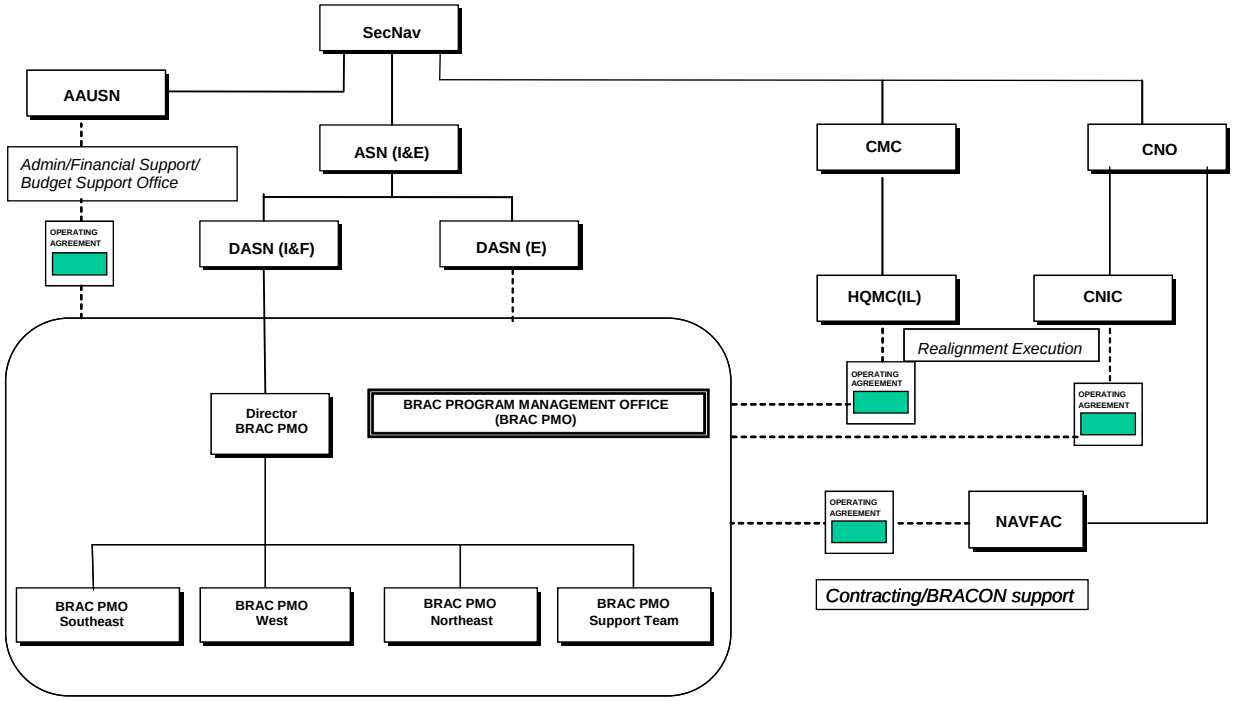

Figure 1: BRAC 2005 Organizational Chart

1.1.3 BRAC Program Management Office

BRAC PMO will work with congressional representatives, the Office of the Secretary of Defense (OSD), the Office of the Secretary of the Navy (SECNAV), the Office of the Deputy Assistant Secretary of the Navy (Environment) (DASN (E)), Commandant of the Marine Corps (CMC), the Chief of Naval Operations (CNO), Headquarters, Marine Corps (Facilities and Services) (HQMC (LF)), CNIC, Navy and Marine Corps regions, Naval Facilities Engineering Command (NAVFAC), and local communities to complete the BRAC process. BRAC PMO consists of a Director, a Support Office and BRAC PMO Northeast, Southeast, and West. Directors of the BRAC PMO Support Office and the regional BRAC PMOs report to the Director, BRAC PMO. The Director reports to the Assistant Secretary of the Navy for Installations and Environment (ASN (I&E)), through the Deputy Assistant Secretary of the Navy for Installations and Facilities (DASN (I&F)).

The Office of the Assistant for Administration to the Undersecretary of the Navy (AAUSN), acting as BRAC PMO's agent, will serve as the Budget Submitting Office (BSO). CNO/CNIC,

NAVFAC, and HQMC (LF) will support BRAC PMO in carrying out BRAC implementation activities, including realignment, closure, budget, and layaway support (see references (e) & (f)).

1.2 Policy

It is DON policy to:

- Comply with DoD policy delineated in the Department of Defense, *Base Redevelopment and Realignment Manual* (hereinafter DoD BRRM) (reference (g)), 32 CFR Part 174 (reference (b)) and Part 176 (reference (c)), policy memoranda, and DoD directives on BRAC 2005 implementation;
- Create a streamlined DON BRAC 2005 implementation process;
- Ensure proper and effective coordination by involved DON components;
- Provide coordinated DON responses to the interests and concerns of the local community, county, and state governments, and other stakeholders involved in the BRAC process;
- Complete early data collection to assess the environmental condition of BRAC property and plan for its disposal and reuse as rapidly as possible;
- Obtain an objective, equitable estimate of the fair market value of real property;
- Make informed business decisions on each individual property disposal site;
- Utilize appropriate means to transfer property by leveraging resources and expertise from public and private sectors; and
- Close and dispose of installations quickly to enable productive reuse and realize DON cost savings.

Three themes will guide Navy and Marine Corps BRAC implementation:

(1) Greatly accelerated timetables for every phase including parallel, rather than sequential, actions whenever possible;
(2) The realization of financial return from surplus federal property; and
(3) Use of all the appropriate “tools in the toolbox” to achieve the best possible results as DON implements the BRAC recommendations (references (e), (f), & (h)).

1.3 Purpose

The purpose of this DON BRAC Implementation Guidance (DONBIG, "NBIG") is to provide a guideline to efficiently execute BRAC actions. This guidance describes the roles and responsibilities of each of the participants in the process, provides information on BRAC PMO implementation of real and personal property disposals and the BRAC budget processes, and oversight of operational closure and realignment actions. This guidance also sets forth reporting requirements, which will support program execution and serves as a basis for updating the required business plans and necessary reports to Congress and OSD.

The DoD BRRM governs DON BRAC implementation. This document supplements the DoD BRRM and provides procedural and policy guidelines for the Navy and Marine Corps. This guidance is supplementary to and should be used in conjunction with the DoD BRRM. Subordinate DON organizations may disseminate necessary subsequent instructions/guidance consistent with the NBIG. In areas needing clarification, DON components are to refer to BRAC PMO. Figure 2 provides a cross-reference between this guidance and the DoD BRRM.

Subject	NBIG Reference	DoD BRRM Reference
Introduction	Section 1.0	Chapter 1
Process Overview	Section 1.0	Chapter 2
Roles and Responsibilities	Section 2.0	Referenced throughout the chapters of the document (Chapters 1 – 9)
Budget	Section 3.0	N/A
Real Property Disposal/Transfer	Section 4.0	Chapter 2.5 & 2.6; Chapter 5
Personal Property Disposal	Section 5.0	Chapter 6
Operational Closure and Realignment	Section 6.0	N/A
Layaway and Caretaker Maintenance	Section 7.0	Chapter 7
Base Redevelopment Planning Assistance and Community Liaison	Section 8.0	Chapter 3; Chapter 6.3; Chapter 9.2
Environmental Compliance and Clean Up Considerations	Section 9.0	Chapter 8.1, 8.3, 8.5, & 8.6; Chapter 5.6.3

Subject	NBIG Reference	DoD BRRM Reference
National Environmental Policy Act	Section 10.0	Chapter 8.1 & 8.2; Chapter 9.4
Cultural and Natural Resources Protection and Management	Section 11.0	Chapter 8.1 & 8.4; Chapter 5.6.4, 5.6.5, & 5.6.6
Points of Contact	Section 12.0	Chapter 10
Personnel Management	N/A	Chapter 4

Figure 2: Cross-reference between NBIG and the DoD BRRM

1.4 Applicability

This guidance supersedes DON guidance for prior BRAC rounds, except as incorporated or referenced herein, and applies to the DON components implementing BRAC 2005, as well as executing prior BRAC rounds, except where there is a conflict with DON policy, goals, or applicable law.

1.5 Process Overview

It is the goal of DON to complete base closures, realignments, and actions necessary for property disposal as quickly as possible once approval to proceed has been given. The BRAC 2005 execution process will consist of several concurrent and linked phases requiring coordination among participating DON components (references (h) & (i)). These concurrent actions include:

- Operationally close/realign installations as quickly possible;
- Determine Environmental Condition of Property (ECP) and take environmental response action as required by DON Policy and law;
- Conduct federal agency to federal agency (Fed-to-Fed) transfers;
- Inventory and dispose of personal property;
- Receive and review redevelopment plans;
- Ensure National Environmental Policy Act (NEPA) compliance;
- Determine property conveyance mechanisms; and
- Dispose of property.

1.6 DON BRAC 2005 Implementation Schedule

The following figure provides the key milestones of the DON BRAC 2005 implementation schedule as laid out primarily by statutory requirements. Use this table in conjunction with Appendix A for a more comprehensive overview of the DON BRAC implementation process.

Figure 3 details the DON BRAC implementation schedule reflecting the **statutory** dates.

Milestone	Action
16 May 2005 Actual: 13 May 2005	Secretary of Defense (SECDEF) submits recommendations to BRAC Commission.
8 September 2005	BRAC Commission submits recommendations to the President.
23 September 2005 Actual: 15 Sept. 2005	President submits BRAC recommendations to Congress.
(45 days after Presidential Approval) Actual: 9 Nov. 2005	If the President approves the BRAC recommendations it becomes final within 45 legislative days, unless Congress passes a joint resolution to block the entire package.
20 October 2005 Actual: N/A	If the President rejects the BRAC recommendations, the BRAC Commission has until this date to submit a revised list of proposed closures.
7 November 2005 Actual: N/A	Deadline for the President to approve or disapprove the revised BRAC recommendations.
Actual: 22 Nov. 2005	Designate Base Transition Coordinator (BTC).
15 April 2006	BRAC Commission terminates.
9 May 2006 (No Later Than (NLT) 6 months after date BRAC recommendations become final)	Installation personal property inventory to be completed.
9 May 2006 (NLT 6 months after date BRAC recommendations become final)	Final determination on DoD/federal requests for property, unless extended by ASN (I&E).
(upon date of final determination on DoD/federal request for property)	Publish Determination of Surplus (DOS) property in Federal Register and local newspaper. Submit to Department of Housing and Urban Development (HUD) and LRA (or local redevelopment authority) information regarding excess and surplus property.
(upon recognition of a redevelopment authority for an installation)	Publish installation information on the redevelopment authority in the Federal Register and in a newspaper of general circulation in the vicinity of the installation.

Milestone	Action
(no later than date specified by LRA, but, no sooner than 3 months and no later than 6 months after the LRA newspaper publication soliciting interesting parities)	Deadline for state and local governments, representatives of the homeless, and other interested parties to submit a notice of interest (NOIs) in the property to the redevelopment authority.
(upon date specified by redevelopment authority as described above)	Redevelopment authority shall publish the date to submit NOIs.
(not later than 9 months after the date specified by the LRA to submit NOIs)	Redevelopment authority completes and submits a redevelopment plan to the Secretary of the Navy and Secretary of Housing and Urban Development (HUD).
(not later than 60 days after submission of redevelopment plan)	HUD completes its review and notifies the Secretary of the Navy and redevelopment authority if the plan meets the requirements set forth in the DBCRA of 1990, as amended.
(not later than 90 days after LRA receives notice from HUD disapproving plan)	LRA submits a revised plan to the Secretaries of the Navy and HUD.
(not later than 30 days after receipt of revised redevelopment plan)	HUD reviews and determines if the plan meets the requirements set forth in the DBCRA of 1990, as amended.
(if HUD does not approve the revised plan and not later than 90 days after receipt of revised plan)	HUD notifies the Secretary of the Navy and the redevelopment authority what buildings and property at the installation it determines are suitable for use to assist the homeless and to the extent the revised plan meets the criteria set forth in the DBCRA of 1990, as amended.
(not earlier than: 1 week after the redevelopment plan is submitted, the date the redevelopment authority notifies HUD that it will not submit a redevelopment plan, twenty-four months after the date of approval of the closure or realignment of the installation, OR ninety days before operational closure or realignment of the installation)	Transfer of personal property and reduction in maintenance/repair facilities/equipment.

Figure 3: BRAC 2005 General Implementation Timeline

Section 2.0 Roles and Responsibilities

2.1 Assistant Secretary of the Navy (Installations and Environment)

SECNAV has assigned the responsibility for implementation of BRAC 2005 and establishing and supervising execution of DON principles, policies, and procedures relating to closures and realignments under BRAC laws to the Assistant Secretary of the Navy (Installations and Environment) (ASN (I&E)), pursuant to Secretary of the Navy Instruction (SECNAVINST) 5430.7N (reference (h)). ASN (I&E) has delegated the responsibility for BRAC implementation to DASN (I&F), who will report to ASN (I&E) on BRAC implementation actions, policy, and program direction.

2.1.1 Budget

ASN (I&E)/DASN (I&F) will:

- Direct the budget formulation and execution via DON BRAC PMO and AAUSN. AAUSN shall serve as the BSO for the BRAC Program, acting as the agent for BRAC PMO; and
- Review budget exhibits and Business Plans.

2.1.2 Real and Personal Property Disposal and Transfer

ASN (I&E) will:

- Approve surplus determinations;
- Approve economic development conveyances (EDCs) for fair market value or no cost; and
- Sign EDC memoranda of agreement (MOA).

2.1.3 Environmental Compliance and Cleanup

ASN (I&E)/DASN (E) will:

- Act as natural resource trustee pursuant to Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA);
- Indemnify response action contractors and issue orders or request that the Attorney General commence a civil action to obtain access to property pursuant to CERCLA;
- Direct that alternative water supplies be provided, individuals are relocated, and property necessary to conduct remedial actions pursuant to CERCLA is acquired;
- Exercise settlement and enforcement authorities pursuant to CERCLA;

- Sign CERCLA Federal Facilities Agreements (FFAs), CERCLA, and Resource Conservation and Recovery Act (RCRA) orders, and cleanup agreements with states;
- Coordinate DON research, development, and demonstration projects pursuant to 10 United States Code (USC) 2702; and
- Coordinate implementation of the Defense Environmental Restoration Program (DERP) with the Environmental Projection Agency (EPA) headquarters pursuant to 10 USC 2705.

2.1.4 National Environmental Policy Act (NEPA)

ASN (I&E)/DASN (I&F) will:

- Sign BRAC NEPA Records of Decisions (RODs), including both Disposal RODs and Realignment RODs; and
- Coordinate with the Secretary of the Navy and Secretary of Defense on matters regarding Joint Basing NEPA issues.

2.1.5 BRAC PMO

BRAC PMO will provide programmatic management of the entire DON BRAC process and serve as the primary DON liaison with local communities and LRAs for BRAC implementation matters. BRAC PMO will respond to Congressional inquiries concerning DON BRAC implementation issues. Director, BRAC PMO will coordinate with ASN (I&E) through DASN (I&F) on BRAC policy issues, Congressional inquiries, and controversial or sensitive matters. DON components shall refer such issues to BRAC PMO for coordination. BRAC PMO will facilitate the resolution of Joint Basing issues with other Services, and work with DoD components and other federal, state, and local agencies to ensure effective and efficient realignment and closure actions (references (e), (f), (j), & (k)).

2.1.5.1 Budget

BRAC PMO has responsibility for the BRAC budget development process, including establishing strategies and priorities, budget preparation, submission, and defense of the budget during DON, DoD, and Congressional review. CNO/CNIC, HQMC (LF), and NAVFAC will support BRAC PMO in this budget function. BRAC PMO works through AAUSN, as the BSO. BRAC PMO will oversee execution of the approved budget for BRAC actions, and be responsible for budgeting and execution for post-operational closure maintenance, environmental compliance, and caretaker needs.

Specific BRAC PMO budget functions are to:

- Develop and issue budget strategies and priorities at the beginning of the Program Objectives Memorandum (POM) cycle;
- Work with CNIC and HQMC to identify requirements and alternatives during the POM and Program Review (PR);
- Receive and evaluate annual budget submissions;
- Develop budget data for final submission through AAUSN;
- Allocate annual appropriations and direct funding distribution through Office of Budget/Financial Management Division N82 (FMB);
- Ensure BRAC Management Information System (BRACMIS) fully supports PBIS, the official Navy financial database;
- Identify budgetary impacts with respect to other DoD or federal agency interests;
- Identify and incorporate disposal and caretaker costs associated with the BRAC closure action;
- If existing BRAC budget allocation or land sale revenue is insufficient to support the environmental requirements, prepare an appropriation request with supporting justification and alternatives through the proper channels;
- Oversee execution of BRAC funds and act to resolve execution year fund obligation challenges across CNO/CNIC, HQMC, and NAVFAC; and
- Be responsible for the control of costs related to the BRAC realignment, disposal, and environmental budgets.

2.1.5.2 Real and Personal Property Disposal and Transfer

BRAC PMO will serve as the action proponent for Class I and II property disposal actions and will:

- Sign correspondence and other documents related to implementation of BRAC realignments, closures, and disposals;
- Grant, execute, amend, administer, and terminate instruments granting an interest in use of DON controlled real and personal property at BRAC closure installations, including but not limited to, easements, leases, and licenses;
- Determine when land exchanges are appropriate;
- Exercise emergency procurement powers pursuant to CERCLA section 104(h);

- Prepare ECP reports and any updates;
- Approve Finding of Suitability to Transfer (FOST), Finding of Suitability to Lease (FOSL), and Finding of Suitability for Early Transfer (FOSET);
- Receive and evaluate requests from federal entities, DoD components, and LRAs for real and personal property;
- Evaluate and determine appropriate conveyance mechanisms for property; and
- Approve all transfer and disposal actions, with the exception of economic development conveyances (EDCs), which are retained by ASN (I&E).

2.1.5.3 Operational Closure and Realignment

BRAC PMO will:

- Review and approve realignment execution schedules, requirements, and plans, and receive and evaluate requests for discretionary moves at affected installations;
- In conjunction with CNO/CNIC and HQMC (LF), establish priorities for closure and realignment tasks and goals;
- Be responsible for interagency coordination necessary to implement Joint Basing actions. In addition, BRAC PMO will be responsible for creating and executing *Transfer of Custody and Control of Real Property Agreement* (Appendix C) between BRAC PMO and CNO/CNIC and HQMC (LF); and
- Assign a Base Closure Manager (BCM)/ Base Transition Coordinator (BTC) to fulfill the responsibilities defined in the DoD BRRM (reference (g)).

2.1.5.4 Layaway and Caretaker Actions

BRAC PMO will manage layaway and caretaker programs for BRAC installations upon operational closure. In preparation for transfer of custody, BRAC PMO will:

- Review installation layaway execution schedules and plans; and
- Coordinate layaway, caretaker, and disposal at closing installations.

2.1.5.5 Base Redevelopment Planning Assistance and Community Liaison

BRAC PMO will serve as the primary DON liaison with the LRAs for BRAC implementation issues and will:

- Maintain communications with the LRAs; local, county, and state officials, as appropriate; and
- Assist in identifying disposal of real and personal property for homeless assistance.

2.1.5.6 Environmental Compliance and Cleanup

BRAC PMO will provide environmental programmatic management at closing installations with support from CNO/CNIC, HQMC (LF), and NAVFAC in accordance with the *Transfer of Custody and Control of Real Property Agreement* (Appendix C) and Operating Agreements (references (e) & (f)). For its environmental programs, BRAC PMO will:

- Develop an expeditious environmental cleanup and restoration strategy, if one does not exist;
- Integrate environmental cleanup program with disposal plans;
- Develop accelerated environmental cleanup strategy for property identified for covenant deferral;
- Ensure environmental compliance under applicable federal and state environmental laws and regulations (i.e. CWA, CAA, etc.);
- Sign permits at closed installations under RCRA;
- Execute environmental restoration responsibilities at facilities closed under BRAC with the exception of the responsibilities which are retained by ASN (I&E), listed in section 2.1, to the same extent as a shore facility commander, including, but not limited to developing decision documents under CERCLA and decision documents for corrective action under the RCRA, and reports required by the Community Environmental Response Facilitation Act (CERFA); and
- Appoint BRAC Environmental Coordinators (BEC). In developing and implementing the overall environmental program for their assigned BRAC properties, the BEC serves as the primary interface with regulatory agencies and all associated stakeholders.

2.1.5.7 National Environmental Policy Act (NEPA)

BRAC PMO will:

- Consistent with SECNAVINST 5090.6A (reference (u)), provide program oversight at realigning installations with support from CNO/CNIC, HQMC (LF), and NAVFAC, for compliance with NEPA;

- Serve as the action proponent, prepare NEPA documents and lead public outreach efforts for NEPA compliance for BRAC property disposal at closing Navy and Marine Corps installations;
- Sign Findings of No Significant Impact (FONSIs) and Records of Categorical Exclusion (CATEX) under NEPA for BRAC property disposal;
- Approve budget and schedules for all BRAC NEPA actions;
- Determine the lead office responsible for Joint Basing NEPA actions;
- Review all draft and final NEPA documents prior to submission to ASN (I&E)/DASN (I&F);
- Review all environmental assessment (EA) notification letters and NOI packages related to BRAC;
- Review all BRAC environmental impact statement (EIS) documents prior to submission to ASN (I&E)/DASN (I&F); and
- Review and coordinate, as appropriate, with DASN (I&F) and DASN (E) any realignment/relocation EAs that involve potentially sensitive issues, are controversial, and/or which could substantially affect schedules for closing installations.

2.1.5.8 Cultural and Natural Resources Compliance

BRAC PMO will:

- Ensure cultural and natural resources compliance for disposal and closure sites under applicable federal and state laws and regulations to the same extent as a shore facility commander, including, but not limited to, signing MOAs under the *National Historic Preservation Act of 1966* (NHPA) (reference l);
- For disposal and closure sites, conduct necessary consultations with regulatory agencies for compliance with natural and cultural resources laws and regulations; and
- Oversee cultural and natural resources related schedules to ensure that they do not negatively effect realignment, closure, or disposal actions.

2.2 Chief of Naval Operations (CNO) and Commandant of the Marine Corps (CMC)

In accordance with the Operating Agreement, *Concerning the Establishment and Operation of the BRAC PMO*, of 3 March 2005 (reference (e)), CNO and CMC will provide support to and coordinate with BRAC PMO in carrying out BRAC implementation activities and establishing

priorities for BRAC actions. CNO/CNIC and HQMC (LF) will manage execution of DON realignment actions. CNO/CNIC and HQMC (LF) will plan the operational closure of installations and realignment of operating forces and displaced tenants, with minimal impact to unit readiness (references (e), (j), & (k)).

2.2.1 Budget

CNO/CNIC and HQMC (LF) will:

- Provide BRAC PMO with cost and savings estimates for the operational closure of DON installations and the realignment of operating forces and serve as the execution agent for DON commands with realigning activities;
- Prepare budget documents and program requirements necessary to support the execution of closure and realignment actions;
- Provide funds to Navy and Marine Corps Forces (NAVFORs and MARFORs), mission commands, regions, installations, Type Commanders (TYCOMs), operational units, and activities to execute BRAC actions. CNO/CNIC and HQMC (LF) will track costs to the local activity level;
- Identify resource requirements and capabilities for consideration in the POM and PR;
- Develop 'swing' projects that can be awarded during program execution to advance BRAC implementation if budgeted projects can not prudently be awarded; and
- Designate headquarters level Points of Contact (POCs) to coordinate funding requests and budget actions.

2.2.2 Personal Property Inventories and Transfer

CNO/CNIC and HQMC (LF) will:

- Direct and approve personal property inventory reports for the installation under their cognizance;
- Submit personal property inventory reports to BRAC PMO for concurrence; and
- Upon the conclusion of personal property transfers, provide BRAC PMO with a final inventory disposition report.

2.2.3 Operational Closure and Realignment

CNO/CNIC and HQMC (LF) will:

- Execute operational movements for the cessation of mission operations at affected installations, resulting in the vacating and layaway of buildings;

- Provide implementation guidance regarding personnel movement actions;
- Provide community liaison support to BRAC PMO through regional commands, mission commands, NAVFAC, or installations up to operational closure; and

2.2.4 Layaway and Caretaker Actions

CNO/CNIC and HQMC (LF) will:

- Generate layaway budget requirements as dictated by the BRAC service levels into which the facility is placed;
- Develop facility layaway plans for each facility or group of similar facilities;
- Conduct facility inspections; and
- Execute facility layaway plans as per the *BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance* (Appendix B).

2.2.5 Environmental Compliance and Cleanup; Cultural and Natural Resources

CNO/CNIC and HQMC (LF) will:

- Ensure that environmental program requirements as a result of the BRAC action are identified and communicated between the losing, gaining, and closing commands;
- Identify environmental permits, processes, or units for transfer to BRAC PMO custody and control upon operational closure;
- Carry on existing environmental programs at realigning installations;
- Maintain environmental compliance programs at closing installations up to operational closure;
- Establish and maintain long term environmental records required by law, program, or policy;
- Provide BRAC PMO copies of all permits and associated records at closing installations; and
- Follow the environmental layaway considerations detailed in the *BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance* (Appendix B).

2.2.6 National Environmental Policy Act (NEPA)

CNO/CNIC and HQMC (LF) will:

- Support BRAC PMO in NEPA compliance, including but not limited to, information, schedules, milestones, and any other information requested by BRAC PMO, for real property disposal actions;
- Provide necessary information to complete NEPA compliance for Joint Basing actions;
- Act as action proponent for NEPA compliance for realignment actions at gaining activities;
- Provide budget submission to BRAC PMO and coordinate fund allocation from AAUSN;
- Submit to BRAC PMO all EA notification letters and NOI packages related to BRAC;
- Submit to BRAC PMO any realignment/relocation EAs that involve potentially sensitive public interest issues, are controversial, and/or which could substantially affect schedules for closing installations; and
- Obtain endorsement from BRAC PMO prior to submission of realignment EISs to ASN (I&E)/DASN (I&F).

2.3 Naval Facilities Engineering Command (NAVFAC)

NAVFAC will provide project management support to BRAC PMO, CNO/CNIC, and HQMC (LF). NAVFAC fulfills its responsibilities as an Echelon II command for BRAC decisions affecting its field organizations as well as providing technical and project management support on a reimbursable or direct funded basis (references (e), (f), (j), & (k)).

2.3.1 Budget

NAVFAC will:

- Support regions and installations in developing military construction budget requirements necessary to accomplish BRAC actions in time to meet POM/PR/budget submission needs; and
- Develop and consolidate BRAC construction (BRACON) estimates for Navy facilities and/or Marine Corps facilities and DON-led joint or combined use facilities for CNO/CNIC and HQMC (LF). NAVFAC will prepare and provide budget documents in support of these estimates, and in cooperation with BRAC PMO, will be responsible for the identification of construction cost savings.

2.3.2 Operational Closure and Realignment

NAVFAC will:

- Support regions and installations with technical processes and systems or general project management;
- Provide planning and design services to installations;
- Perform site planning, facilities assessments, and project documentation; and
- Execute BRACON.

2.3.3 Environmental Compliance, Cleanup, Cultural, and Natural Resources, and NEPA

NAVFAC will provide technical and contracting support and project management services as requested.

2.4 Echelon II Commands

Echelon II commands will provide technical and project management support as requested by CNO/CNIC N46 and HQMC (LF) to review and approve budget submissions from installations, and assist in the gathering and consolidation of supplementary budget information. Echelon II commands will provide operational closure and realignment support, coordinated implementation schedules and timelines, and oversee execution of BRAC actions (references (e), (f), (j), & (k)).

2.5 Navy and Marine Corps Regional Commands

Regional commands will provide program management support to the installations in the planning and execution of BRAC actions and oversee the implementation of BRAC actions from a regional level. Such support shall include, but not be limited to, public affairs, community and regulatory liaison, budget preparation and review, personnel transition and movement plans, and facility layaway and maintenance (references (e), (j), & (k)).

2.5.1 Budget

Navy and Marine Corps regional commands will:

- Develop and maintain budget and execution schedules to track progress, allocations, obligations, and expenditures; and
- Establish an overall Plan of Action and Milestones (POA&M) and budget cost estimates to complete the BRAC actions within the region.

2.5.2 Operational Closure and Realignment

Navy and Marine Corps regional commands will:

- Review and approve personal property inventory reports;
- Review and evaluate execution plans at realigned installations;
- Plan and execute regional logistical services for transporting materials, property, and personnel as required, including coordination with Fleet Industrial Supply Centers (FISCs), Defense Reutilization and Marketing Office (DRMO), and Defense Logistics Agency (DLA);
- Support mission drawdown and operational closure or realignments of installations; and
- Evaluate discretionary moves at affected realigning installations.

2.5.3 Environmental Compliance, Cleanup, Cultural and Natural Resources, and NEPA

Navy and Marine Corps regional commands will:

- Identify and communicate environmental impacts to the gaining, losing, or realigned commands within the region;
- Provide support to installations for NEPA documentation, including but not limited to information, schedules, milestones, and any other information requested by BRAC PMO, for realignments;
- Assist in validation of cultural and natural program funding requests, requirements for studies, surveys, and compliance activities for realignments;
- Support BRAC PMO on disposal actions;
- Draft and consult on MOAs and Programmatic Agreements (PAs) for compliance action related to realignments;
- Monitor and report on the progress of cultural and natural resource activities to assure timelines are consistent with closure and realignment schedules; and
- Provide cultural and natural resources data and resource expertise in support of compliance and consultations regarding disposal actions, including sharing of background information, status of resources, regulatory relationships, and providing recommendations on requirements and funding.

Section 3.0 Budget

The annual BRAC budget submission is a three phase process covering submissions to FMB, OSD, and Congress. The annual BRAC budget submission is due by dates set forth in budget guidance issued by the Navy comptroller. DON components will follow the DoD budget submission schedule and utilize the DoD directed business plans as a basis for fund allocation (references (j) & (k)). As BRAC implementation progresses, annual budget estimates will be prepared and submitted in accordance with CNO/CNIC and HQMC (LF) budget processes and directives. The annual BRAC budget submission will reflect realistic one-time and recurring implementation costs and savings. CNO/CINC and HQMC (LF) will ensure that Navy and Marine Corps components are cognizant of and in agreement with the savings identified. Implementation costs will be reflected in the BRAC account and savings will be reflected in the non-BRAC accounts. Estimated implementation costs and savings will be submitted by CNO/CNIC and HQMC (LF) at the line item, Activity Grouping (AG)/Sub-Activity Grouping (SAG), and project levels as appropriate, so as to avoid any questions as to which items are allowable. DON components should understand that a separate BRAC 1990 account exists, and there is a barrier between prior year and current BRAC 2005 funding accounts.

3.1 Automated Budget Management Information System

The Base Realignment and Closure Management Information System (BRACMIS) will be the central repository for annual BRAC budget data and will be the source for producing the final BRAC budget exhibits. CNO/CNIC and HQMC (LF) will develop detailed BRAC budget requirements and supporting justification materials. The Echelon II commands will review requirements, consolidate submittals, and forward to CNO/CNIC and HQMC (LF). Echelon II components not covered by CNIC will consolidate their own budget requirements and forward their budget submission to BRAC PMO. The closing/losing/realigning installations responsible for consolidating and inputting budget data and narratives into BRACMIS will be directed by CNO/CNIC and HQMC (LF) budget procedures and guidelines. NAVFAC will hold lead responsibility for BRACON budget information. Navy and Marine Corps Regions will support NAVFAC in developing these BRACON requirements. CNO/CNIC and HQMC (LF) will consolidate budget requirements into a single budget submission package and forward the package to BRAC PMO. BRAC PMO will input the narratives into BRACMIS for disposal and caretaker related actions.

BRACMIS will consist of two interrelated components. The first component will support the Business Plan process and the second component will support the budget process. BRAC PMO will use BRACMIS to generate budget exhibits and Business Plans based upon inputted data.

3.1.1 Business Plan Component

The Office of the Secretary of Defense required DON to submit Business Plans detailing the required actions, timing, and resources necessary to implement BRAC recommendations. Each Business Plan will reflect the recommendation, description of actions, unit movements and schedules and a detailed financial plan, including BRACON and environmental actions. CNO/CNIC and HQMC (LF), along with Echelon II component commands, will input the Business Plan financial and narrative data into BRACMIS. CNO/CNIC and HQMC (LF), along with the Echelon II component commands and the supporting Navy or Marine Corps Regions, will validate the requirements and provide adequate and detailed justification in the narrative portion of BRACMIS for any deviation from Cost of Base Realignment Action (COBRA). To assist in the programmatic management of the DON BRAC budget, BRAC PMO will generate the necessary financial displays from the BRACMIS data. BRAC PMO will review the BRACMIS data and have final approval authority. It is BRAC PMO's intention to ensure the capability for accurate and timely uploads and downloads between BRACMIS and PBIS.

3.1.2 Budget Component

BRAC PMO will utilize BRACMIS to create a budget snapshot of the BRAC requirements and will prepare budget exhibits, which will include annual implementation costs and savings. BRAC PMO will follow existing DON Comptroller mandated formats in preparing these exhibits. NAVFAC will prepare and manage the associated form DD 1391s for military construction (MILCON) projects. NAVFAC will complete the MILCON costs and savings sections of BRACMIS in coordination with CNO/CNIC and HQMC (LF). CNO/CNIC and HQMC (LF) will also develop and input into BRACMIS program budget estimates for Joint Basing installations where DON is the gaining military department (MILDEP). BRAC PMO, in cooperation with CNO/CNIC and HQMC (LF), will program/budget for the costs and savings.

3.1.2.1 Budget Process Flow

Installations will input and edit dollar amounts from COBRA baselines in BRACMIS to reflect real life circumstances and requirements. Installations and operating units will also add

narratives to BRACMIS dollar amount data supporting the stated requirements. Installations will submit best projections available, including a schedule of the closure and realignment actions to be carried out by Echelon II Commands. Echelon II commands and Regions will then review and modify closing and realigning installation BRACMIS data before submission of a consolidated budget requirements package to CNO/CNIC and HQMC (LF). CNO/CNIC and HQMC (LF) will consolidate Echelon II Command and Regional budget submissions, review and modify submissions as necessary, and submit consolidated budget package to BRAC PMO. BRAC PMO will review and modify as necessary, and finally, via AAUSN, submit the budget documents and database to FMB. FMB will submit budget requirements and justification packages to OSD or Congress.

3.2 Controls on Use of Base Closure Account Funds

BRAC PMO will advise FMB concerning requirements and direct the release of funds. BRAC Operation and Maintenance (O&M) funds to support realignment and closure actions will be allocated directly to CNO/CNIC and HQMC (LF). CNO/CNIC and HQMC (LF) will distribute funds to mission commands. Echelon II commands, installations, and affected operating units will maintain complete visibility of funds down to the individual charge at the unit level for BRAC related funds. NAVFAC will receive BRACON funds directly from FMB.

Section 4.0 Real Property Disposal/Transfer

Rapid disposal of real property at closed installations expedites reuse and is in the best interest of both the affected communities and DON. DoD and DON are committed to using the most applicable real property conveyance authorities to achieve rapid disposal. BRAC PMO will be the action proponent for Class I and II property disposals in coordination and cooperation with CNO/CNIC and HQMC (LF). BRAC PMO will develop plans, schedules and requirements, and implement real property disposal actions. BRAC PMO will be responsible for securing any necessary federal or state regulatory action or approval.

BRAC PMO may utilize a mix of conveyance options, i.e., “all the tools in the toolbox,” including but not limited to: transfers to other DoD and federal agencies, reversionary rights, homeless conveyances, public benefit conveyances (PBC), EDCs, public and negotiated sales, sales in conjunction with cleanup, and conservation conveyances. Figure 4 depicts this real property disposal process. Except for EDCs, BRAC PMO will be the final DON authority on disposition of

property, resolution of disputes and conveyance agreements, and will sign conveyance and lease agreements. Final EDC approval authority is retained by ASN (I&E). This section highlights DON roles and policy relating to real property. Full details on all property disposal aspects can be found in the DoD BRRM (reference (g)), including information on:

- Screening and Disposal (Reversionary Rights, Public Trust Doctrine and Legislative Disposal);
- DoD and Federal Property Transfer
  - Withdrawn Public Domain Lands
  - Air Traffic Control and Air Navigation Equipment
  - Property for Indian Tribes;
- Determination of Surplus
  - LRA outreach;
- Completion of Redevelopment Plan;
- Homeless Assistance Application;
- Property Disposal Alternatives (“the Toolbox”), including property for use by the Homeless, PBC, Public and Negotiated Sales, and EDCs; and
- Property Disposal Planning, including appraisals, CERCLA deferral, compliance with appropriate conservation statutes, and leasing.

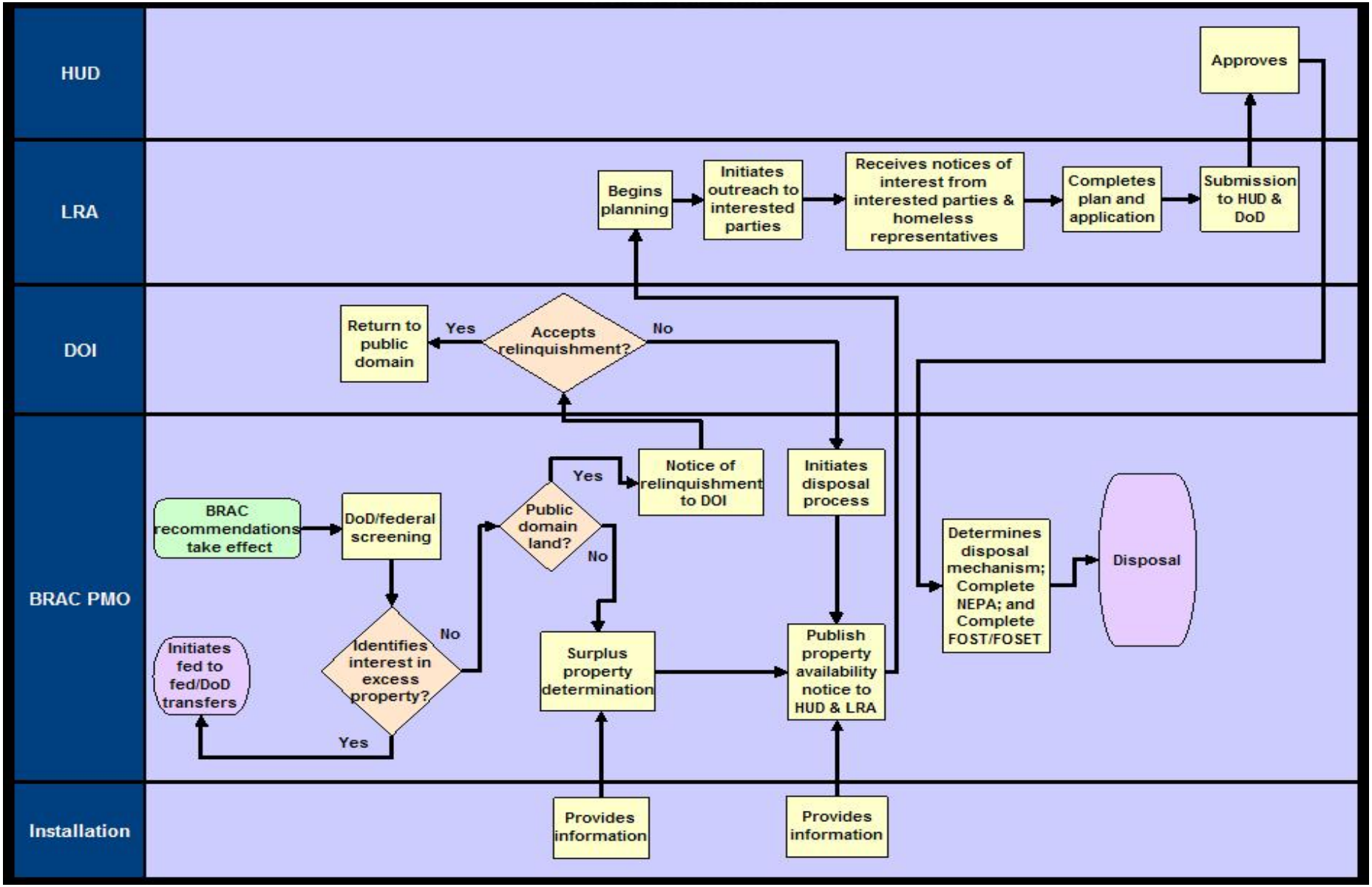

Figure 4: Real Property Disposal Process

4.1 DoD/Federal Property Screening and Determination of Surplus (DOS)

The BRAC statute requires DON to make final determinations regarding DoD and federal property needs for excess property at closing and realigning installations no later than six months after the date of approval of closure or realignment. By statute, this period may be extended by DON, in consultation with the LRA, if DON determines that such postponement is in the best interests of the communities affected by the closure or realignment of the installation. The time period for making final determinations regarding DoD and federal property needs will only be extended in unusual circumstances and when good cause is shown**.**

The transfer of excess property to the receiving military department (MILDEP) or other federal agency should be completed as quickly as possible following final approval of transfer requests. The head of the department or agency requesting the property must make a firm written commitment to accept the property, under the terms that DON has offered, before the end of the federal screening period.

A requesting federal agency's decision to decline the transfer of a portion of the installation after the determination of surplus (DOS) has been made will significantly complicate the planning process and increase costs. Similarly, late property transfer requests after the property has already been determined surplus can delay and frustrate redevelopment planning and increase costs to participants. Accordingly, late requests to withdraw previously approved transfer requests or submit new transfer requests after surplus determinations may only be approved by ASN (I&E). Late requests will only be approved in cases where there is an unusually compelling and unforeseen national or public interest that was not known at the time that the surplus determination was made.

4.2 Public Benefit Conveyances (PBC)

BRAC PMO will act as the community liaison for DON regarding PBCs, approve/disapprove all PBC requests, and review and sign all PBC assignments. Approvals or assignments for PBCs are not automatic; BRAC PMO will balance the justification for the PBC request with the highest and best use of a particular parcel consistent with the LRA redevelopment plan. Once an entity has expressed interest in a public benefit conveyance, the entity is referred to the appropriate

federal agency with responsibility to sponsor or otherwise approve the application. The federal agency will determine the applicant's eligibility to acquire the property and make a recommendation or request to BRAC PMO for conveyance or assignment. In those cases where BRAC PMO is not preparing the deed, BRAC PMO will inform the sponsoring agency of any required institutional controls that must be included in the deed. The sponsoring agency shall be responsible for monitoring compliance with institutional controls restricting property use to the specified public purpose. Details on the PBC process are set forth at 41 CFR 101 (reference m). Figure 5 depicts the PBC process.

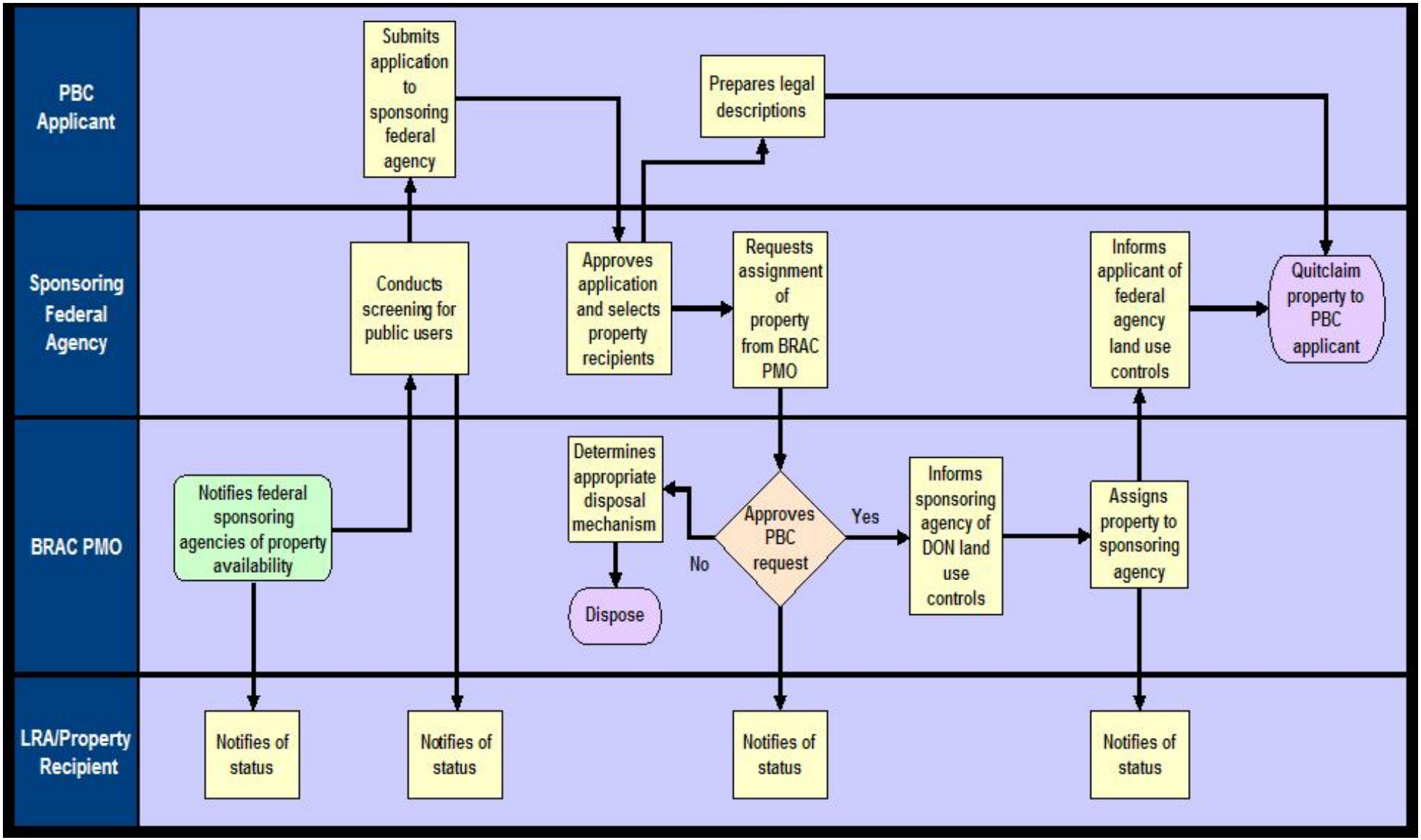

Figure 5: Public Benefit Conveyances

4.3 Economic Development Conveyances (EDC)

The BRAC statute, as amended, directs military departments to seek fair market value consideration for property at installations closed or realigned after January 1, 2005. ASN (I&E) may grant an EDC under only one of two conditions: for fair market value or without consideration. EDC approval is not automatic. Real and personal property may be conveyed to an LRA for the purpose of job generation. Only an LRA is eligible to acquire property by an EDC. The LRA's application must demonstrate that the proposed uses for the property will generate sufficient jobs to justify an EDC conveyance. EDC proposals and conveyance determinations must be approved by OSD.

4.3.1 Memorandum of Agreement

Upon approval of the proposal, BRAC PMO may negotiate a MOA with the LRA. ASN (I&E) will sign EDC MOAs. BRAC PMO will use annual reports from the LRA to monitor MOA compliance. Certain basic elements are required in the MOA in order to ensure consistency and substance. The MOA must include the following elements:

- Annual reports from LRAs demonstrating compliance, highlighting funds potentially available for recoupment for up to a 30-year period, and redevelopment timetables and milestones;
- Annual audits conducted by an independent certified public accountant (CPA), identified and agreed upon in the MOA;
- Notification to BRAC PMO prior to any change in the selection of the CPA;
- Financial statements detailing EDC specific financial information by income and expense categories, use of funds derived from the sale or lease of EDC property, and disclosure of any windfall profits or losses;
- Segregation of revenues and expenses from any other sources of revenue, such as state funding, related to sales and leases of EDC property on the financial statements;
- Notice of modifications to approved redevelopment plans resulting in a financial impact;
- LRA agreement that the proceeds of sale or lease of the property received during the 30 year period after the initial conveyance shall be used to support the economic development related to the installation;
- A statement that original terms applicable to LRAs are also applicable to any public entity to which EDC property is transferred by the LRA; and

- Reporting of net minimal proceeds in the event the LRA must transfer the property title to a local financing authority to obtain long term debt financing.

Figure 6 depicts the EDC process.

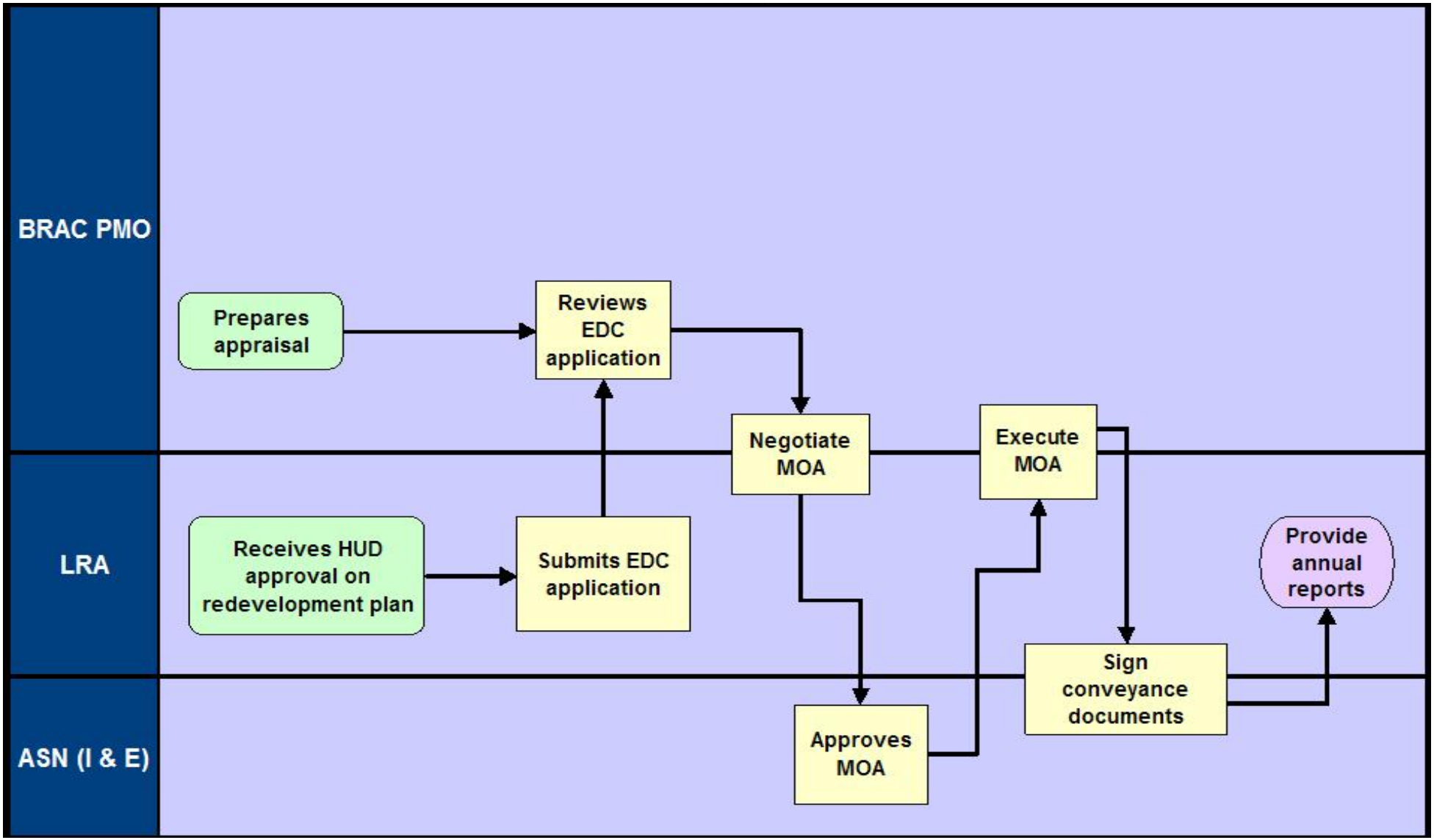

Figure 6: Economic Development Conveyance

4.4 CERCLA Covenant Deferral Process – Early Transfer

Early in the property disposal planning process, property should be identified that appears to be suitable for an “early transfer” conveyance by using the process authorized in CERCLA for deferral of the CERCLA 120(h)(3)(A)(ii)(I) covenant (which provides warranties regarding completion of environmental remediation). DON’s objectives for BRAC disposal are to encourage early transfer and privatization of cleanup whenever possible and appropriate. This covenant deferral process can be used in combination with any of the property disposal authorities, including where the property recipient has accepted responsibility to perform clean up or where cleanup is retained by DON.

BRAC PMO is responsible for ensuring that prospective purchasers have the technical expertise and financial capability to complete the cleanup for early transfers. BRAC PMO will evaluate responses to any solicitations, determine qualification requirements, and notify bidders of its decision. BRAC PMO will be responsible for negotiating the early transfer cleanup terms, documenting regulator approval of the cleanup proposal, developing and finalizing a binding purchase agreement, and tendering a deed that includes the appropriate institutional controls. Figure 7 depicts the covenant deferral process.

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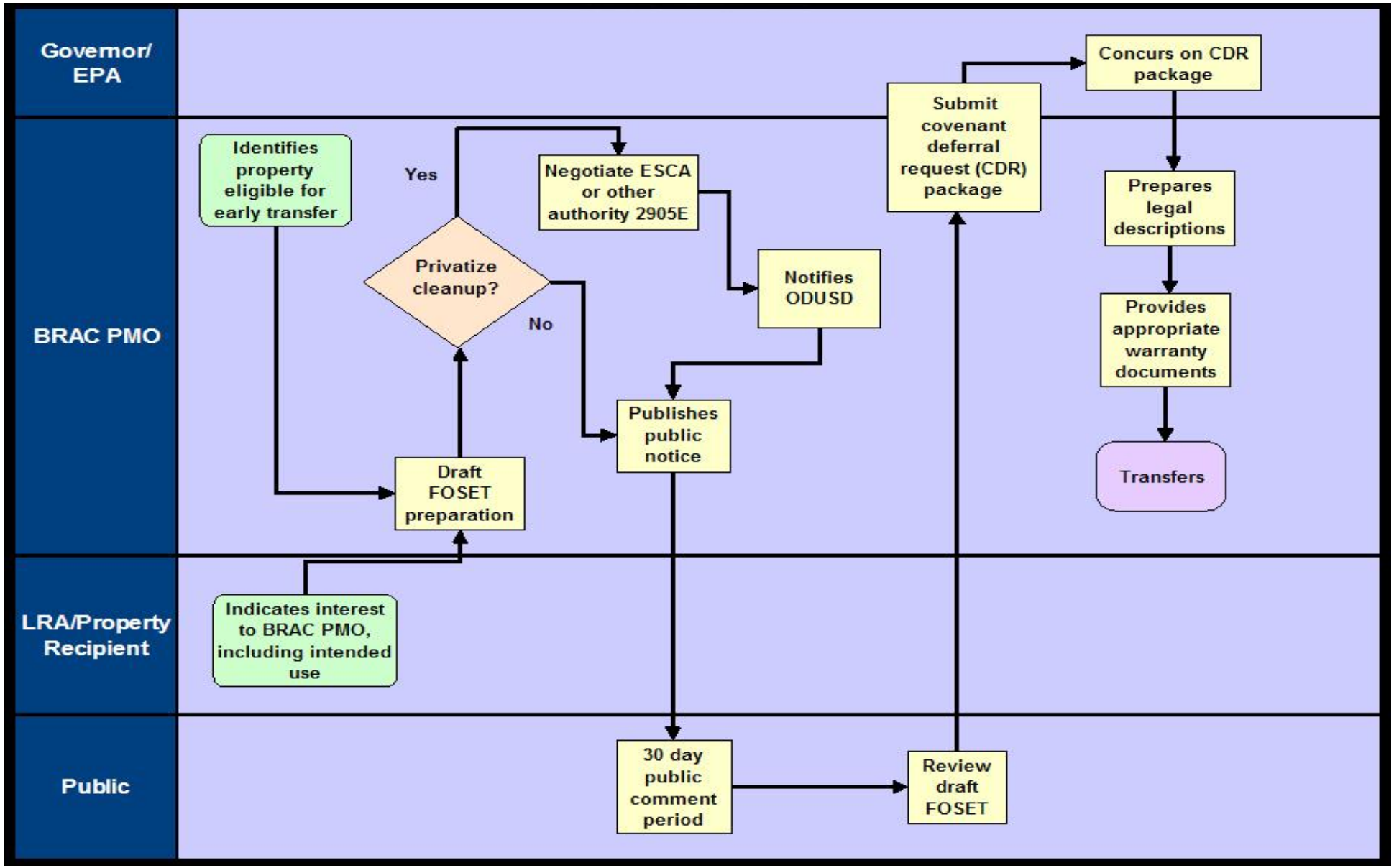


Figure 7: Covenant Deferral Process

4.5 Institutional Controls

Institutional controls (ICs) are common legal mechanisms used to limit access to or restrict the use of property to protect human health and environment. Environmental ICs are developed under the environmental restoration program (see Section 9.0). Property recipients should be made aware that under some circumstances institutional controls may be a necessary element of the disposal of property.

4.6 Documentation for Transfer or Lease

The DoD BRRM (reference (g)) provides a new template for FOSTs and FOSLs, including language to be used in deeds. The template is organized along the lines of land use restrictions for FOSTs and FOSLs rather than environmental conditions. The environmental conditions should be discussed as they relate to and support the appropriate land use restrictions. For matters specifically related to hazardous substances, petroleum products, and other regulated materials (e.g., asbestos) on the property, BRAC PMO shall sign a Finding of Suitability to Transfer/Lease (FOST/FOSL) summarizing how the applicable requirements and notifications for these substances and materials have been satisfied.

4.6.1 Finding of Suitability for Early Transfer (FOSET) Summary

The FOSET allows transfer of the property by the appropriate conveyance mechanism prior to DON completing the cleanup actions. In such cases, either DON or the property recipient may conduct cleanup actions. The benefits of a FOSET are to place the property into local hands sooner in order to generate income and begin integrated redevelopment.

The process and documentation for obtaining approval from the Governor of a State to transfer DoD real property not on the National Priorities List (NPL) to a non-federal entity prior to completion of all necessary remedial action is provided under the Office of the Under Secretary of Defense (OUSD), Acquisition and Technology memo on *Environmental Review Process to Obtain the Finding of Suitability Required for Use of Early Transfer Authority for Property Not on the National Priorities List* (reference (n)). DoD's, October 2004, *A Guide to Using Early Transfer Authority to Dispose of Surplus Property* provides additional guidance in addition to the DoD BRRM (reference (g)).

Section 5.0 Personal Property Disposal

Personal property includes all property except naval vessels, land, fixed-in-place buildings, and records of the federal government. Personal property associated with closing installations is an asset of DON and the nation. The continued need of the Military Department (MILDEP) in using the personal property to support its relocating units or other military missions and functions at another installation is of paramount consideration in determining the ultimate disposition of the property. Non-DoD owned property, such as non-appropriated fund (NAF) property, which is no longer required as a result of BRAC action, will be disposed of by the owning agency. Closure of naval installations under BRAC requires that personal property that can be used to support community redevelopment plans, after military/federal requirements are met, be made available for such purposes. There may be requirements to preserve and store significant amounts of personal property. Other options available for personal property disposal include; negotiated sales, public sales, public benefit conveyances, homeless assistance conveyances, economic development conveyances, and transfer to DRMO. Full details related to the storing, layaway, disposal, and transporting of personal property are provided in the *BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance* (Appendix B).

5.1 DON Policy

It is DON policy that a need for personal property needed to support its relocating units or other military missions and functions at another installation is the paramount consideration in determining the ultimate disposition of the property. Removal of personal property to be used by other Navy Commands (or other DoD and federal users) is to be budgeted for and funded by those agencies. Personal property not required by DON can have an important impact on the local community's prospects for economic recovery by enhancing the reutilization and redevelopment of installations. Personal property disposal is at the discretion of DON, but decisions will be made in consultation with the LRA. BRAC PMO will have final authority on personal property movement, scheduling, and agreements, except for the disposal of NAF property, as discussed in Section 5.2.2.1, which is managed separately from the disposal of Government owned property. The Operating Agreement between DASN (I&F), CNIC, and HQMC (LF) of 3 March 2005 (reference (e)), ASN (I&E) Memorandum of 14 November 2005 (reference (i)), and Department of Defense Instruction (DODI) 1015.1, *Programs for Military Morale, Welfare and Recreation (MWR)* (reference (o)), should be reviewed prior to any action on the disposal of NAF property.

5.1.1 BRAC PMO Management

BRAC PMO, the action proponent for disposal, will review, approve, and sign appropriate personal property conveyance mechanisms. Grantees must pay fair market value for personal property conveyed via negotiated and public sales. BRAC PMO will coordinate the transfer of personal property to local and state agencies.

Disagreements arising out of the categorization and reuse of personal property will be forwarded by the installation to CNO/CNIC or HQMC (LF) for resolution. Final authority for resolving personal property disputes rests with BRAC PMO. BRAC PMO will make every reasonable effort to respond to requests by the LRA within 30 days to reconsider an issue related to personal property availability or disposal decisions made by the installation, tenant commander, or CNO/CNIC and HQMC (LF).

After property is deemed surplus and not needed by the LRA in support of its redevelopment plan, BRAC PMO will support CNO/CNIC and HQMC (LF) as necessary in the transfer of property to DRMO.

5.2 Inventory

The BRAC statute requires that personal property inventories, which identify DON retained and surplus equipment, be completed within six months of the date of approval. The installation will begin the personal property inventory as soon as possible after the date of approval. The objective of the inventory is to establish the status of personal property required for continuing military missions and identify, as early as possible, personal property that will be made available to the LRA for reuse planning purposes. The inventories will include related and non-related personal property and personal property of DoD tenant commands affected by the closure or realignment. These inventories will exclude non-DoD tenant organization personal property and NAF owned property.

In preparing inventories, the level of detail should be consistent with the residual value (if any) of the personal property. Use of existing records is encouraged. If records are nonexistent or inaccurate, summary inventories can be developed by facility (e.g., building number, square footage of administrative space, furnished), or simple item count (e.g., Bachelor Quarters Bldg. 458: 752 twin beds, 472 night stands, 750 dressers, etc.). The objective is to make informed

decisions on the disposition of property. Figure 1-2 in Appendix B illustrates the process for identifying categories of personal property.

5.2.1 Property Unavailable for Reuse

Full descriptions of personal property unavailable for reuse, and guidance regarding such property is available in the *BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance* (Appendix B, Chapter 1). Such property includes:

- Personal property required for operational units;
- Uniquely military personal property;
- Personal property required by another federal agency;
- Stored property;
- Historical and archeological artifacts; or
- Property that is not required by LRA.

BRAC PMO will serve as the primary agent between other federal agencies and the LRA for personal property disposal actions.

5.2.2 Additional Property That May Be Available for Reuse

5.2.2.1 Non-Appropriated Fund (NAF) Property

CNO/CNIC and HQMC (LF) will determine, through the inventory process, whether NAF property is present. The owners of NAF personal property may either relocate the property to another installation or sell the property on site; however, the community should be aware the NAF personal property belongs to the Sailors and Marines collectively and is subject to rules different than those for appropriated fund (APF) personal property. At their discretion, NAF property owners may notify the LRA (or other potential user) of their intent to sell or otherwise transfer the property. Inventory lists with disposition of property should be provided to BRAC PMO. Terms of the transfer are subject to negotiation between the owner and the new user. If the NAF property owners give notice that they will sell the property, the local authorities or other user may negotiate an appropriate sale price with the owners and purchase the property. The NAF property owner retains final authority to make decisions regarding transfers of NAF property. BRAC PMO will support CNO/CNIC and HQMC (LF) where necessary and requested.

5.2.2.2 Air Emissions Credits

The Clean Air Act (CAA) and implementing state regulations may allow movement or transfer of emission incentives or credits. DON considers Air Emissions Credits personal property. Since programs differ from state to state, and regulatory changes are frequent, consultation with air emissions experts within DON is required to determine the availability of these credits. BRAC PMO will make decisions on the distribution of any available emission credits not required by DON after consultation with the LRA, the local Air Quality Control Region (AQCR), and other MILDEPs.

Emission credits are important to both the military and the community. CNO/CNIC and HQMC (LF) shall inventory existing emission sources, including stationary and mobile sources, and existing air permits with expiration dates, as a part of the ECP process.

Consistent with full protection of military readiness, distribution of emission credits from closing installations (if available under applicable law) should reasonably accommodate military needs, community redevelopment needs, and state and local air quality attainment goals. However, it is DON policy to retain emission credits when they are determined necessary to support the military mission. After completing the inventory of excess credits, BRAC PMO will request that the LRA identify emission credits reasonably needed to support planned economic development.

When a receiving installation is located in an area that could receive credits, offsets, or allowances from a closing installation, the receiving installation should determine its emission needs as early as possible, and advise CNO/CNIC and HQMC (LF) immediately in writing with a specific emission transfer/trading request and justification. Special consideration to the receiving installation's needs should be given in the distribution decision.

Where allowed by local rule, transfer of existing permits with transfer of ownership of the emission source should be considered by the LRA as well.

5.3 LRA Consultation and Walk Through

BRAC PMO shall coordinate, with support from CNO/CNIC and HQMC (LF), personal property related decisions with the LRA early in the redevelopment planning process. BRAC PMO will

consider reasonable requests for personal property information from the LRA and ensure that the LRA has knowledge of transferable personal property and which items are being relocated off-installation or disposed of by other means.

5.4 Final Personal Property Disposition Decisions

CNO/CNIC and HQMC (LF) will provide BRAC PMO with all inventories and disposition decisions. BRAC PMO will inform the LRA of the final decisions concerning the redistribution of personal property. Unwanted surplus personal property will be disposed of in the manner delineated in the *BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance* (Appendix B), and the DoD BRRM (reference (g)). Disagreements over property disposition will be forwarded to BRAC PMO for resolution.

5.4.1 Transfer of Title

Bills of Sale for BRAC personal property will be executed by BRAC PMO. The affected installation is responsible for preparing and signing *U.S Government Certificate To Obtain Title To A Vehicle Form* (SF97) for vehicles that are required for interim caretaker functions prior to the transfer of custody and control, defined in *BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance* (Appendix B).

Section 6.0 Operational Closure and Realignment

The BRAC process can involve three possible scenarios: 1) Realignment of an installation that includes property disposal; 2) Closure of an installation; and 3) Realignment of an installation that does not involve property disposal. To the extent that an individual installation is experiencing one or more of the above scenarios, the CNO/CNIC and HQMC (LF) will need to coordinate with the different commands and offices within DON to successfully execute those responsibilities. Operational closures and mission realignments will be executed by CNO/CNIC and HQMC (LF).

6.1 Transfer Agreements

For BRAC actions involving property disposal, a transfer of custody and control agreement will need to be signed. Actions required for the transfer of custody and control will be implemented in accordance with the milestones addressed in the *Transfer of Custody and Control of Real Property Agreement* (Appendix C) between the Host Activity and BRAC PMO. This transfer

agreement will govern the allocation of responsibilities between the Host Activity, CNO/CNIC or HQMC (LF), and BRAC PMO for the transfer of property custody from the Echelon II claimancy to the BRAC PMO.

6.2 Reporting Requirements to BRAC PMO

For BRAC realignment actions, BRAC PMO will require program status reports. CNO/CNIC and HQMC (LF) will submit Business Plans and updates, as needed, to the plans to BRAC PMO. In addition to the Business Plan updates, CNO/CNIC and HQMC (LF) will submit status reports (format will be determined) to BRAC PMO that briefly identify milestones accomplished, milestones needing revision, and obstacles to achieving milestones. These reports are required to assure BRAC actions are completed within the mandatory timeframes and to assure that budgets are adequate to support the process. As part of this reporting, CNO/CNIC and HQMC (LF) will identify and report status of discretionary moves that have an impact on BRAC actions and coordinate such actions with BRAC PMO.

For BRAC closure/disposal actions, CNO/CNIC and HQMC (LF) will submit Business Plans and updates, as needed, to the plans to BRAC PMO, as well as status reports (format to be determined) to BRAC PMO. In addition, CNO/CNIC and HQMC (LF) will provide quarterly status reports on layaway activities and other milestones required by the *BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance* (Appendix B) and the *Transfer of Custody and Control of Real Property Agreement* (Appendix C).

6.2.1 Recordkeeping

Operational closure and realignment will involve the transfer of records as well as the transfer of functions within DON. The proper transfer and tracking of such records is required to ensure continuity of functions. CNO/CNIC and HQMC (LF) are to coordinate such transfers between activities and offices involved and according to policies and procedures outlined in SECNAVINST 5210.8D (reference (p)). Records pertaining to all civilian and military personnel are to be maintained and ultimately transferred according to existing Navy and Marine Corps policies for military and civilian personnel records. Facility and environmental records will be inventoried and transferred to BRAC PMO in accordance with the transfer agreement. See Section 7.7 for additional guidance. BRAC PMO will rely on internet Naval Facilities Assets Data Store (iNFADS) for retrieval of necessary documents. CNO/CNIC and HQMC (LF) will ensure that iNFADS; information is complete and up to date. CNO/CNIC and HQMC (LF) will

provide BRAC PMO with a report detailing the transfer of the documents to the BRAC PMO. See Appendices B and C for additional guidance.

6.3 Installation Level Execution

Installations will be responsible for operational closure, realignment, or disestablishment of installations and activities. CNO/CNIC and HQMC (LF) will provide full detail plans for installation roles and responsibilities.

For BRAC disposal actions, CNO/CNIC and HQMC (LF) in coordination with BRAC PMO will plan and execute layaway and maintenance of facilities in accordance with the *BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance* (Appendix B), including environmental compliance, cultural and natural resources, personnel transition, and other BRAC closure actions. Additional guidance on the layaway of historic buildings and structures at closing installations is provided in *The United States Navy Layaway Procedures for Historic Properties* (reference (q)) or the most recent CNIC or HQMC (LF) guidance.

For BRAC realignment actions, CNO/CNIC and HQMC (LF) will direct installation commanding officers in developing budget requirements, establishing realignment schedules communicating mission specific information to the gaining command, and developing BRACON requirements. Receiving installations will provide personnel transition support in accordance with the DoD BRRM (reference (g)) and other applicable personnel guidance. Receiving installations will work with CNIC Regions and NAVFAC to prepare NEPA documentation for realignment actions due to the BRAC recommendation.

6.4 Pre-Operational Closure Checklist

CNO/CNIC and HQMC (LF) shall ensure that the following project management functions are accomplished at the installation level prior to operational closure and transfer of custody and control to BRAC PMO:

- Determine the affected property (Classes 1, 2, 3, and 4) and complete inventory and assessment of environmental process units/areas, identifying any costs associated with closure;
- Determine the potential environmental compliance impacts at gaining commands;
- Assist gaining commands in identifying environmental support requirements;

- Identify and initiate actions to modify, closeout, or transfer existing permits, MOAs, court orders, settlements, leases, agreements, Inter-Service Support Agreements (ISSAs), and operational contracts;
- Review environmental projects underway/planned and make preliminary determination on whether to proceed or stop;
- Develop Responsibility Assignment Matrix and POA&M for environmental compliance actions and determine critical path;
- Prepare BRAC environmental compliance budget report (continue to update);
- Initiate and complete closure of each environmental process unit/area to be closed (the timing of actual closure will be dependent upon tenant requirements);
- Conduct frequent meetings to evaluate closure progress with tenants;
- Coordinate any personal property disposal requirements identified in closure plans with DRMO;
- Inspect vacant buildings for new or latent environmental liabilities;
- Verify through inspection, sampling, etc. that closure actions have been completed and obtain regulatory certifications that closure of process units is complete;
- Transfer ownership of environmental process units/areas to BRAC PMO;
- Conduct final inspections of tenants before their departure to ensure completion of required actions; and
- Maintain documentation related to the closure of environmental process units/areas.

If regulatory delays effect completing the required closure actions, BRAC PMO shall be notified to jointly resolve any impact the delays may have on operational closure and the transfer of custody and control to BRAC PMO. The *Transfer of Custody and Control of Real Property Agreement* (Appendix C) will also govern the allocation of responsibility between CNO/CNIC, HQMC and BRAC PMO.

Section 7.0 Layaway and Caretaker Maintenance

Layaway is the preparation of facilities for a period of inactivity prior to their disposal and includes securing facilities to limit unauthorized entry, terminating or reducing utilities, preserving selected equipment, and ensuring facility weather tightness. The extent of facility layaway and caretaker maintenance must be decided early in the closure planning process. Procedures and responsibilities for providing common services (fire protection, security, utilities,

telephones, roads, snow/ice removal, etc.) must be discussed and resolved in the earliest stages of LRA or local government consultation. Users of common services, including LRA tenants, shall pay for the services provided by the DON at rates established to fully recapture the costs of providing such services. After expiration of the initial maintenance period, and in consultation with the LRA, DON may elect to discontinue performance of any common services not required to support its residual military mission or protection and maintenance activities. Surplus facilities and equipment at installations that have been closed or realigned can be important to the eventual reuse of the installation. Therefore, DON is responsible for protecting and maintaining such assets in their possession for a reasonable period of time in order to preserve the reuse potential of the property.

7.1 DON Policy

The maintenance of the installation, as well as the provision of utilities and services, will play a key role in ensuring that the installation can be redeveloped for civilian use. After the installation is approved for closure or realignment, initial protection and maintenance levels will be set in consultation with the LRA or local government at the BRAC Maintenance Service Level (BMSL) required to support the use of such facilities or equipment for nonmilitary reuse purposes. BRAC PMO guidance, including BMSLs, is provided in the *BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance* (Appendix B). Installations and affected commands shall follow these policies and procedures**.**

7.2 BRAC PMO Management and Control

BRAC PMO is responsible for establishing priorities, preparing plans, schedules, requirements, and budgets for layaway and caretaker needs and contracting actions, which may be necessary after closure has taken place. BRAC PMO will follow existing DON procedures and policies for establishing and maintaining minimum levels of maintenance for items of equipment and other personal property. CNO/CNIC and HQMC (LF) will determine and implement layaway actions and maintenance levels prior to operational closure. BRAC PMO will execute and manage caretaker operations for BRAC closure actions, up to final disposal of properties.

The following diagram (Figure 8) provides key milestones from the date of the 2005 BRAC announcement to property disposal:

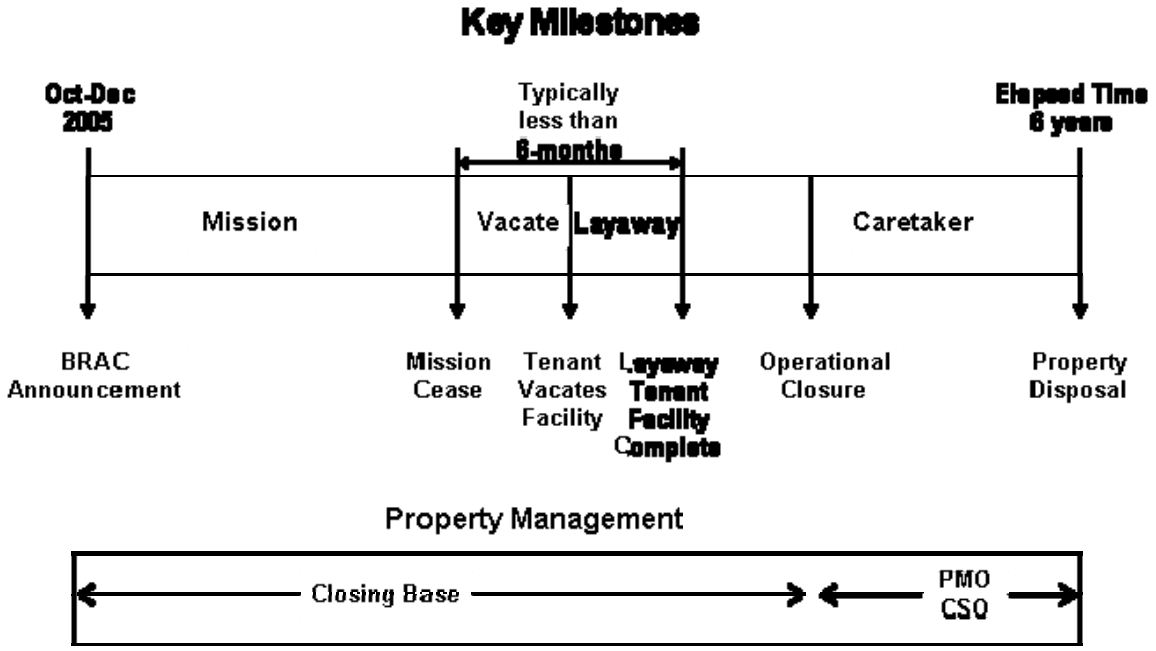


Figure 8: Key Milestones in Layaway Process

7.3 Establishing Initial Maintenance Levels in Consultation with the LRA

Maintenance levels will be developed dependent upon the potential or planned reuse of the facilities. BMSL definitions are provided in *BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance* (Appendix B). Facilities with high reuse potential may require a higher level of maintenance than those with a low reuse potential. BRAC PMO will meet with the LRA to discuss redevelopment plans and assist installations in establishing initial maintenance levels.

7.3.1 Redevelopment Plan Consideration

After consultation with the Local Redevelopment Authority or officially recognized entity, BRAC PMO will:

- Set initial maintenance levels to the levels described in Appendix B. The levels of maintenance will not be changed from these initial levels until the earlier of:
    - One week after the date on which the Local Redevelopment Authority's (LRA's) reuse plan for the installation is submitted to the Secretary;

  - The date on which the LRA notifies the Secretary that it will not submit such a plan;
  - Twenty four months after the BRAC recommendations became final on November 9, 2005; or
  - Ninety days before the date of the closure or realignment of the installation.
- Continue the established maintenance level, subject to availability of BRAC funds.
- Evaluate maintenance levels pursuant to potential market value of the property when disposed by sale or other means.

BRAC PMO may adjust maintenance levels, after operational closure, as circumstances warrant.

7.4 Equipment and Personal Property Maintenance

Generally, the maintenance of equipment and personal property will be sustained at its previously established maintenance levels as its mission use ceases or the active mission departs. Maintenance of personal property will generally be limited to physical security, and it will be secured in either a central location or in individual facilities. Normally the installation should not incur the expense of relocating property unless there is some compelling reason to do so. Maintenance of installed equipment and related personal property will be at the initial levels for the associated real property, as determined in consultation with the LRA. Maintenance of non-installed equipment is predicated on the LRA's ability to acquire control of these items independent of real property and is normally restricted to physical security. BRAC PMO will notify the LRA of any intended change in an established maintenance level for equipment or personal property, should such a change become necessary. This notice will occur prior to the reduction in maintenance level.

7.5 Facility Maintenance Providers

DON reserves the right to utilize various entities through contract or cooperative agreement for facility maintenance, depending on the particular phase of base closure and disposal, including pre-closure maintenance of vacated facilities. Funding for maintenance of property not in reuse will be provided by BRAC PMO. Property that is being reused will be maintained at the expense of the user, with a proportional share of common area costs also allocated to the user and paid to BRAC PMO account through the BRAC PMO.

7.5.1 Utilities

Water supply, electrical power, and sewage disposal facilities may have to be operated after mission departure at rates far below their designed capacity. Installations will need to perform, and provide to BRAC PMO, an engineering analysis to determine which structural and operating changes are necessary (e.g., valve closures in water supply systems or power shutoff in unused facilities) to ensure lawful and cost effective operation. Reduced loading at sewage treatment facilities can be a special problem and may require the installation of small package units at user expense in order to support reuse.

BRAC PMO will work with the LRA or local government to transfer utility systems to local control (the LRA, local government, or other private or public concern) early in the closure process or as soon as practicable after closure in order to provide continuity of service. Utility systems may be transferred by bill of sale, by deed, or by a combination of these. Several authorities exist for the conveyance of utility systems, and determination of conveyance will be at the discretion of BRAC PMO. The LRA will be encouraged to consider and address the operation, maintenance, and conveyance of utilities or utilities service contracts early in the development of its redevelopment plan. At installations undergoing realignment, where property is being retained by DON, decisions about the transfer and disposal of utility systems are at the discretion of CNO/CNIC or HQMC (LF) and will be based upon the individual facts and circumstances. In addition, utility systems will be transferred in an “as is” condition and will not be improved before transfer. No improvements or upgrades will be made to utility systems to comply with local code or for other reasons. Prior to operational closure, BRAC PMO will assist installations in providing advice and assistance to LRAs in consulting with OEA for grants available for improvements and upgrades. After operational closure, BRAC PMO will assume full responsibility for assistance to LRAs.

The operations of utility systems at a closed installation will be at the minimum levels required to sustain caretaker operations. Operations to support reuse in excess of that required for caretaker operations will be the responsibility of the LRA. For full guidance on Utilities, refer to the *BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance* (Appendix B).

7.6 Time Period for Continued Maintenance

Where continuing maintenance would foster redevelopment, the initial level of maintenance, or other levels that support the reuse, may be sustained at Navy expense for one year after operational closure of the installation. The period for initial or adjusted maintenance levels for property still under DON control may be extended, if BRAC PMO determines that the LRA is actively implementing a redevelopment plan and such levels of maintenance are justified. In particular, the period for providing utility service may be extended, if BRAC PMO determines it is warranted.

Extensions of maintenance periods are at the discretion of BRAC PMO and will be terminated when an agreement for reuse of the property (i.e., interim lease or other transfer, lease in furtherance of conveyance, or deed) is executed. In the case of federal agency transfers, BRAC PMO and the receiving agency will coordinate the transition of maintenance responsibilities. Federal agencies will generally be expected to assume this responsibility as soon as BRAC PMO makes the property available for transfer.

7.7 Records

The collection of records, documents, plans, maps, etc. will be carried out in compliance with the guidance set forth in the *BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance* (Appendix B). As indicated in that guidance, custody of facility records and automated facility management systems should be transferred to the Caretaker Site Office (CSO). Adequate provisions must also be made to make appropriate documents available to government agencies, community reuse organizations, and potential buyers. The administrative record will be maintained in accordance with CERCLA.

For proper preservation of DON cultural and natural resources documents and records, installation representatives should refer to *Protecting Our Naval Heritage: A Navy Official's Guide to Record Management Responsibilities at All Closing Installations (and Other Naval Facilities* (reference (r)) or the most recent guidance. Additionally, installation representatives should contact the Navy Historical Center at the Washington Navy Yard to determine how heritage assets will be inventoried, collected, and curated. The DON defines heritage assets as items that are unique due to historical or natural significance, cultural, educational, or artistic importance, or significant architectural characteristics.

7.8 Funding

Installations will be responsible for preparation, submission, and updating of layaway budget requirements to CNO/CNIC and HQMC (LF) prior to operational closure. BRAC PMO will prepare the plans and submit budget requirements for caretaker funding that will need to occur after operational closure. Once property has been disposed, BRAC PMO will no longer provide funding for maintenance. Maintenance of conveyed property will be the sole responsibility of the transferee.

7.9 Disagreements

Final authority for resolving disagreements over the determination of an initial or continuing maintenance level rests with BRAC PMO. Disputes arising during the layaway planning process are to be directed to BRAC PMO for resolution.

Section 8.0 Base Redevelopment Planning Assistance and Community Liaison

DON will work closely with local communities and redevelopment authorities, utilizing BRAC PMO as the primary DON liaison. BRAC PMO will work with DoD and other federal, state, and local agencies to optimize realignment and closure actions.

8.1 BRAC PMO Community Liaison Management

BRAC PMO will provide a community liaison to work with LRAs and local governments on BRAC implementation issues. BRAC PMO will serve as the primary agent for communicating information regarding surplus property. BRAC PMO will also provide information that will assist the communities in developing a redevelopment plan that is consistent with current DON environmental and property disposal policies. Redevelopment plans must be submitted to BRAC PMO. The community redevelopment plan should provide land uses and recommendations, but it should not include any references or decisions on the types of conveyance mechanisms to be used. Additionally, BRAC PMO will coordinate regularly with the Office of Economic Adjustment (OEA) to discuss issues of mutual interest.

8.1.1 Planning Tools

Property disposal planning will be aided by the development of an Installation Summary Report (ISR) and ECP Report. The ISR considers property assets and market conditions to identify the

highest and best use of the property. The ECP Report will document the historical, cultural, and environmental condition of the property based on all available public information at the time of preparation. Additionally, the ECP reports will assist new owners in meeting their obligations under the Environmental Protection Agency's (EPA) "All Appropriate Inquiry" regulations. BRAC PMO will prepare and provide both ISRs and ECP reports to the LRAs to assist them in redevelopment planning efforts.

8.2 Planning for Growth

A number of BRAC 2005 realignments increase military missions, functions, and personnel levels at numerous DON installation communities. Some realignments may involve minimal impacts as a result of community excess capacity and capability for expansion, while others may involve more significant impacts. Significant realignments require an active and supporting partnership between the gaining DON installation and the local community to manage the effects of functional expansion and population increases on the environment and community infrastructure.

8.2.1 Planning Assistance

CNO/CNIC and HQMC (LF), with the support of BRAC PMO, will engage community leaders in order to accommodate growth and provide for effective management of impacts to the environment, transportation, and other community infrastructure resulting from significant mission and personnel increases. Proper consideration of quality of life factors (including housing, schools, recreation, fitness, safety, and child care) can result in increased quality of life for the community. Inadequate planning will likely produce the opposite effect. Working with the installations, CNO/CNIC and HQMC (LF) will:

- Identify mission changes and timing; and
- Identify potential impacts to the community in the following areas:
    - Housing;
    - Schools, medical treatment, and support facilities;
    - Utility systems;
    - New construction and facilities;
    - Business development;
    - Community planning;
    - Security; and
    - Transportation.

Section 9.0 Environmental Compliance and Clean Up Considerations

BRAC PMO will manage the environmental compliance programs at closure installations starting at the time of operational closure, unless an earlier date is agreed upon with CNO/CNIC and HQMC (LF). Environmental compliance tasks associated with BRAC disposal actions are delineated in the *BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance* (Appendix B), and the *Transfer of Custody and Control of Real Property Agreement (*Appendix C). CNO/CNIC and HQMC (LF) should ensure that installation environmental personnel at closing installations review these documents to ensure that any additional tasks necessary to prepare for operational closure and caretaker status are accomplished.

BRAC PMO will manage the Installation Restoration Programs and Military Munitions Response Programs at closure installations starting at the time of the approved BRAC recommendations, unless a later date is agreed upon with CNO/CNIC and HQMC (LF). The *Department of the Navy Environmental Restoration Program* (NERP) *Manual* of August 2006 applies to all DON Environmental Restoration sites on active and BRAC installations in the United States. Primary functions of BRAC PMO within the environmental restoration program include the following:

- Establishing property disposal and cleanup strategies to facilitate property disposal;
- Communicating environmental issues to the LRA early in the process to identify that reuse planning is compatible with current and projected environmental conditions;
- Directing, reviewing, approving, and continuing to oversee plans, schedules, and requirements for the cleanup of closing installations or realignments; and
- Setting cleanup priorities according to DoD and DON policy.

Existing environmental compliance and restoration programs and responsibilities will continue at realigning installations in the current manner where no disposals are scheduled.

Prior to operational closure, installations will provide BRAC PMO a list of the local, state, and federal regulatory personnel who have been serving as POCs for activity personnel for environmental issues. This list will indicate the type of interaction that has occurred between activity personnel and the POCs. Installations should also provide relevant correspondence files to BRAC PMO.

9.1 DON Policy

DON policy is to protect human health and the environment by adhering to applicable statutory and regulatory authorities. Existing policies and procedures for environmental restoration of BRAC installations remain in effect as described in the NERP. All DON Components with environmental restoration responsibilities are to properly identify, investigate, and select protective and cost-cost effective remedies (see DON NERP Manual).

For BRAC properties, cleanup decisions should be made according to the current use of the property while adhering to applicable statutory and regulatory authorities to ensure the protection of human health and the environment. Close collaboration with LRAs can result in land use plans that accommodate the needs of the community, recognize historical uses and special environmental conditions and result in practical, cost-effective remedy selections that can be supported by all parties, including regulators. Response actions taken solely to achieve less restricted use of a property shall not be conducted, as they are considered property enhancement business decisions. It is the responsibility of the new property owner to take such actions and bear any resulting cleanup costs.

9.1.1 Environmental Condition of Property Report (ECP)

The ECP report's scope and level of effort required to complete it will depend upon a number of factors, including the current property use, nature and extent of known contamination from hazardous substances or petroleum products, any munitions and explosives of concern, current phase of remedial or corrective actions being taken, availability of existing information, and the presence of protected species or cultural assets. The ECP report may, based on the installation's individual circumstance, be prepared for an entire installation or for individual parcels. The ECP report shall:

- Summarize historical, cultural, and environmental conditions;
- Include references to publicly available and related reports, studies, and permits; and
- Rely on existing information and, if necessary, new information readily available.

If needed, an update of an ECP report shall be prepared based on new information, and this report may include additional site characterization to meet applicable regulatory or planning requirements, or help maximize the value of the property. The ECP report shall be made available to the public and accessible electronically as soon as it becomes final. See the DoD

BRRM (reference (g)) for additional requirements, format, and the minimal required elements of an ECP report.

9.2 Determination of Cleanup Responsibilities

BRAC PMO will review, approve, and sign significant response action decisions, transfers of responsibility, and/or covenants related to environmental restoration at closing installations. A range of likely scenarios for the remediation and/or transfer of BRAC properties are detailed in the DoD BRRM (reference (g)).

9.2.1 Coordination with Community and Regulatory Agencies

With certain exceptions for privatization of remedial action, BRAC PMO will provide management assistance to ensure successful and efficient compliance and cleanup in order to support disposal of transferable properties. BRAC PMO will resolve any disputes with federal, state, and local agencies that arise as a result of installation closures or cleanup plans in accordance with established dispute resolution procedures.

9.3 Implementation

9.3.1 Environmental Team

At closing installations, where property might be made available to the local community for reuse, BRAC PMO has designated a BRAC Environmental Coordinator (BEC) to coordinate the overall environmental program with both the state and federal regulatory agencies as applicable, as well as local officials. The BEC and Base Transition Coordinator will work closely with the LRA, other local authorities, and the community to:

- Provide cleanup information;
- Collect and review information regarding reuse priorities and decisions;
- Receive and account for LRA and community concerns in the remedy selection process;
- Review the status of environmental programs at the installation, including cleanup and compliance programs; and
- Identify action items requiring further efforts and develop strategies for installation environmental programs incorporating reuse and environmental priorities.

9.3.2 Records

For environmental records, see Section 7.7.

9.3.3 Pre-Operational Closure Checklist

For environmental portion, see Section 6.4.

Section 10.0 National Environmental Policy Act (NEPA)

Proper execution of the *National Environmental Policy Act of 1969* (reference (s)) and of *Procedures for Implementing the National Environmental Policy Act* (reference (t)) is an important step in successful implementation of BRAC 2005. Adherence to these rules helps ensure compliance with environmental regulations and policies and the making of sound decisions to implement well planned actions. The BRAC statute expressly exempts recommendations and decisions to close or realign facilities from the application of NEPA. All BRAC disposal and realignment actions, however, are considered "major federal actions" and are thus subject to compliance with NEPA. An environmental impact analysis must therefore be completed prior to disposing of property or realigning functions.

10.1 DON Policy

All DON commands will follow existing guidelines set forth in SECNAVINST 5090.6A, *Environmental Planning for Department of Navy Actions* (reference (u)), Office of the Chief of Naval Operations, Instruction (OPNAVINST) 5090.1B Ch-4, *Environmental and Natural Resources Program Manual* (reference (v)), Marine Corps Order (MCO) P5090.2A, *Environmental Compliance and Inspection Manual* (reference (w)), Supplemental Environmental Planning Policy from CNO Letter Ser N45/N4U732460 (reference (x)), and any other applicable DON processes, policies or directives, for scope, content, and level of appropriate NEPA documentation.

CNO or HQMC, through the appropriate subordinate commands, will be the action proponents for receiving realigned functions at DON facilities. BRAC PMO will be the action proponent for all BRAC property disposals. BRAC PMO will exercise oversight over BRAC NEPA schedules, budgets, and document content as part of the PMO's overall responsibility for execution of the BRAC process.

10.2 NEPA Execution

DON's goal is to complete environmental impact analysis as quickly as possible while adhering to the guidance provided in NEPA (reference (s)) and *Procedures for Implementing the National*

Environmental Policy Act (reference (t)). DON will develop a disposal plan and, to the extent practicable, complete the appropriate environmental documentation no later than 12 months after receipt of the redevelopment plan. It is a DON goal that realignment NEPA documents be completed as soon as possible after receipt of funding over a period not to exceed 18 months. The NEPA process can be streamlined by:

- Awarding realignment NEPA contracts early and starting data gathering and assembly of baseline information before design or specific site selection alternatives are developed;
- Gathering data and establishing baseline information as early as possible so that it is available to LRAs during their reuse planning process;
- Working with the LRAs, local officials, and state and federal regulators as early in the NEPA process as possible;
- Identifying and initiating permit and consultation processes early and frequently checking the status of these processes to ensure completion within projected timelines; and
- Concurrent review of draft NEPA documents by all appropriate stakeholders to help ensure timely completion of reviews and preparation of final documents.

10.3 NEPA Execution Strategy

Development of a NEPA strategy is essential to ensure that preparation of NEPA documentation can commence as early as possible and finish in time to support the planned operational closure and realignment dates. Business plans have been prepared through the joint efforts of CNIC, HQMC, and BRAC PMO to establish appropriate levels, timing, and funding of NEPA documentation for each BRAC action. ECP reports prepared for each closing installation provide valuable information that may be used in identifying issues and developing the NEPA strategy.

Strategies, timing, and alternatives for disposal and reuse should be defined as early as possible. Any discussions at this early conceptual stage should be recorded with sufficient detail to provide the information needed in later stages to write a succinct Description of Proposed Action and Alternatives (DOPAA) that can be agreed upon by the appropriate stakeholders in order to set the stage for a well balanced NEPA process.

Assessing impacts of realignment is typically the responsibility of the gaining installation or facility. Assessing the impacts of property disposal is the responsibility of BRAC PMO. BRAC

PMO will work closely with the LRAs or local authorities during preparation of the NEPA documents that support property disposal to ensure consideration of community needs and other factors that determine a property's suitability for reuse.

10.4 NEPA Documentation

Action proponents should consult with DON subject matter experts (SMEs), BRAC PMO, regional environmental coordinators (RECs), and CNO/CNIC or HQMC (LF) POCs in developing NEPA documents.

10.4.1 Categorical Exclusion (CATEX)

CATEXs shall be used whenever they are appropriate to the circumstances of the proposed action. A CATEX will not be used if any of the criteria from SECNAVINST 5090.6A Section 5c, *Environmental Planning for Department of the Navy Actions* (reference (u)) apply.

10.4.1.1 Realignment CATEX

CATEXs that may apply to BRAC realignments include:

- (11) Routine movement of mobile assets (such as ships and aircraft) for homeport reassignments, for repair/overhaul, or to train/perform as operational groups where no new support facilities are required;
- (14) Alteration of and additions to existing buildings, facilities, structures, vessels, aircraft, and equipment to conform or provide conforming use specifically required by new or existing applicable legislation or regulations (e.g., hush houses for aircraft engines, scrubbers for air emissions, improvements to storm water and sanitary and industrial wastewater collection and treatment systems, and installation of fire fighting equipment);
- (34) New construction that is similar to existing land use and, when completed, the use or operation of which complies with existing regulatory requirements (e.g., a building within a containment area with associated discharges/runoff within existing handling capacities); or
- (39) Relocation of personnel into existing federally owned or commercially leased space that does not involve a substantial change affecting the supporting infrastructure (e.g., no increase in vehicular traffic beyond the capacity of the supporting road network to accommodate such an increase).

10.4.1.2 Disposal CATEX

CATEXs that may apply to BRAC property disposals include:

- (26) Transfer of real property from DON to another military department or to another federal agency;
- (28) Minor land acquisitions or disposals where anticipated or proposed land use is similar to existing land use and zoning, both in type and intensity;
- (32) Renewals and /or initial real estate ingrants and outgrants involving existing facilities and land wherein land use does not change significantly (e.g., leasing federally owned or privately owned housing or office space, and agricultural outleases).

Minor disposals under CATEX 28 are those disposals where congressional notification is not required. As of the writing of this document, notification is required when the property value is greater than $750K. CATEX 32 is useful for interim leases executed before land conveyance.

10.4.2 Environmental Assessment (EA)

In determining if an EA is the appropriate level of NEPA document for BRAC actions, the same rationale should be used as is directed in the existing DON NEPA guidance.

10.4.2.1 Realignment EA

A realignment EA should focus on the environmental impacts of the actions on the gaining installation, and on any mitigation requirements for any new activities on that installation.

10.4.2.2 Disposal EA

A disposal EA should focus upon the environmental impacts of the actions relating to disposal and on any impacts associated with the reasonably foreseeable reuse of the property. An EA for disposal should be considered in cases where reuse scenarios constitute “like use” sufficiently similar to the previous military use for that property.

10.4.3 Environmental Impact Statement (EIS)

In determining if an EIS is appropriate for BRAC actions, the same rationale is used as in the existing DON NEPA guidance.

10.4.3.1 Realignment EIS

A realignment EIS should focus on the environmental impacts of the actions at the gaining installation and on any mitigation requirements for the new activities on that installation.

10.4.3.2 Disposal EIS

A disposal EIS should focus upon the environmental impacts of the actions relating to disposal and redevelopment of the property and on any impacts associated with the reasonably foreseeable reuse of the property. An EIS is typically prepared where the redevelopment plan proposes extensive redevelopment with considerable change in land use.

10.4.4 Purpose and Need

The purpose of realignment actions is to execute realignments as presented in the approved BRAC 2005 Commission Recommendations. The purpose of disposal actions is to dispose of surplus property at facilities closed or realigned in the approved BRAC 2005 Commission Recommendations.

10.4.5 Description of Proposed Action and Alternatives (DOPAA)

The DOPAA is a detailed description of the proposed action and alternatives to be considered. A DOPAA package is prepared at the start of each EA or EIS and is sent up the appropriate chain of command so that parties involved can agree on the action and focus of the NEPA document. For realignment actions, the process is already established by existing DON guidelines. For BRAC disposal actions, the DOPAA will be prepared, reviewed, and approved internally at BRAC PMO. A typical DOPAA package includes:

- The identity of the action proponent;
- Anticipated cooperating agency relationships;
- Summary and scope of the proposed BRAC action;
- Proposed action and alternatives (if known);
- Criteria used in determining alternatives;
- A summary of anticipated issues of concern; and
- A detailed project schedule, including BRAC implementation milestones and timelines.

10.4.5.1 Realignment DOPAA

The proposed action for realignments is the relocation of functions and supporting infrastructure to those locations specifically designated in the approved BRAC Commission Recommendations. Reasonable alternative locations within the gaining installation should be developed for siting.

10.4.5.2 Disposal DOPAA

In developing the proposed action:

- Fed-to-Fed transfers, reversionary land, land leased by DON, and resolution of tidelands trust lands must be determined before the draft EIS is issued, and should be decided before the redevelopment plan is complete;
- Fed-to-Fed transfers are not part of the proposed action for disposal and reuse of surplus property;
- Federal reuse and reversionary land will be discussed in the cumulative impacts section;
- In the case of tidelands trust lands, if the State has designated the LRA as the trustee for the land, the LRA may consider reuse in their redevelopment plan, and redevelopment impacts will be discussed in the impacts chapter. If the state will not designate the LRA as the trustee, the impacts of reversion will be addressed in the cumulative impacts section; and
- Conveyance mechanisms should not be a part of the NEPA action and should not be discussed in the NEPA document.

The primary approach to development of the proposed action and alternatives is to focus on DON disposal of surplus property with the LRA's redevelopment plan as the reasonably foreseeable reuse of the property. Various restrictions may result in a range of unique alternatives to the proposed action. Examples include:

- Restrictions necessary for consistency with historic land uses;
- Restrictions necessary for consistency with the redevelopment plan;
- Restrictions necessary to protect cultural and/or natural resources;
- Restrictions necessary to protect human health and the environment; and
- No restrictions (e.g., residential land use).

The “No Action Alternative” (i.e., DON retains ownership in caretaker status) should also be addressed. While the proposed action addresses only surplus property, a brief discussion of Fed-to-Fed transfers, including the agency and number of acres involved, should be provided to clarify the scope of the proposed action. When possible, impacts of BRAC disposal should be described with the same level of detail as would be found in a master plan.

Another approach to BRAC disposal alternatives used in previous rounds of BRAC covers a wide range of redevelopment intensity from very low to as high as is reasonably possible. This approach may be more appropriate by DON at certain installations. Assessing a wide range of alternatives helps provide maximum flexibility in the disposal of surplus property. Disposal alternatives to be considered may consist of:

- Low intensity (i.e., little new development, high amount of open space);
- High intensity (i.e., high level of proposed redevelopment);
- Redevelopment Plan (preferred) – typically level of intensity is somewhere in between low and high; and
- No action (Navy retains ownership in caretaker status).

In developing a clearly defined and thorough DOPAA, the action proponent must ensure involvement of BRAC action participants, including the appropriate DON chain of command, the LRA, if available and appropriate, and any other installation support offices, contractors, legal staff, and public affairs representatives. Such participation in the DOPAA process will help to better identify a wider array of reasonable possible alternatives and identify potential problem areas.

10.4.6 Affected Environment and Baseline

The EA and EIS, whether for realignment or disposal, shall concisely describe the environment of the affected area, including the baseline conditions that are the benchmark against which impacts associated with the alternatives can be measured. Generally, the baseline used for the analysis of environmental impacts under NEPA reflects the conditions present at or about the time the EIS is initiated. However, in the case of closures of military installations, it is more appropriate to use the “pre-closure condition” during full operations as a baseline to realistically reflect the environmental impact of property disposal and reasonably foreseeable reuse.

10.4.7 Environmental Consequences and Mitigation

When describing mitigation, identify the persons or agencies responsible for its implementation. Throughout the process of developing disposal NEPA documents, it is important to focus on the true federal action being evaluated, which is property disposal. While impacts associated with the reasonably foreseeable reuse are indirect impacts of property disposal, control over those impacts or associated mitigation are outside the authority of the Navy. The acquiring entity typically will be responsible for mitigation.

10.4.8 Cumulative Impacts

The cumulative impacts of multiple disposal or realignment actions within a region should be included in the discussion of cumulative impacts.

10.4.9 Threatened and Endangered Species

It is essential that consultations under Section 7 of the Endangered Species Act (ESA) (reference (y)) be closely coordinated with the BRAC NEPA process. Any required consultations should begin as early as possible and focus on disposal of the property. Both 10 USC §2694a and the DoD BRRM (reference (g)) provide for conservation conveyances. Such conveyances can be used to address concerns about impacts to threatened or endangered species and/or designated critical habitat. Consultation should be initiated before the draft NEPA document is published. Completion of the consultation and receipt of either a letter concurring with DON's determination that the action is "not likely to adversely effect" threatened or endangered species and/or "not likely to adversely modify" designated critical habitat, or a biological opinion, should be received before the final NEPA document is briefed to the decision maker.

10.4.10 Cultural Resources

It is essential that consultations under Section 106 of the NHPA (reference (l)) be closely coordinated with the BRAC NEPA process. Consultation regarding disposal of the property should be initiated before the draft NEPA document is published. Section 106 should be completed before the final NEPA document is briefed to the decision maker.

10.4.11 General Conformity Rule

The General Conformity Rule (40 CFR 51.850-51.860 and 40 CFR Part 93) requires any federal agency responsible for an action to determine if its action conforms to pertinent guidelines and regulations. Certain actions are exempt from conformity determination, including those actions

associated with transfers of land or facilities where the federal agency does not retain continuing authority to control emissions associated with the properties. Federal actions also may be exempt if the projected emissions rates are less than specified emission rate thresholds, known as *de minimis* limits. While in most cases BRAC disposals are considered exempt from the General Conformity Rule, realignments and interim leases in non-attainment areas are not exempt.

10.5 Joint Federal and State Environmental Impact Review

The action proponents may cooperate with state/local agencies to reduce duplication among federal NEPA and state/local environmental impact review requirements. States requiring environmental impact review of projects and affected by BRAC 2005 include:

State	**Law**
California	California Environmental Quality Act (CEQA)
Georgia	Georgia Environmental Policy Act (GEPA)
New Jersey	New Jersey Environmental Planning Executive Order # 215
New York	New York State Environmental Quality Review Act (SEQRA)
North Carolina	North Carolina State Environmental Policy Act (SEPA)
Washington	Washington SEPA

Such cooperation will be carried out only in full compliance with DON regulations. These cooperative efforts may include:

- Joint planning processes;
- Joint environmental research and studies including assessments of the presence or special needs of minority and low income groups;
- Joint public hearings; and
- Joint environmental documentation.

Careful consideration must be given before attempting joint documents. Important differences exist in the requirements of federal and state environmental planning programs. For example, a state may require an analysis of growth inducing impacts, while it is not required under NEPA; federal and state assessments of the significance of potential impacts can vary substantially,

resulting in irreconcilable policy differences; and some states require consideration of state listed endangered or threatened species, while NEPA does not.

Policy differences must be addressed prior to any joint efforts taking place. Involved entities must dedicate significant effort early in the cooperative process to assure that differences in programs and requirements do not delay or hinder the overall environmental impact analysis process. Any differences must be addressed in writing, and a solution acceptable to DON must be identified, prior to initiating any joint environmental planning efforts.

10.6 Administrative Record

Since many BRAC actions are controversial, the action proponent must compile a formal administrative record (AR) from the start of the project. Compiling an AR in electronic format helps save valuable library space and can aid in searching for important information at any time. The electronic format should include a keyword search feature and an index of documents. Questions regarding AR content should be coordinated with legal counsel.

Section 11.0 Cultural and Natural Resources Protection and Management

Implementation of the approved BRAC 2005 Commission Recommendations remains subject to existing cultural and natural resources statutes and regulations. Analysis is required to ensure that potential impacts of BRAC actions are adequately addressed with respect to cultural and natural resources. These analyses should be coordinated with the NEPA processes. Additionally, cultural and natural resources issues must be considered while working within other areas of BRAC, including, but not limited to, the transfer of personal property, development of layaway procedures, determination of the level of caretaker maintenance, and compliance with CERCLA Applicable Relevant and Appropriate Requirements (ARARs). Please refer to the environmental section (Section 9), the *BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance* (Appendix B), and the *Transfer of Custody and Control of Real Property Agreement* (Appendix C) for additional information.

11.1 DON Policy

DON components will analyze the impacts of BRAC property disposals, realignments, and environmental cleanup actions on cultural and natural resources. ECP reports, Integrated

Cultural Resources Management Plans (ICRMPs), and Integrated Natural Resources Management Plans (INRMPs) can provide useful information to establish baseline conditions. BRAC PMO will be responsible for the cultural and natural resources management required at closure sites after operational closure and will follow the procedures specified in Appendices B and C and all applicable DON cultural and natural resources regulations and guidance.

For realignments, installations and regions shall continue to comply with all applicable cultural and natural resources guidance as detailed in SECNAVINST 4000.35A, *Department of the Navy Cultural Resources Program* (reference (z)); SECNAVINST 11010.14A; OPNAVINST 5090.1B (reference (v)); MCO P5090.2A (reference (w)), Commandant of the Marine Corps Letter dated 12 May 2003, and DON Policy Memorandum #98-07 issue by ASN (I&E) on 21 August 1998 (provided as an enclosure to OPNAVINST 10000.17).

11.2 Statutory Requirements

This section separates cultural and natural resources information into Sections 11.2.1 and 11.2.2, respectively. Sections 11.2.3 through 11.2.5 are applicable to both cultural and natural resources.

11.2.1 Cultural Resources (Including Historic and Archeological Resources)

11.2.1.1 Section 106 of the National Historic Preservation Act

Section 106 of the NHPA of 1966 (reference (l)) requires federal agencies to take into account the effects of their undertakings on historic properties and to afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on such undertakings. The historic preservation review process mandated by Section 106 is outlined in regulations issued by the ACHP, *Protection of Historic Properties* (reference (aa)). These regulations define "historic property" as "any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in the National Register of Historic Places maintained by the Secretary of the Interior." The term also includes "properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization, and that meet the National Register criteria." The Section 106 process requires consultation with the Advisory Council on Historic Preservation, appropriate State Historic Preservation Officer (SHPO)/Tribal Historic Preservation Officer (THPO), federally recognized Indian tribes, Native Hawaiian organizations,

interested members of the public, and other consulting parties for identifying historic properties, assessing effects, and determining appropriate mitigation for adverse effects.

11.2.1.1.1 Initiation of Section 106 Process (36 CFR 800.3)

CNO/CNIC and HQMC (LF) along with the Navy or Marine Corps Deputy Federal Preservation Officer will assist identifying appropriate consulting parties and provide contact information to BRAC PMO. BRAC PMO will develop a consultation strategy and initiate consultation.

11.2.1.1.2 Identification of Historic Properties (36 CFR 800.4)

Information from ECPs, ICRMPs, site specific surveys, and evaluations, will assist BRAC PMO in helping the LRA develop effective redevelopment plans that consider the opportunities and constraints associated with cultural resources. BRAC PMO will continue Section 106 consultation to complete the historic property identification phase.

11.2.1.1.3 Assessment of Adverse Effects (36 CFR 800.5)

BRAC PMO will continue the Section 106 process to assess the direct, indirect, and reasonably foreseeable effects of layaway, caretaker maintenance, leasing programs, disposal, and reuse on historic properties. CNO/CNIC and HQMC (LF) should coordinate layaway and caretaker maintenance actions on historic properties with BRAC PMO in order to effectively assess effects. Post-operational closure procedures, mothballing procedures, utilities to be terminated, installation layaway and caretaker procedures, and fire and police security shall be discussed and agreed upon insofar as they affect cultural resources.

BRAC PMO will also collaborate with LRAs and local authorities to assess the effects of leasing, disposal, and reuse. The transfer, lease, or sale of property out of federal ownership is an adverse effect without adequate and legally enforceable restrictions or conditions to ensure long term preservation of the property's historic significance. See Section 11.2.4 on land use covenants for more information on this issue. Transfer to another federal agency is not considered an adverse effect when the receiving agency is responsible for analyzing the effects of reuse.

11.2.1.1.4 Resolution of Adverse Effects (36 CFR 800.6)

BRAC PMO shall resolve adverse effects by executing and implementing a MOA or PA via consultation with the SHPO/THPO, Advisory Council (if they choose to participate), and the appropriate consulting parties. Often, LRAs are invited signatories to MOAs when they have

mitigation responsibilities. The redevelopment plan typically serves as the basis for the MOA or PA, but, when appropriate, these documents should consider layaway, caretaker maintenance, leasing programs, disposal, and reuse on historic properties. In the event of phased transfer where a portion of a historic property is transferred and a portion is retained (e.g., a historic district is divided), the MOA/PA should consider strategies for joint management. MOAs are legally binding, and BRAC PMO's compliance with Section 106 is not complete until all stipulations are implemented. For disposal actions, the Section 106 consultation and MOA/PA will be coordinated with the appropriate Navy or Marine Corps region prior to BRAC PMO signature.

In the event the redevelopment plan changes substantially prior to transfer but after execution of MOA, the effects of the new redevelopment must be analyzed, the MOA must be amended as appropriate, and mitigation measures must be implemented as required.

11.2.1.1.5 Failure to Resolve Adverse Effect and Termination of Consultation (36 CFR 800.7)

For disposal actions, CNO/CNIC and HQMC (LF) will support BRAC PMO as needed to pursue consultations, negotiations, and consideration of alternatives to identify ways to reduce or avoid adverse effects on historic properties. In the event consultations are inconclusive, and it is determined further consultation will not be productive, BRAC PMO reserves the right to recommend termination of consultation once it has been fully documented that all reasonable and good faith efforts have been made and no agreement has been achieved. Following coordination with the Federal Preservation Officer, termination of consultations will be recommend by Director, BRAC PMO, but requires ASN (I&E) approval signature, and compliance with 36 CFR 800.7 and DON Policy Memo #98-07 (provided as an enclosure to OPNAVINST 10000.17).

11.2.1.2 Section 110 of the National Historic Preservation Act

Section 110 of the NHPA (reference (l)) sets out the broad historic preservation and stewardship responsibilities for federal agencies, and is intended to ensure that historic preservation is fully integrated into the ongoing programs of federal agencies. Section 110 expands and makes more explicit the statute's statement of federal agency responsibility for identifying, preserving, and using historic properties. Section 110 charges each federal agency with the affirmative responsibility for considering projects and programs that further the purposes of the NHPA.

DON's ongoing preservation responsibilities of historic properties under Section 110 must be carefully balanced with other guidance concerning the levels of caretaker maintenance traditionally utilized after closure. For example, despite basic caretaker maintenance status, BRAC PMO must ensure that historic properties are not incrementally damaged or destroyed. "Demolition by neglect" and looting must be prevented as required by the *Archeological Resources Protection Act* (ARPA) (reference (bb)).

11.2.1.3 Native American Graves Protection and Repatriation Act

The Native American Graves Protection and Repatriation Act (NAGPRA) (reference (cc)) establishes requirements to inventory existing collections for presence of Native American human remains, funerary objects, sacred objects, and cultural patrimony objects. NAGPRA requires inventory of existing collections and provides a process for museums and federal agencies to return certain cultural items to lineal descendants, culturally affiliated Indian tribes, and Native Hawaiian organizations. NAGPRA also applies to cultural items intentionally excavated or inadvertently discovered during ground disturbing activities, including the process of completing archeological inventories, surveys, and environmental cleanup as part of BRAC. Prior to operational closure of an installation, CNO/CNIC and HQMC (LF) will identify for the BRAC PMO any ongoing NAGPRA actions and will retain responsibility for continuing and/or completing such actions until the BRAC PMO assumes the responsibility. Regulations and requirements for compliance with NAGPRA are set out in the *Department of the Interior Native American Graves Protection and Repatriation Act* (reference (dd)).

11.2.1.4 Archeological Resources Protection Act

ARPA establishes a program to address any material remains of past human life or activities that are of archeological interest. Regulations stipulating standards for permanent curation of federally owned and administered archeological collections are to be found at 36 CFR 79, *Curation of Federally Owned and Administered Archeological Collections* (reference (ee)). These federally owned and administered collections include material remains, such as artifacts, objects, specimens, and other physical evidence excavated or removed during a survey, excavation, or other study of a prehistoric or historic resource. Associated records include original records (or copies thereof) that document efforts to locate, evaluate, record, study, preserve, or recover a prehistoric or historic resource. As CNO/CNIC and HQMC (LF) are executing layaway actions and BRAC PMO is executing caretaker actions at closing installations, the transfer of archeological collections to the receiving federal agency or another

federal agency should be considered. When that is not possible, they should negotiate a long term curation agreement with a curation facility meeting the standards established in 36 CFR 79 (reference (ee)). Additionally, prior to the operational closure of an installation, CNO/CNIC and HQMC (LF) will identify open ARPA permits and will retain responsibility for ARPA permit management until the BRAC PMO assumes the responsibility. BRAC PMO will ensure that installation security planning addresses the protection of archaeological sites from unpermitted excavation while the installation remains subject to ARPA.

11.2.2 Natural Resources

Compliance with natural resources laws and regulations is essential for BRAC disposal, caretaker, and environmental cleanup actions. Input from the installation and regional natural resources personnel and early consultation between DON personnel and the relevant regulatory agencies is essential to minimize delays, avoid duplication of efforts, and establish a mechanism for addressing natural resources issues. CNO/CNIC and HQMC (LF) will assist BRAC PMO in identifying potential natural resources issues, provide BRAC PMO all available information to support future natural resources management and be responsible for natural resources compliance at disposal sites until operational closure. After operational closure, BRAC PMO will ensure compliance with appropriate natural resources laws during BRAC disposal, caretaker, and cleanup activities. CNO/CNIC and HQMC (LF) will ensure that all layaway actions in preparation for transfer to BRAC PMO caretaker status are in compliance with Appendix B.

BRAC PMO should begin coordination with natural resources agency counterparts as early as possible to avoid delays and to ensure that BRAC implementation schedules and milestones, especially the CERCLA process, provide adequate time for consideration of the applicable natural resources laws and regulations.

Documentation of the analyses, including determination of impacts and procedural decisions, must be maintained for later reference and should be included in the appropriate administrative record. Sections 11.2.2.1 and 11.2.2.2 provide information about natural resources that are often encountered during the execution of BRAC disposal, caretaker, and cleanup actions.

11.2.2.1 Section 7 of the Endangered Species Act (ESA)

The ESA is administered by the National Marine Fisheries Service (NMFS) for most marine species and US Fish and Wildlife Service (USFWS) for terrestrial and freshwater organisms. CNO/CNIC and HQMC (LF) will ensure that the assistance of the REC and other regional and installation natural resources SMEs are obtained, all findings and mitigation efforts are properly documented, and all relevant and applicable information is transferred to BRAC PMO upon property custody transfer. Preliminary analysis by BRAC PMO utilizing available environmental documentation, such as INRMPs and ECPs, will help identify the potential presence of any threatened or endangered species and/or critical habitat, and determine whether additional data collection is necessary. If listed species are present, BRAC PMO must determine whether the proposed action "may affect" listed species and/or designated critical habitat, and whether to pursue informal or formal consultation.

BRAC PMO should focus on the true federal action being evaluated, which is typically disposal. While impacts associated with the reasonably foreseeable reuse are indirect impacts of property disposal, control over those impacts or associated mitigation are outside DON authority. Likewise, BRAC PMO should summarize the CERCLA process and related coordination with other agencies. BRAC PMO should also stipulate what is within the authority of the Navy pursuant to the current DON policies and guidance for cleanup actions to meet substantive compliance with the ESA when coordinating with the USFWS. Formal consultation could extend to 135 days, as currently specified in the ESA, and should be incorporated with other processes in the planning and overall schedule. BRAC experience has shown that a request for a draft biological opinion during the formal consultation process will ensure that compliance with the terms and conditions put forth by the USFWS is consistent with current DON policies and guidelines.

11.2.2.2 Section 404 of the Clean Water Act and Executive Order 11990

Section 404 of the Clean Water Act (CWA) (reference (ff)), applies to the discharge of dredged or fill material into "navigable waters" and is implemented by the US Army Corps of Engineers (USACE). Preliminary analysis of the available natural resources information found in documents such as INRMPs and ECPs will help identify the potential presence of any covered waters, such as creeks, wetlands and tidal areas, and the need for additional data collection. Schedules and planning should allow for appropriate consideration of time periods and budgeting to prepare any necessary documents such as a wetland delineation as well as the

potential need to provide compensatory mitigation and prepare a mitigation plan for any unavoidable impacts that may be associated with cleanup activities.

Executive Order 11990, Section 4 states, “When Federally owned wetlands or portions of wetlands are proposed for lease, easement, right of way, or disposal to non-federal public or private parties, the Federal agency shall (a) reference in the conveyance those uses that are restricted under identified Federal, State, or local wetlands regulations; and (b) attach other appropriate restrictions to the uses of properties by the grantee or purchaser and any successor, except where prohibited by law; or (c) withhold such properties from disposal.”

11.2.2.3 Mitigation

Compensatory mitigation may be required when impacts to listed species and/or waters of the US are unavoidable. BRAC experience has shown that more than one agency may require similar mitigation for compliance with each respective law, such as the ESA and the CWA. There also may be opportunities to incorporate any necessary mitigation activities within the plan for cleanup by, for example, planting coastal sage scrub habitat (mitigation) to prevent erosion on a landfill cap (cleanup).

11.2.3 CERCLA and Cultural and Natural Resources

CERCLA related environmental restoration on closing installations may affect cultural and natural resources. BRAC PMO will establish the following: 1) early and continued communication with cultural and natural resources regional and installation staff and agency personnel to receive cultural and natural resources technical input and address project changes; 2) identification of the applicable cultural and natural resources laws throughout the entire CERCLA process, including, but not limited to, identification of ARARs; 3) provision and documentation of substantive compliance pursuant to the National Contingency Plan (NCP); 4) assurance of consistency in program implementation; and 5) compliance with the requirements of Appendix B. Upon transfer of property custody, BRAC PMO should receive full documentation of the ARAR identification process, information on the coordination of remedies for all agency obligations, a list of potential issues for future monitoring and management, and a list of all agency POCs. BRAC experience has shown there is the potential to put remedies in place to meet both CERCLA compliance objectives and the obligations to protect cultural and natural resources. Furthermore, long term management and monitoring can minimize impacts to listed species and historic properties.

11.2.4 Land Use Covenants for Cultural and Natural Resources

BRAC PMO will coordinate with legal counsel to identify restrictions or conditions that may be appropriate for inclusion in a deed or lease that conveys an interest in property to a non-federal entity. Such restrictions or conditions may also alter the proposed action and alternatives in the NEPA document.

As discussed in chapter C8.4.3 of the DoD BRRM (reference (g)), one way to resolve an NHPA adverse effect caused by historic property transfer out of federal control may be to impose a legally enforceable restriction or condition in the form of a covenant or easement to protect historic properties. Before deciding to use a covenant or easement, BRAC PMO should consider whether State or local planning and zoning actions can provide the appropriate level of protection without the use of a covenant or easement. If not, in deciding whether a covenant or easement is appropriate, BRAC PMO will consider whether the local jurisdiction authorizes such covenants or easements, and whether a third party can be assigned responsibility for monitoring and enforcing the covenant or easement.

11.2.5 Administrative Record

Since many BRAC actions are controversial, a formal administrative record (AR) must be compiled in relation to cultural and natural resources activities. Compiling in electronic format (e.g., Adobe Acrobat) helps save valuable library space and can aid in searching for important information at any time. The electronic format should include a keyword search feature and an index of documents. Questions regarding AR content should be coordinated with legal counsel.

Section 12.0 Points of Contact

DON BRAC Program Management Office
1455 Frazee Road, Suite 900
San Diego, CA 92108-4310
Phone: (619) 532-0993
Fax: (619) 532-9858

DON BRAC Program Management Office, West
1455 Frazee Road, Suite 900
San Diego, CA 92108-4310
Phone: (619) 532-0993
Fax: (619) 532-9858

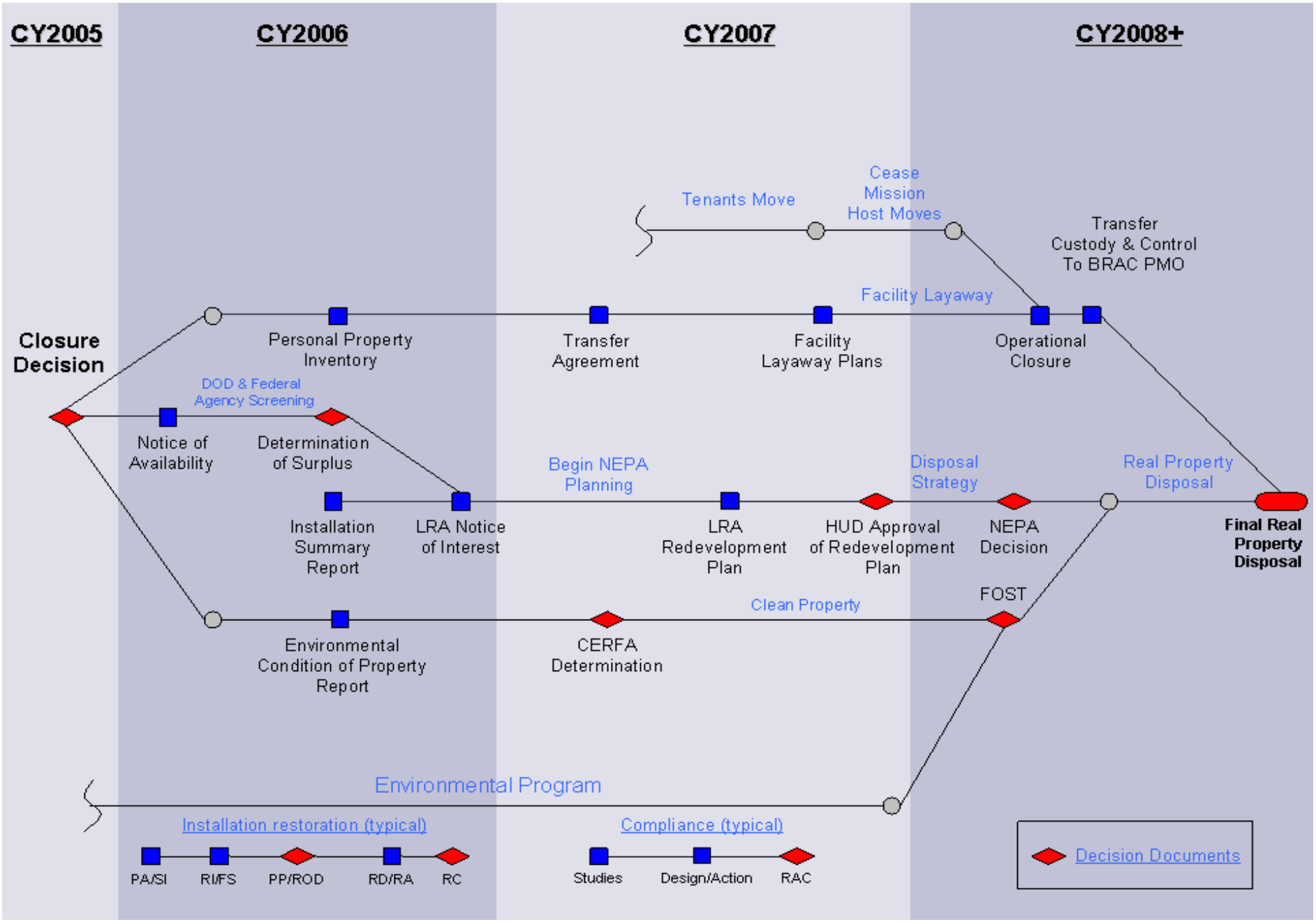
DON BRAC Program Management Office, Northeast
4911 S. Broad Street
Philadelphia, PA 19112-1303
Phone: (215) 897-4900
Fax: (215) 897-4902

DON BRAC Program Management Office, Southeast
4130 Faber Place Drive, Suite 202
North Charleston, SC 29405-8503
Phone: (843) 820-5908
Fax: (843) 743-2142

DON BRAC Program Management Office, Support
2511 Jefferson Davis Hwy, Suite 3500
Arlington, VA 22202-3926
Phone: (703) 601-1768
Fax: (703) 601-2050

Appendix A. BRAC Implementation Timeline

Notional Disposal and Redevelopment Process



Appendix B. BRAC PMO Building Vacating, Facility Layaway and Caretaker Maintenance Guidance, March 2007

Department of the Navy

Base Realignment and Closure
Program Management Office

Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance

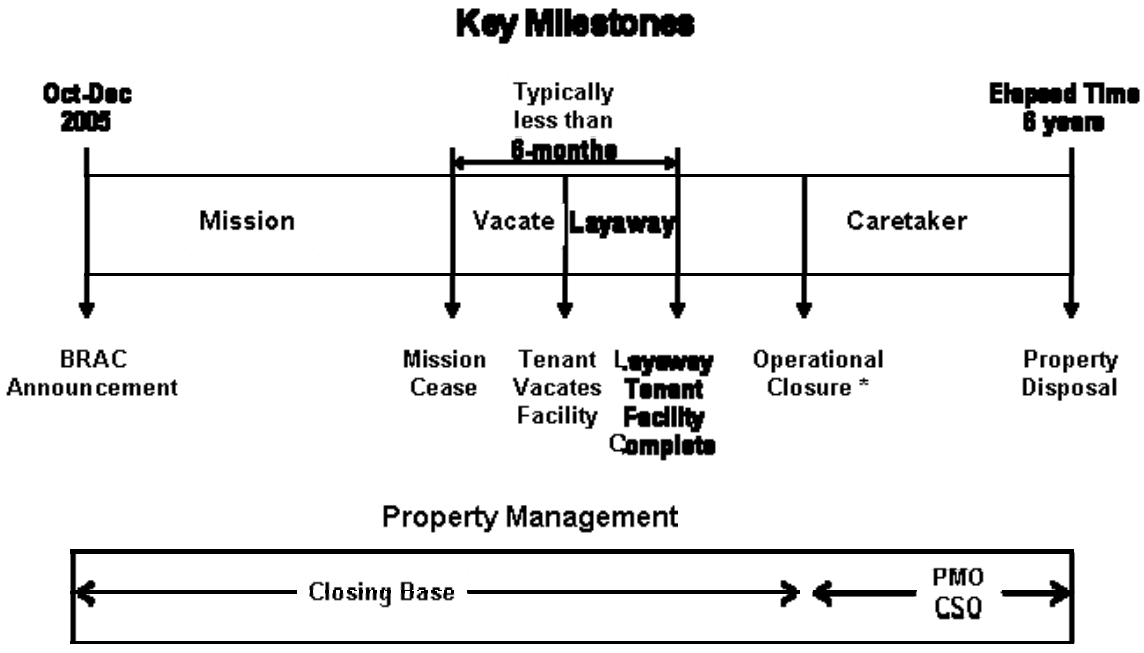
Final

March 2007

Chapter 1: INTRODUCTION

1. **General**. The purpose of this document is to provide building vacating, facility layaway, and caretaker maintenance guidance to Navy and Marine Corps activities being closed. Building vacating standards, provided in Chapter 2, are intended to provide guidance to tenant commands that are required to vacate buildings as they relocate to other installations or are disestablished. Facility layaway standards in Chapter 3 are intended for the Commander, Navy Installations Command (CNIC) and Marine Corp Installations (MCI) "host" command for facility layaway expectations. Specific environmental layaway standards for the CNIC and MCI "host" command are outlined in Chapter 4. Caretaker maintenance standards, provided in Chapter 5, offer guidance for the care of facilities that have been laid away in accordance with Chapters 3 and 4. This guidance is applicable to the CNIC and MCI host command prior to operational closure and to the BRAC Program Management Office (PMO) Caretaker Site Office (CSO) after operational closure. The following diagram provides a notional view of key milestones from the date of the BRAC announcement to property disposal.

FIGURE 1-1



BRAC Maintenance Service Levels (BMSLs) definitions described herein take into account the reuse potential of facilities and the projected length of the layaway period. Other factors affecting facility maintenance that must also be considered include local climate, current facility age and condition, type of construction, funding levels, and labor availability. The goal is to limit residual sustainment expenditures to the minimum necessary to limit facility deterioration and preserve the potential for facility reuse.

a. Applicability. This document applies primarily to Navy and Marine Corps installations scheduled for closure. While some of the material will be for activities affected by realignment of missions, the document is directed primarily towards activities within the United States that will be completely or substantially closed and transferred or sold under BRAC.
b. Requirements. The BRAC statute establishes time frames that dictate when the reduction in maintenance and repair of facilities or equipment located at the installation below the minimum levels required to support the use of such facilities or equipment for nonmilitary purposes" may be made. Specifically the earlier of:

    - one week after the date on which the Local Redevelopment Authority's (LRA's) reuse plan for the installation is submitted to the Secretary;
    - the date on which the LRA notifies the Secretary that it will not submit such a plan;
    - twenty-four months after the date of approval of the closure or realignment of the installation; or
    - ninety days before the date of the closure or realignment of the installation.

These time frames, if stringently adhered to would place all facilities in BMSL III prior to closure. This may adversely impact implementation of LRA's reuse plan and possibly delay Navy's property disposal efforts. Therefore, Navy supports placing facilities into BMSL I when prospects of immediate reuse are known, and BMSL II for those facilities that have identified reuse and where reuse is to occur within a reasonable period of time. BMSL III is for those facilities without a planned reuse.

c. Discussion. Base realignments and closures present major, unprecedented challenges to the Navy and its impacted activities. Challenges come from different directions and can often be in conflict. Three significant sources providing these challenges are:

- o Tenant organizations expect to maintain a high level of quality of life until their transfer or deactivation.

- o The Navy expects the installation commanding officer to take actions necessary to ensure the highest return on its real property investment at the time of transition, while reducing sustainment costs for excess real property to minimum essential levels.

- o The public and Congress expect facilities transferred to other agencies or incorporated into the local community to be maintained consistent with their anticipated reuse.

2. Definitions. The definitions of common base realignment and closure terms are:

- o Base Closure Law: The Defense Base Closure and Realignment Act of 1990 (Part A of Title XXIX of the Public Law 101-510; 10 USC 2687 note). The National Defense Authorization Act of Fiscal Year 2001 amended this statute to authorize the 2005 round.

- o Base Closure Office: A newly created office on a closing activity tasked with managing base closure actions. This office reports to the host command and is normally headed by senior officer of that command.

- o BRACON: General term attributable to BRAC military construction (BRACON) or family housing construction (FHSG BRACON) resulting from Base Closure Commission recommendations. Some but not all military construction rules apply to BRACON and FHSG BRACON.

- o BRAC Maintenance Service Level (BMSL): BMSLs reflect layaway requirements, and subsequent level of caretaker services, for facilities at a closing installation. BMSLs are based on projected reuse of facilities provided in the LRA Reuse Plans or by projected sale potential of the property. The PMO approves BMSLs selected for BRAC property. There are three BMSLs:

Level I – Immediate Reuse
Level II – Reuse Identified
Level III – Reuse Not Identified

- Budget Submitting Office (BSO): Organization responsible for the preparation and submission of budget data for a host activity or specific area of one time implementation costs associated with base closure implementation. For BRAC 2005, AAUSN is the BSO.

- Building Closure Plan: A plan developed by tenants for each building that a tenant occupies. This plan identifies specific requirements for the closure of a building and the return of custody back to the host command.

- Caretaker: The actions necessary to protect and maintain facilities in a layaway status. Protection consists of security and fire protection services. Security services are intended to discourage and detect intrusion. Fire protection services are intended to reduce the risk of fire and to ensure an initial response to minimize damage in the event of a fire. Maintenance is limited to identifying critical deficiencies and taking the minimum action necessary to arrest the deficient condition that, if not corrected, may cause structural damage.

- Caretaker Costs: Costs associated with the actions necessary to protect and maintain inactivated facilities.

- Caretaker Site Office (CSO): CSOs are responsible for caretaker operations at BRAC properties that have achieved operational closure. Normally these organizations will be detachments of either PMO Southeast, PMO Northeast or PMO West.

- Caretaker Maintenance (also referred to as Residual Sustainment): Includes the maintenance performed on laid away facilities to ensure continued weather tightness and security; protection from fire and vermin; and safe and efficient operation of required utility systems. (NOTE: Caretaker maintenance may be performed by the closing activity prior to the property's transfer to the CSO).

- Claimancy Transfer: The action transferring custody and control of real property from the host claimant to the PMO.

- Closing Activity: An activity determined to be excess to the needs of the Department of Navy under a base closure law. May also be referred to as closing installation.

- Closure Announcement Date: The date on which the BRAC Commission's recommendations became law by Congress. For BRAC 2005, this date is November 9, 2005.

- Critical Deficiencies: Critical deficiencies include those deficiencies that if left alone would lead to worse, accelerated, or additional facility degradation and deterioration. Examples of critical deficiencies include roof leaks or other defects in the shell of buildings, inoperative heating systems in level II buildings, and termite or other structural pest infestations.

- Disposal: Legally transferring Navy controlled real and personal property at a closing activity to another DoD activity, federal agency, state or local government or agency (i.e., Redevelopment Authority), or the private sector.

- Facilities: Facilities include all Class I and Class II property (i.e., land, improved and un-improved, structures; building, permanent and temporary; and utility systems). Facilities are synonymous with real property.

- Facilities Layaway Plan: Facility layaway plans are developed for each facility or group of similar facilities by the host activity based on the LRA's reuse plan and PMO property disposal plan. These plans are approved by the PMO.

- Host Activity: The command that holds the Class I property records and provides support services to tenant commands. Normally synonymous with closing activity.

- Echelon II /Host Claimant: The major claimant of the host activity. In most cases this will be the Commander, Naval Installations Command (CNIC). Other host claimants may include Bureau of Medicine and Surgery (BUMED) and Chief of Naval Research (CNR).

- Interim Caretaker Status: Facilities that have been laid away and are being held by the closing activity until operational closure, at which time they are transferred to the PMO. The level of care for these facilities is defined by the BMSL to which they are assigned.

- Layaway: The preparation of facilities for a period of inactivation prior to their disposal. Layaway includes securing facilities to limit unauthorized entry, removing trash and debris, termination/reduction of utilities, preservation of installed equipment and related personal property, correction of any critical deficiencies that, if not corrected, may cause structural damage, and ensuring facility weather tightness. Specific layaway actions are determined by the BMSL assigned the facility.

- Layaway Costs: One time implementation costs incurred for the preparation of facilities for a period of inactivation (i.e., caretaker) prior to their disposal.

- Local Redevelopment Authority (LRA): Any entity, including an entity established by a state or local government, recognized by the Secretary of Defense as the entity responsible for developing and implementing the redevelopment plan with respect to the installation.

- Mission Cease Date: The point at which the installation, activity, or unit is not able or no longer performs its assigned mission.

- One Time Implementation Costs: Costs incurred due to the closure/realignment of an activity resulting from actions of the Base Realignment and Closure Commission.

- Operational Closure Date: The point at which all host/tenant activities have been disestablished or relocated, hazardous materials and wastes have been removed, personal property disposition plan has been finalized, and layaway of all facilities (includes family housing) has been completed. For installations where naval nuclear propulsion work has been performed, the Director, Naval Nuclear Propulsion, will determine the date for operational closure.

- Plant Property: All Navy owned real property and that realty for which accountability is the responsibility of the Navy. The term also includes Navy owned personal property of a capital nature. Plant property classes are:
  Class I - Land

Class II - Buildings, Structures, and Utilities

Class III - Equipment other than Industrial Plant Equipment with a value of $5,000 or more

Class IV - Industrial Plant Equipment with a value of $5,000 or more.

- Personal Property: Any property except land, fixed-in-place buildings, ships, and federal records likely to be useful to the economic redevelopment of the installation. Personal property may be classified as Class III (Equipment other than Industrial Plant Equipment) or Class IV (Industrial Plant Equipment). Personal property may be related or non-related, the former being essential to the character of the facility.

- Personal Property Reuse: Based on military requirements and LRA redevelopment plans personal property will be categorized as:

  Not Available for Reuse. That property that meets one of the following conditions:

  a. It is required for the operation of a unit, function, component, weapon, or weapons system at another installation;
  b. It is uniquely military in character, and is likely to have no civilian use (other than use for its material content or as a source of commonly used components);
  c. It is not required for the reutilization or redevelopment of the installation (as jointly determined by the Secretary and the redevelopment authority);
  d. It is stored at the installation for purposes of distribution (including spare parts or stock items); or
  e. It meets known requirements of an authorized program of another federal department or agency for which expenditures for similar property would be necessary, and is the subject of a written request by the head of the department or agency.

  Available for Reuse. All personal property except that identified as *Not Available for Reuse.*

  a. *Needed for Redevelopment*. Personal property identified by the LRA, or other recognized entity having authority over redevelopment of the installation, as needed for redevelopment. This property will be kept on the installation and maintained in an appropriate manner.

b. *Not Needed for Redevelopment*. All remaining personal property not identified as *Not Available for Reuse* or *Needed for Redevelopment*. There are several options available for disposal of this property including, negotiated sales, public sales, public benefit conveyances, Federal Aviation Administration (FAA) conveyances, homeless assistance conveyances, economic development conveyances, and transfer to DRMO.

- Program Management Office (PMO): The Deputy Assistant Secretary of the Navy for Installations and Facilities, DASN (I&F), is responsible for management of BRAC execution. DASN (I&F) established the PMO to perform this function. The PMO is composed of PMO Headquarters located in San Diego, PMO Support in Washington DC, PMO West located in San Diego CA, PMO Southeast located in Charleston SC, and PMO Northeast located in Philadelphia, PA.

- Real Property: Class 1 property (land) and Class 2 property (buildings, structures, and utilities).

- Recurring Costs: Costs to be incurred on an annual basis resulting from the realignment of a facility's mission, personnel, and/or assets due to BRAC recommendations.

- Recurring Savings: Savings to be realized on an annual basis as a result of closure, realignment, or consolidation of an activity under BRAC.

- Redevelopment Plan (Reuse Plan): A plan developed by the LRA for the reuse of surplus BRAC property. It is to balance the needs of the homeless and the economical development of the property.

- Related Personal Property: Any personal property that is an integral part of real property or is related to, designed for, or specially adapted to the functional or productive capacity of the real property, removal of which would significantly diminish the value of the real property. Additionally, any other personal property identified that the BRAC PMO determines to be related to real property and anticipates will support the implementation of the Redevelopment Plan with respect to the installation.

- Tenant: Organizations or units who reside on Class 1 property owned or leased by a host activity.

- o Transfer Agreement: A closing activity specific agreement delineating detailed requirements and responsibilities for the closing site within the bounds of the executive memorandum of understanding; executed by the commanding officer of the closing activity and the PMO.

3. BRAC Maintenance Service Level. There are three broad BMSLs identified. These service levels are dependent on the initial projected reuse of the facilities determined by BRAC PMO in consultation with the LRA or General Services Administration (GSA). Facilities having known reuse will require a higher level of care than those facilities having uncertain reuse potential. BMSL definitions are provided in Table 1-1 below.

TABLE 1-1

BRAC MAINTENANCE SERVICE LEVEL (BMSL) DEFINITIONS	
BMSL I	**IMMEDIATE REUSE**. Layaway Level 1 anticipates "hot transfer" or rapid occupancy – no layaway action is required because either the facility is occupied, or the LRA has identified a tenant that is committed to immediate full occupancy. Reuse will commence at or before operational closure. Facilities, systems, and equipment shall be maintained at fully operational levels. All services including, but not limited to, all installed utilities, mechanical systems, grounds maintenance, snow removal, and interior and exterior structural finishes and systems will continue until actual turnover.
BMSL II	**REUSE IDENTIFIED**. Layaway Level 2 or "interim layaway" – layaway actions specifically tailored to align with reuse plan. For those facilities with confirmed reuse and tenants scheduled to take full occupancy within a reasonable period of time, heat and air conditioning remain operational with temperatures maintained at not less than 50 degrees F during the heating season and not more than 85 degrees F during the cooling season. Maintenance and repair is required to maintain the structural integrity, weather tightness, and utilities of the facility to limit deterioration. Fire protection and detection systems are maintained. Water is periodically turned on to faucets, toilets, urinals, etc., to keep drain traps "wet". Unnecessary electrical circuits are de-energized. Limited grounds maintenance is continued. Scheduled interior inspections are conducted to detect problems. Where there is less certainty as to reuse: No heat or air conditioning will be provided. Supplemental ventilation may be required to control humidity. Water lines are drained and sewer traps are capped or routinely treated with nontoxic antifreeze. Fire protection systems may be disconnected. All utilities are turned off. Scheduled interior inspections include checks for damage from mold and mildew.
BMSL III	**REUSE NOT IDENTIFIED**. Layaway Level 3 or "cold iron" – no reuse anticipated or abandoned facility. Facilities, systems, and equipment are permanently closed. Windows and entrances are secured (or boarded if necessary). Unauthorized personnel and visitors are prevented from entering the facilities and grounds immediately adjacent. Only conditions adversely affecting public health, the environment, and safety will be corrected. All utilities are disconnected and properly terminated.

4. **Facility Layaway Plan**. Each closing installation is required to prepare a Facility Layaway Plan. This plan provides details on how the installation will be closed, what BMSL facilities will be placed in, and when operational closure is planned. This plan will provide a "bridge" between the stakeholders: the activity, BRAC PMO, LRA, and the CSO. A final Facility Layaway Plan shall be completed no later than 6 months prior to operational closure.

5. **Facility Records**. Basic information maps, as-built drawings, utility maps, project documentation, warranties, real property records, master planning documents, environmental records, and other facility related records should be retained by the activity in appropriate files. Like historic properties, facility records should be evaluated to determine if any is of historical significance and need to be archived. Custody of facility records and automated facility management systems should be transferred to the CSO. Adequate provisions must also be made to make appropriate documents available to government agencies, community reuse organizations, and potential buyers. Chapter 4 contains more details on the types of environmental records that should be retained and organized.

6. **Other considerations.**

a. Telephone/Internet Services. Determine what essential telephone/internet services are required to support closure operations and will be required for post closure operations. Many installations rely on Navy owned switching gear. Navy may desire to move this equipment to another site or terminate the service to save money, or, there may be an interest to maintain this equipment for commercial reuse. If the latter is the case, transition to commercial service provider may be desirable. Navy Marine Corps Intranet (NMCI) owns the internet service equipment, which will be removed as part of facility layaway and will be unavailable for reuse.

b. Utility Contracts. Ensure public utility contracts are re-negotiated or supplemented to ensure utility services are maintained during the closure process and are in an acceptable state when transferred to the CSO.

c. Onsite Capabilities. Identify key onsite capabilities that should be kept open; e.g., testing laboratories or fabrication shops that support closure requirements.

7. Historic Properties and Archeological Sites. Layaway and caretaker maintenance guidance provided in this document does not directly apply to historic structures, although it may be used as a basis for the development of plans to deal with historic properties to the extent that it does not conflict with the National Historic Preservation Act (NHPA). Information on Section 106 of the NHPA can be found at the following Advisory Council on Historic Preservation web site: http://www.achp.gov/work106.html.

a. Prior to closure, realignment, or transfer, all activities must comply with NHPA and its implementing regulations. NHPA requires identification, evaluation, documentation, and protection of historic, archeological, and other cultural resources, and interagency consultation in carrying out these responsibilities. NHPA Section 106 requires that each closure or realignment be examined, in consultation with the State Historic Preservation Officer (SHPO), for any effect (adverse or beneficial, direct or indirect) which it may have on historic, archeological, or other cultural resources and records, documents, drawings, and photographs associated with them. Compliance with Section 106 must be completed before the BRAC action may begin. Title 36 Code of Federal Regulations (CFR) 800, "Protection of Historic and Cultural Properties," details out how this must be accomplished.

b. Activities must review the potential effects of layaway, caretaker maintenance, and closure on historic properties and coordinate closely with the BRAC PMO. BRAC PMO will be the lead in Section 106 consultations with the SHPO, Advisory Council on Historic Preservation, and interested parties regarding these potential effects and the effects of disposal and reuse. Decisions regarding layaway and maintenance will typically be documented in a Section 106 Memorandum of Agreement between the parties and these decisions should also be referenced in the Facility Layaway Plan. Layaway and caretaker maintenance on historic properties should be undertaken in accordance with the Secretary of Interior's Standards for Rehabilitation of Historic Buildings (36 CFR § 67) ("Rehabilitation Standards") with the goal of minimizing alterations to the historic properties. Expect the cost of layaway and caretaker maintenance as well as the oversight required to be higher than that of non-historic properties.

8. Personal Property. Personal property must be managed during the closure process. Closure of Naval installations under BRAC requires that personal property, which can be used

to support community redevelopment plans, be made available for such purposes if it is not needed for continuing military or other federal agency requirements.

a. Historical Artifacts. After the closure announcement, both the region historian and the Naval Historical Center (NHC) should be contacted to request information on preservation and shipment of historical artifacts.

b. Inventory. The Navy is required by statute to inventory personal property within six months of the closure announcement date and identify personal property that will support the implementation of the redevelopment plan.

c. Disposition of Personal Property. Personal property may be removed from the installation under one of the five exemptions listed below, retained on the installation to support redevelopment, or excised through the local Defense Reutilization and Marketing Office (DRMO).

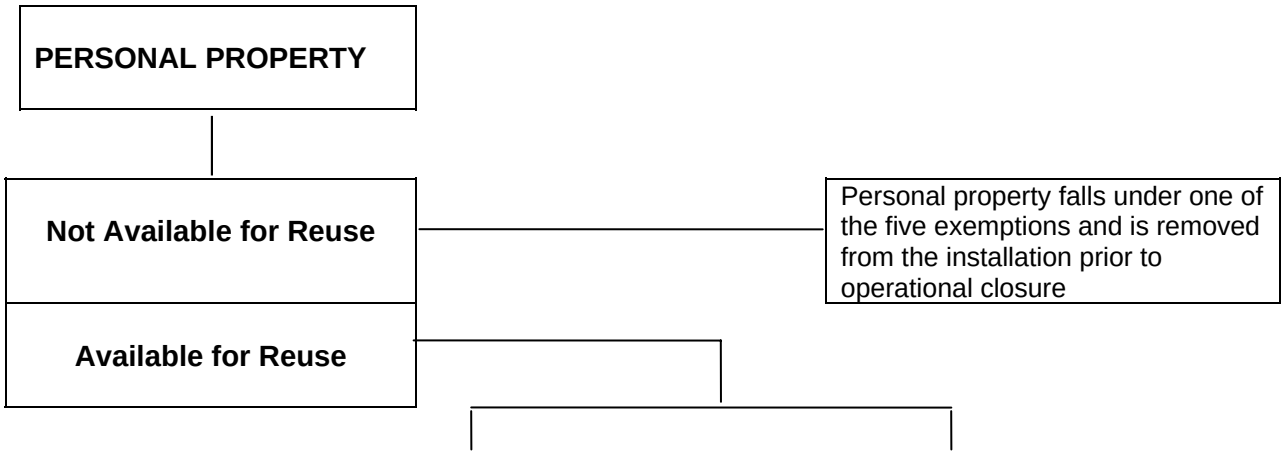
d. Removal. Figure 1-2 below provides a decision diagram for personal property. Removal of personal property from the installation is subject to the same time frames as reduction in maintenance as given above in paragraph 1.b. The five exceptions to this requirement limiting movement of personal property are as follows:

- [Property] is required for the operation of a unit, function, component, weapon, or weapons system at another installation;
- [Property] is uniquely military in character, and is likely to have no civilian use (other than use for its material content or as a source of commonly used components);
- [Property] is not required for the reutilization or redevelopment of the installation (as jointly determined by the Secretary and the redevelopment authority);
- [Property] is stored at the installation for purposes of distribution (including spare parts or stock items); or
- [Property] meets known requirements of an authorized program of another Federal department or agency for which expenditures for similar property would

be necessary, and is the subject of a written request by the head of the department or agency.

FIGURE 1-2

Personal Property Categories



Needed for Redevelopment		Not Needed for Redevelopment
Related*	**Not Related**	**Property is removed from the installation.**
Conveyance of personal property in these categories is by BRAC disposal methods		Disposal of personal property in this category is by non-BRAC disposal methods.

Conveyance		Disposal
• Conveyance w/ real property as part of real property conveyance	• Homeless Assistance w/o real property • EDC w/o Real Property • Sale supporting reuse	• DRMO - Screening for military or federal needs - Surplus determination - Sale/donation with priority to LRA or community through the State Agency for Surplus Property (SASP) - Public sale - Disposal Contract

*Related property is essential to the functional charter of the facility

e. Vehicles and transportation equipment. The installation will provide an inventory of all leased and government owned vehicles to BRAC PMO with status of disposition. All GSA leased vehicles will be turned in by the installation prior to closure. The installation will be responsible for preparing and signing all U.S. Government Certificate To Obtain Title to a Vehicles form (SF-97) for vehicles and transportation equipment that are required for interim caretaker functions prior to the transfer of custody and control, excluding the mileage information. For lost or stolen vehicles and equipment the installation is responsible for investigating and reporting the circumstances including preparation, signing and submitting the FINANCIAL LIABILITY INVESTIGATION OF PROPERTY LOSS (DD 200), copies are to be provided to BRAC PMO.

9. Transfer Agreement. A Transfer Agreement between the closing installation and receiving BRAC PMO shall be in place no later than 18 months prior to operational closure. This agreement will establish the conditions under which the closed installation will be transferred from CNIC's Claimancy to the BRAC PMO for caretaker management pending the property's disposal. A Transfer Agreement outline that can be tailored to local requirements is included as Appendix C of the Navy's BRAC Implementation Guidance.

10. References. Most of the following references can be found under the DoD Tab of the federally sponsored Whole Building Design Guide (WBDG) web site located at http://www.wbdg.org. Web sites for documents not found under WBDG are provided where available.

a. Uniform Fire Code (UFC) 4-911-01N - "Operation and Maintenance: Inactive Care and Closure of Shore Facilities", 16 January 2004
b. UFC 3-600-02 - "Operations and Maintenance: Inspection, Testing, and Maintenance of Fire Protection Systems", 01-Jan-01
c. NAVFAC MO-118, "Inspection of Vertical Transportation Equipment", October 1988
d. American Association of State Highway and Transportation Officials (AASHTO): "Movable Bridge Inspection, Evaluation and Maintenance Manual", 1998
e. UFC 3-430-07, "Operations and Maintenance: Inspection and Certification of Boilers and Unfired Pressure Vessels", 24 July 2003
f. American Society of Mechanical Engineers (ASME) A17.1, "Safety Code Elevators & Escalators Handbook"
g. ASME - A17.2, "2001 Guide for Inspection of Elevators, Escalators, and Moving Walks"

h. NAVFAC MO-913, “Historic Structures Preservation Manual”

i. U.S. Department of the Interior, National Park Service Preservation Briefs: 31, “Mothballing Historic Buildings”, http://www.cr.nps.gov/hps/tps/briefs/brief31.htm

j. NAVFAC Instruction 11000.4A - “Base Realignment And Closure Caretaker Management Guidance”, 10 July 1997, https://navfacilitator.navfac.navy.mil/docs/default.cfm?type=2

k. Title 41 Code of Federal Regulations (CFR) 102-75, Disposal of Real Property.

l. Title 36 Code of Federal Regulations (CFR) 800, "Protection of Historic and Cultural Properties” http://www.access.gpo.gov/cgi-bin/cfrassemble.cgi?title=199736

m. “United States Navy Layaway Procedures for Historic Properties" (July 1996) or most recent version.

11. Points of Contact. Since this document cannot specifically address all BRAC situations, activities are encouraged to contact their respective region or the BRAC PMO for additional information and assistance. Questions, comments, and suggested changes to this document should be directed to the Director of BRAC PMO, Base Realignment and Closure, Program Management Office, 1455 Frazee Road, Suite 900, San Diego, California 92108-4310.

Chapter 2: BUILDING VACATING STANDARDS

1. General. This chapter provides guidance for vacating buildings as a result of BRAC realignment actions or unit disestablishments. Vacating requirements, with the exception of personal property, are generally independent of the BMSL into which a facility is to be placed.

a. Host Command Responsibilities. It is incumbent upon the Host Command to provide a structured environment during BRAC closure and realignment actions. Buildings vacated by tenants are returned to the control of the Host Command with responsibility for layaway actions.

- Tenant Coordinator. The Host Command should establish a full time tenant coordinator. This position will provide specific instructions to tenants on their responsibilities for vacating facilities.

- Planning Conference. The Host Command should conduct an installation wide planning conference for discussion of a consolidated closure plan as soon as possible with all tenants to set the ground rules concerning checklists, inventories, and building closing schedules.

b. Tenant Responsibilities. It is Navy's expectation that tenants aboard closing or realigning Navy installations will vacate buildings in an orderly fashion that promotes the Host's layaway actions.

- Tenant Closure Plans. Tenants are expected to develop closure plans specific to the buildings they occupy. Tenant closure plans must be married up with facility layaway plans and the installation's operational closure plan.

- Reporting. A periodic report, monthly or more frequently as needed, should be provided to the Tenant Coordinator reporting information on closure and realignment actions.

c. Joint Actions. The host and the tenant will conduct a minimum of two joint inspections and either party may request additional inspections.

- The first inspection will be made shortly after the BRAC announcement is made. The purpose of this inspection is to identify the types of actions that will be required to close a building.

- The second inspection will be the acceptance inspection by the hosts Public Works staff or Base Closure Officer to ensure compliance with requirements established in this chapter.

2. Personal Property. Upon personal property disposal decisions, personal property shall be managed as follows:

a. "Not Available for Redevelopment"

- Personal property required to support the tenants mission must be removed from the building, either shipped to the units new location or moved to a central storage area, prior to the tenant's termination of custody of the building.

- Personal property claimed by others under one of the five conditions making the property "Not Available for Redevelopment", must either be removed from the building by the recipient of the property or placed in central storage area.

b. "Available for Redevelopment"

- "Needed for Redevelopment"
  - Personal property located in BMSL I and II will be left in the building. Small, pilferable items should be secured in a central location within the building.
  - Personal property located in BMSL III should be removed to a central storage area.

c. "Not Needed for Redevelopment." The departing tenant will coordinate the disposal of this property with local Defense Reutilization and Marketing Offices (DRMO). Property will be relocated to DRMO's storage area prior to the building's return to the CNIC.

3. **House Cleaning**. Tenants vacating buildings are expected to leave buildings in a condition suitable for the next occupant.

- Hazardous materials should be removed from buildings and properly disposed.
- Remove all material from closets; remove mission related signs (i.e., do not remove building related signs).
- Scrap lumber, trash, and other debris should be removed from inside, around, and under buildings and properly disposed of.
- Remove items from bulletin boards.
- Dumpsters should be emptied and removed to a central storage location.
- Broom sweep floors, vacuum carpets, and clean bathrooms: water closets and urinals should be flushed and thoroughly cleaned with a brush and disinfectant, and lavatories and showers should be cleaned.

4. **Building Shell.** Building shell deficiencies, such as roof leaks and holes in siding, should be reported to Public Works for inclusion in the Facilities Layaway Plan using Form 3-1 in Chapter 3.

5. **Exterior Windows, Doors, and Other Openings**. Deficiencies in windows, doors, and other openings, should be reported to Public Works for inclusion in the Facilities Layaway Plan using Form 3-1 in Chapter 3. Window treatments such as blinds and shades should be in good working order. Curtains and drapes are to be removed.

6. **Locks and Keys**. All keys should be collected and tagged. Keys should be returned to the Host Command in an organized manner that facilitates easy key identification. (Untagged keys in a coffee can for example are not acceptable.)

7. **Heating, Ventilating, and Air Conditioning (HVAC) Systems**. Heating and air conditioning systems should be set to their minimum setting consistent with the local conditions: heating set no lower than 50F for buildings subject to freezing and air conditioning no higher than 85F for buildings subject to dampness. HVAC for buildings in temperate areas should be

turned off. Deficiencies in HVAC systems should be reported to Public Works for inclusion in the Facilities Layaway Plan using Form 3-1 in Chapter 3.

8. **Plumbing Systems**. Prior to vacating the building, an inspection of all taps should be made to ensure all taps are turned to the off position, dripping facets and leaking toilets are to be identified, and drains are to be open and free of debris. Deficiencies should be reported to Public Works for inclusion in the Facilities Layaway Plan using Form 3-1 in Chapter 3.

9. **Electrical Systems**. All equipment and lights should be unplugged. Circuits for interior lighting should be left energized. Switches for all electrical and mechanical equipment not remaining in operation should be tagged and left in the "OFF" position. Any defective circuits should be reported to Public Works for inclusion in the Facilities Layaway Plan using Form 3-1 in Chapter 3.

10. **Fire Protection and Alarm Systems**. These systems should be in working order. Deficiencies should be reported to Public Works for inclusion in the Facilities Layaway Plan using Form 3-1 in Chapter 3.

11. **Miscellaneous Building Systems**. These systems (gas lines, air compressors, air handler units, etc.) should be in working order. Deficiencies should be reported to Public Works for inclusion in the Facilities Layaway Plan using Form 3-1 in Chapter 3.

12. **Elevators**. Elevators, dumbwaiters, or escalators should be left in an operational status. Elevators should be positioned at the first or main floor.

13. **Pest Control Services**. Report any pest infestation to Public Works using the form at the end of this Chapter.

14. **Appliances**. If refrigerators are left in place, unplug the unit and tape a block of wood to the inside edge of freezer and refrigerator doors to block open and allow ventilation. Stoves are to be unplugged.

Chapter 3: FACILITY LAYAWAY STANDARDS

1. **General.** Layaway requirements will generally be dictated by the BRAC Service Levels (BMSLs) into which a facility is placed, but there is no substitute for the use of experience and common sense when applying these standards to specific activity facilities and situations. This chapter provides layaway guidance and establishes standards for each of the BMSLs defined in Chapter 1, Table 1-1. Layaway requirements are organized as follows:

- Section I, layaway standards for buildings. Table 3-1 below provides a summary of layaway procedures for facilities.
- Section II, layaway standards for utility plants and distribution systems.
- Section III, layaway standards for miscellaneous facilities.

2. **Facility Layaway Plans**. Facility layaway plans will be developed for each facility or group of similar facilities. A final Facility Layaway Plan shall be completed no later than six months prior to operational closure. The key element of these plans is the BMSL into which facilities are placed. Projected facility reuse, when reuse is to occur, and property disposal plans determine the BMSL. Facilities having immediate reuse (i.e., at or before operational closure) are normally placed in BMSL I. There should be a firm commitment on this reuse, otherwise BMSL II should be considered. Facilities placed into BMSL II have identified reuse that normally occurs within six months of operational closure. There should be a reliable commitment to this reuse. If property disposal plans call for a timeframe greater than six months and disposal is dependent upon facilities being in a BMSL II condition, close coordination with the BRAC PMO is needed. Each facility will have to be assessed to determine its BMSL. Form 3-1 below is provided as a template to be used in the layaway process. These forms, collectively for all facilities, comprise the Base Facility Layaway Plan.

3. **Facility Inspections**. A modified control inspection of each facility (including family housing) to be laid away is required to identify critical deficiencies (normally limited to weather tightness, security, or safety related deficiencies) that must be corrected during the layaway process and to gather other information that will be required to develop facility layaway plans. The scope of inspection depends on the BMSL into which the facility is placed and elapsed time since the last control inspection. Information from the most recent Annual Inspection Summary

(AIS) may be useful in reducing the number of required inspections. Facility inspections must be thorough enough to identify all critical deficiencies. Generally, non-critical deficiencies need not be identified or corrected since facilities will be provided to the next user in an "as-is" condition. Form 3-1 below is provided as a template to be used for these inspections and these forms will be the key component of the Facility Layaway Plan.

4. **Key control**. Key control for closed facilities will become a major undertaking. A process for key control needs to be established early in the closure process and adhered to throughout. Consideration should be given to "re-keying" locks so that a master key can be used.

TABLE 3-1
BUILDING LAYAWAY PROCEDURES

**BMSL I buildings are immediately reused and need no layaway.

BUILDING COMPONENT	BMSL II	BMSL III
Personal Property	Inventory & secure in building,	Class 3 and Class 4 personal property remains in place. Class 3 personal property with a value over $5,000 should be inventoried and secured.
House Cleaning	Remove debris & associated dumpsters. Broom sweep floors, vacuum carpets, clean bathrooms & fixtures.	Same as level II. If abandoning building, clean only for health and safety.
Building Shell	Identify & repair roofing, exterior siding, & other structural components to ensure building shell is watertight. Clean, inspect, & repair gutters & down spouts.	Same as level II. If abandoning building, only if required to prevent safety or environmental hazards.
Exterior Windows, Doors, and Other Openings	Identify & repair to ensure building shell is watertight, pest tight, & secure. Lock shut. Install chimney caps; install screening over vents, grills, louvers, etc.	Same as level II; consider boarding windows & glass in doors. Remove & store screens if economical. If abandoning building, nail doors & windows shut, no repairs unless required for security or to prevent safety/environmental hazards.
Locks & Keys	Change exterior locks & lock doors. Maintain key control & inventory. Post emergency notification signs on exterior of bldg.	Same as level II. If abandoning building, Change exterior lock on one entrance. Nail all other doors shut.
Heat	Maintain operational only if needed to prevent freezing, otherwise consider turning off & laying away.	Turn off & layaway systems.
Air Conditioning	Maintain systems operational. Sufficient (85 degrees maximum) to prevent humidity related damage.	Maintain operational only if needed to prevent humidity damage (same temperature as level II), otherwise turn off & layaway. If abandoning building, Minimal layaway to prevent safety & environmental hazards.
Supplemental Ventilation	Install passive ventilation if required to reduce high humidity & condensation.	Same as level II.
Water/Plumbing	Inspect & repair leaks. Turn off if not required for fire protection, HVAC or other system.	Turn off & drain all lines. Block or cover traps, or fill with non-toxic antifreeze. If abandoning building, disconnect & cap.
Hot Water Heaters	Turn off electrical power & water.	Turn off electrical power & drain. Post note that system has been drained.
Electricity	Turn off & tape all breakers except those required for interior lighting & other essential service (e.g., HVAC, fire detection, sump pumps, etc). Turn off main disconnect if no essential services required. Update service box wiring chart.	Same as level II except not required for HVAC. If abandoning building, Disconnect service outside building.
Fire Protection Systems	Fire alarm, sprinkler, & special extinguishing systems will remain operational. Fire extinguishers will remain in place.	Drain sprinkler systems & secure fire alarm systems. Remove fire extinguishers.
Gas	Turn off, except as required for heat.	Turn off & vent system. Preserve fittings. If abandoning building, Disconnect & cap in coordination with utility company.
Elevators	Maintain operational status & certification.	Take out of service.
Pest Control Services	Inspect to identify potential problems & initiate appropriate control procedures.	Same as level II.
Grounds	Remove trash under & around building. Remove dead/diseased plants & prune or remove those that could damage facility.	Same as level II. Maintain area to prevent fire hazard. Remove mowing obstacles if necessary.
Layaway Checklist	Post layaway checklist with utility service status/cut offs at building entrance.	Same as level II.

FORM 3-1 BUILDING LAYAWAY PLAN

Facility No:	Facility Name:	Facility Code:

Description (# floors, sq. ft., type construction, etc.):

General Condition:

Historical Bldg? Yes / No
Asbestos in bldg? No / Intact / Friable
Lead? No / Intact / Flaking
Mold/Mildew? No / Mild / Severe
Is hazmat or hazwaste stored in bldg? Yes / No Amount? _____
Are there any existing records on the bldg? (Maintenance/Repair records)

Deficiencies

Description	Critical (yes) (no)	Estimated Cost ($000)	Disposition: (Projected date or no action)
1.			
2.			
3.			
4.			
5.			
6.			

(Use continuation sheet if needed)

Unique Layaway Requirements:

PMO Reuse Recommendation: (yes) (no)	Reuse Projected (type reuse and when):	BMSL: I, II, III

Date 1st Inspection:	Results
Inspector:	
Date Final Inspection:	Results
Inspector:	

Base Closing Officer Date:

Form 3-2-1
BMSL I: BUILDING LAYAWAY AND TURNOVER CHECKLIST
BMSL I buildings are immediately reused and need no layaway.

(*For detailed Layaway procedures refer to BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance*)

Building No:	**Building Name:**	**Building Code:**

Description (property record number, # floors, sq. ft., type of construction, use, location - attach site map, etc.) :

Does this building have Historic Significance? (If Yes, please refer to Section 106 of the National Historic Preservation Act (NHPA) to ensure proper layaway).	Yes No

General Condition:

Specific Building Components
Identify if the following components are present and if they have been laid away according to the NBIG

Components	**Present in Bldg? (Y/N)**	**Laid Away (Y/N or NA)**	**Description of Layaway (Status, dates of action, variations from Table3-1)**
1. Personal Property			
2. House Cleaning			
3. Building Shell			
4. Exterior Windows, Doors, & Other Openings			
5. Locks & Keys			
6. Heat, Ventilation and Air Conditioning			
7. Air Conditioning			
8. Supplemental Ventilation			
9. Water/Plumbing Systems			
10. Electrical System			
11 Fire Protection Systems			
12. Gas System			
13. Elevators			
14. Pest Control Services			
15. Grounds			
16. Misc. Systems and Appliances			
17. Other Component (describe)			

(Use continuation sheet if needed)

Unique Layaway Requirements:

PMO Reuse Recommended: Yes No	**Reuse Projected (type of reuse and when):**	
Date of Inspection:	**Inspector:**	**Results**

Base Closing Officer **Date:**

Form 3-2-2

BMSL II: BUILDING LAYAWAY AND TURNOVER CHECKLIST

(*For detailed Layaway procedures refer to BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance*)

Building No:	**Building Name:**	**Building Code:**

Description (property record number, # floors, sq. ft., type of construction, use, location - attach site map, etc.) :

Does this building have Historic Significance? (If Yes, please refer to Section 106 of the National Historic Preservation Act (NHPA) to ensure proper layaway).	Yes No

General Condition:

BUILDING COMPONENT	BMSL II – Layaway Action	Present in Bldg? (Y/N)	Complete (Y/N or NA)	Description of Layaway (Note location of specific work and location of records)
Personal Property	Inventory & secure in building.			Note location of records.
House Cleaning	Remove debris & associated dumpsters. Broom sweep floors, vacuum carpets, clean bathrooms & fixtures.			
Building Shell	Identify & repair roofing, exterior siding, & other structural components to ensure building shell is watertight. Clean, inspect, & repair gutters & down spouts			Note location of leaks and associated repairs
Exterior Windows, Doors, and Other Openings	Identify & repair to ensure building shell is watertight, pest tight, & secure. Lock shut. Install chimney caps; install screening over vents, grills, louvers, etc.			
Locks & Keys	Change exterior locks & lock doors.			
	Maintain key control & inventory.			Note location of keys.
Heat Air Conditioning	Post emergency notification signs on exterior of bldg			
	Maintain operational only if needed to prevent freezing, otherwise consider turning off & laying away			
	Maintain systems operational. Sufficient (85 degrees maximum) to prevent humidity related damage			
Supplemental Ventilation	Install passive ventilation if required to reduce high humidity & condensation.			
Water/Plumbing	Inspect & repair leaks. Turn off if not required for fire protection, HVAC or other system			
Hot Water Heaters	Turn off electrical power & water			
Electricity	Turn off & tag all breakers except those required for interior lighting & other essential service (e.g., HVAC, fire detection, sump pumps, etc).			
	Turn off main disconnect if no essential services required. Update service box wiring chart			
Fire Protection Systems	Fire alarm, sprinkler, & special extinguishing systems will remain operational. Fire extinguishers will remain in place			Confirm operational status
Gas	Turn off, except as required for heat.			

Elevators	Maintain operational status & certification.			Provide inspection and certification records.
Pest Control Services	Inspect to identify potential problems & initiate appropriate control procedures			
Grounds	Remove trash under & around building.			
	Remove dead/diseased plants & prune or remove those that could damage facility.			
Layaway Checklist	Post layaway checklist with utility service status/cut offs at building entrance			
(Use continuation sheet if needed)				
Unique Layaway Requirements:				
PMO Reuse Recommendation: **Yes No**	**Reuse Projected (type of reuse and when):**			
Date of Inspection:	**Results**			
Inspector:				
Base Closing Officer	**Date:**			

Form 3-2-3
BMSL III: BUILDING LAYAWAY/TURNOVER CHECKLIST

(For detailed Layaway procedures refer to: BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance)

Building No:	**Building Name:**	**Building Code:**

Description (property record number, # floors, sq. ft., type of construction, use, location - attach site map, etc.) :

Does this building have Historic Significance? (If Yes, please refer to Section 106 of the National Historic Preservation Act (NHPA) to ensure proper layaway).	Yes No

General Condition:

BUILDING COMPONENT	BMSL II – Layaway Action	Present in Bldg? (Y/N)	Complete (Y/N or NA)	Description of Layaway (Note location of specific work and location of records)
Personal Property	Class 3 and Class 4 personal property remains in place. Class 3 property with value over $5,000 should be inventoried and secured.			Note location of records.
House Cleaning	Same as level II. If abandoning building, clean only for health and safety.			
Building Shell	Same as level II. If abandoning building, only if required to prevent safety or environmental hazards			Note location of leaks and associated repairs
Exterior Windows, Doors, and Other Openings	Same as level II; consider boarding windows & glass in doors. Remove & store screens if economical. If abandoning building, nail doors & windows shut, no repairs unless required for security or to prevent safety/environmental hazards			
Locks & Keys	Same as level II. If abandoning building, Change exterior lock on one entrance. Nail all other doors shut			
Heat	Turn off & layaway systems.			
Air Conditioning	Maintain operational only if needed to prevent humidity damage (same temperature as level II), otherwise turn off & layaway. If abandoning building, Minimal layaway to prevent safety & environmental hazards.			
Supplemental Ventilation	Same as level II Install passive ventilation if required to reduce high humidity & condensation.			
Water/Plumbing	Turn off & drain all lines. Block or cover traps, or fill with non-toxic antifreeze. If abandoning building, disconnect & cap.			
Hot Water Heaters	Turn off electrical power & drain. Post note that system has been drained			
Electricity	Same as level II except not required for HVAC. If abandoning building, disconnect service outside building.			
	Motors, generators, and control equipment are cleaned, lubricated, blocked, and shrouded/preserved in-place.			
	Remove batteries and dispose of properly.			
Fire Protection Systems	Drain sprinkler systems & secure fire alarm systems. Remove fire extinguishers.			Confirm operational status

Gas	Turn off & vent system. Preserve fittings. If abandoning building, disconnect & cap in coordination with utility company.			
Elevators	Take out of service unless required/necessary for access to upper floors in high-rise buildings.			Provide inspection and certification records.
Pest Control Services	Same as level II Inspect to identify potential problems & initiate appropriate control procedures			
Grounds	Same as level II. Maintain area to prevent fire hazard. Remove mowing obstacles if necessary.			
Appliances	If left in place, unplug unit and tape a block of wood to freezer and refrigerators door to allow ventilation.			
Layaway Checklist	Same as level II Post layaway checklist with utility service status/cut offs at building entrance			
(Use continuation sheet if needed)				

Unique Layaway Requirements:

PMO Reuse Recommendation: **Yes No**	**Reuse Projected (type of reuse and when):**
Date of Inspection:	**Results**
Inspector:	
Base Closing Officer	**Date:**

Form 3-2-4
BASEWIDE UTILITIES, DISTRIBUTION SYSTEMS, AND MISCELLANEOUS SYSTEMS LAYAWAY AND TURNOVER CHECKLIST

(For detailed Layaway procedures refer to the BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance)

Facility Name:

Utility Plants, Distribution Systems, & Other Miscellaneous Systems
Identify if the following components are present and if they have been laid away according to the NBIG

Components	Present at Facility? (Y/N)	Laid Away (Y/N or NA)	Description of Layaway (Status, dates of action, variations from Reference)
1. General Utility System Requirements			
2. Water Supply and Wastewater Disposal Facilities			
a. Potable Water Systems			
b. Wastewater Systems			
c. Backflow preventer			
3. Electrical Distribution Systems			
a. Substations			
b. Distribution Systems			
c. Street and Protective Lighting			
4. Heating Systems and Boiler Plants			
a. Boiler Plants			
1) Boilers – Class (A) (B) (C) (D)			
2) Feed-Water Heater, De-aerators, Vent Condensers, Water Heating Equipment, Tanks, and Receivers			
3) Automatic Control Equipment and Meters			
4) Combustion Equipment – Stokers, Oil Burners, Gas Burners			
5) Water Softeners (Elite)			
6) Miscellaneous Equipment			
7) Controls, Instruments, and Miscellaneous Parts			
b. Steam Supply and Return System			
1) Piping			
2) Traps and Strainers			
3) Pressure Reducing Valves			
c. Small Heating Plants			
1) Steam and Hot Water			
2) Space and Unit Heaters			
d. Water-Heating Equipment			
5. Refrigeration Equipment			
a. Mechanical Refrigeration Equipment			
b. Ice Plant and Brine Systems			
c. Refrigerated Spaces			
6. Gas Distribution System			
a. Gas Mains			
b. Gas Meters			
c. Liquefied Petroleum Gas			
7. Cathodic Protection Systems			
Miscellaneous Systems			
1. Surfaced Areas and Drainage Structures			
a. Roads and Streets			
b. Drainage Structures			
2. Waterfront Facilities			
3. Graving Drydocks			
4. Swimming Pools			

5. Railroads			
6. Airfield Runways/Taxiways			
7. Other Miscellaneous Facilities (describe)			

Unique Layaway Requirements:

PMO Reuse Recommendation: Yes No	**Reuse Projected (type of reuse and when):**	**BMSL: I II III**
Date of Inspection:	**Results**	
Inspector:		

Base Closing Officer **Date:**

Form 3-2-5
ENVIRONMENTAL LAYAWAY AND TURNOVER CHECKLIST

(*For detailed Layaway procedures refer to the BRAC PMO Building Vacating, Facility Layaway, and Caretaker Maintenance Guidance*)

Building/Treatment Plant No:	**Building/Treatment Plant Name:**	**Building/Treatment Plant Code:**

Description (property record number, # floors, sq. ft., type of construction, use, location - attach site map, etc.) :

General Condition:

ENVIRONMENTAL COMPONENT	Layaway Action Taken	Present in Bldg? (Y/N)	Complete (Y/N or NA)	Description of Layaway (Note location of specific work and location of records)
1.a Building Plans, microfiche cards, blueprints	Organize and consolidate all plans, blueprints, and photographs of facility. Note location of any archived data. Secure all records for the CSO use.			
1.b Permits	Assemble copies of all permits active and inactive. Include air (including air credits), drinking water, wastewater, and RCRA. Include closure documentation and correspondence for CSO use.			
2. a Hazardous Waste and Materials Reports, Manifests, and Test Results	Assemble all reports, manifests, and test results for hazardous materials/wastes. Include hazardous materials/ waste employee records and training records.			
2.b Hazardous Waste/Material Storage Area, Spills and other Release Records	Assemble all documentation for hazardous materials/waste storage sites, spill, and cleanup. PCB transformer leaks/cleanup information and MSDSs for materials used in building			
2.c Permitted Facilities	All permitted facilities and associated piping needs to be cleaned closed per permit requirements prior to closure. Maintain all documentation for permit closure.			
3. Underground/Above Ground Storage Tanks	Provide documentation for location of all current and past underground storage tanks, sumps and above ground storage tanks. Tanks, sumps, and associated piping need to be cleaned. Maintain records of cleaning, closure, and sampling data for CSO use.			
4. Industrial Facilities	Assemble all industrial facility maps and operational records including permits including locations of process units, waste areas, pipelines and other facilities.			
4.a Water and Wastewater Facilities	Assemble maps and records on current and former water and wastewater treatment facilities. Include all permits and operational records. Provide facility maps. Layaway per Chapter 3.II.2.			
4.b Paint and Sandblast Facilities	Paint and sandblast booths should be cleaned. Provide documents for all materials used in booths. Provide MSDSs for chemicals used.			
4.c Landfills	Assemble all records for current and former landfills. Provide all RCRA and other permit records. Provide records of all waste streams.			

4.d Miscellaneous Industrial Facilities	Assemble all records for the industrial facility. Include in the records the locations; chemicals used, years in use, layaway process. All industrial components should be laid away in a manner that is free of hazardous materials.			
5. One Time Compliance	All facilities where hazardous operations existed must be cleaned and documented.			
a. Tanks, sumps, and piping	Drain, purge and triple rinse			
b. Contaminated areas	Clean all contaminated areas.			
c. Piping with hazardous materials	Drain purge and clean			
d. Sand blasting equipment	Clean all areas where dust has accumulated.			
e. Equipment Preservation	Layaway all equipment for reuse by draining oils and fuels and applying preservative.			
f. Equipment for Disposal	Drain equipment of all fluids & clean surfaces			
g. Refrigeration Systems	Drain systems of ozone depleting substances properly and preserve.			
h. Fire Extinguisher Equipment	Dispose of all fire extinguishers and purge halogenated fire extinguisher systems.			
I. Kitchen Facilities	Clean all equipment. Refrigerators drained, off and doors left open. Cooking grease tanks and traps emptied and cleaned			
j. Gas Cylinders	All gas cylinders shall be properly disposed of.			
6. Environmental Cleanup Sites	Assemble all documents on the locations of Solid Waste Management Units, Areas of Concern, and Installation Restoration Areas. GAP's. Include all prior documentation.			
7. Pesticide and Herbicide Records	Assemble all pesticide procedures and records of materials used. Provide locations of storage and handling facilities with MSDSs for materials. Special attention should be provided regarding Chlordane/Arsenic application.			
8. Munitions and Small Arms Firing Ranges	Assemble all records on areas where MEC was handled and stored and provide all records and maps of firing ranges. Provide records of all EOD unit operations.			
9. Radiological	Assemble all records of radiological uses and source areas used & stored. Provide all records of surveys, correspondences, between Navy, RASO, & regulators, etc… to the CSO.			
10. Natural Resources	Assemble all copies of Natural Resources Management Plans. Identify any endangered/threatened species with locations & provide reports outlining current protection plans. Provide appropriate contact information for regulatory agencies & local interest groups.			
11. Cultural Resources	Provide all records, photo's, relating to the presence or absence of historical properties and ensure funding is in place for any surveys, consultations, arching of documents, photos, & shipments of heritage assets to NHC. Provide records of any recognized Native American Tribes that need to be consulted.			

12. Oil Water Separators	Ensure all units & piping are drained, cleaned, & disconnected. Provide documentation for the locations & conditions of current & historical units.			
13. Other Environmental Reports & Surveys	Copies of all reports, surveys, & test results need to be centrally located & provided to the CSO. Items included but not limited to include the following:			
	Emergency response plans, Spill Prevention Control and Countermeasures (SPCC) plans for specific locations and Base Wide.			
	PCB reports & analytical results with transformer numbers, locations (current & former), PCB levels & cleanup reports			
	Stormwater Pollution Prevention Plans, SPCC, & all Best Management Practices (BMP) and provide locations & drawings of stormwater lines & outfalls.			
	Lead Based Paint (LBP) surveys & remediation reports primarily for housing areas as well as O&M plans.			
	Asbestos surveys & remediation reports & locations including current O&M plans.			
	Inspect & abate any friable asbestos prior to CSO turnover			
	Mold surveys & locations including documentation taken to remove mold			
	Environmental Compliance & Assessment Audit reports.			
	Industrial BMP's documentation for operations on the installation			
	Pollution Prevention Plans & Waste Minimization plans			
	Provide info where archived documentation & records for personnel records, historical documentation, etc. have been shipped for storage			
	Provide PWC records, files, maps, Microfiche and if records are archived a list of what was and their location including any storage number s			
	Provide all reports for primary & tenant commands			
	Provide reports for Gas Stations and any records of leakage			
14. Regulatory Points of Contact (POC)	Provide lists for all local, state, & federal regulatory personnel that the activity has been dealing with in each area. Include names, addresses, phone numbers, e-mail addresses, & indicate the type of interaction that has occurred. Provide all correspondence files if available.			

Unique Layaway Requirements:

PMO Reuse Recommendation: **Yes No**	**Reuse Projected (type of reuse and when):**
Date of Inspection: **Inspector:**	**Results**
Base Closing Officer	**Date:**

SECTION I:
BUILDING LAYAWAY STANDARDS

1. Personal Property. As addressed in Chapter 1 Personal property will be identified as either:

- "Not Available for Redevelopment", exempted under one of the 5 criteria,
- "Available for Redevelopment"
    - "Needed for Redevelopment"
    - "Not Needed for Redevelopment"

a. Removal. Only personal property Needed for Redevelopment should remain on the installation after operational closure, all other property should be removed from the installation prior to operational closure.

- Property that has been identified as "Not Needed for Redevelopment" should be excised and turned into the local Defense Reutilization and Marketing Office (DRMO) for disposal.

- Removal of personal property that is mission related should be funded by BRAC and moved in a fashion that supports the relocating unit.

- Removal of personal property to be used by other Navy Commands (or other federal users) is a non-BRAC action and funded by other than BRAC funds. A "date certain" should be established for removal of this property. If removal is not achieved by that date, the property should be declared excess and turned into DRMO for disposal.

b. Storage. Personal property identified as "Needed for Redevelopment" is secured as part of the layaway process.

- Property may be secured in place. For example industrial equipment will be left in place with buildings adequately secured.

- High value items may be centrally stored in a secure facility.

- Low value property (e.g., office furniture, Bachelor/Base Enlisted Quarters (BEQ) furnishings, etc.) will normally be left in BMSL I and II facilities. For facilities in BMSL III, property should be removed to a central storage area. Specific decisions should be coordinated with the PMO and the LRA.

- Manufacturer's literature and any other available written instructions or procedures should be taped to or otherwise secured with the property.

- High value equipment should be laid away following manufacturer's recommendations. In the absence of manufacturer's recommendations. Preventive maintenance services should be conducted prior to layaway.

2. **House Cleaning**. Ensure that hazardous materials have been removed from buildings. Scrap lumber, trash, and other debris should be removed from inside, around, and under buildings and properly disposed of. Remove items from bulletin boards. Dumpsters should be removed to a central storage location. Broom sweep floors, vacuum carpets, and clean bathrooms: water closets and urinals should be flushed and thoroughly cleaned with a brush and disinfectant, and lavatories and showers cleaned. For BMSL III buildings that have reuse potential (i.e., not to be abandon); wood floors should be striped of non-acrylic floor wax and thoroughly cleaned to avert the growth of mold and mildew.

3. **Building Shell**. Obtaining and maintaining a weather tight shell is the most important consideration in building layaway. Building shell deficiencies, such as roof leaks and holes in siding, must be identified using Form 3-1 and repaired as part of the layaway process in all buildings, the exception being buildings that are to be abandoned. In these buildings, correct deficiencies only to the extent required to prevent safety or environmental hazards (e.g., rain water could damage friable asbestos pipe insulation, making environmental cleanup and facility disposal more difficult and expensive). Repair actions should minimize the expenditure of funds.

a. Roofing, Flashing, and Sheet Metal Work. Roofs must be made watertight. An expedient repair procedure to extend roof life and avoid replacement, such as using elastomeric roof coatings to repair leaks, is recommended. Generally, repairs should be accomplished in accordance with accepted industry standards set forth by the National

Roofing Contractors Association, the Roofing Industry Educational Institute, and the Single Ply Roofing Institute.

- Generally roofing systems should be repaired in like kind. For example, the use of bituminous roofing materials to repair single ply roofs such as polyvinyl chloride (PVC) is not recommended and can be worse than no repair at all. If the membrane type is unknown or is not available, an elastomeric roof compound and reinforcing mesh can be used.

- Cap and counter flashing should be firmly attached and watertight. Should replacement be necessary due to deterioration or damage, materials should match in kind to prevent galvanic corrosion. Elastomeric roof coatings and reinforcing mesh may be practical for waterproofing joints, holes, and splits. Deteriorated caulking should be cleaned, backed, and caulked with new caulking.

- Roof drainage systems such as gutters, down spouts, scuppers, and roof drains must be working properly. Drainage systems should include strainers to prevent clogging from debris during the layaway period. Drainage systems that do not work or become clogged could cause structural failure due to excessive loads from pooled water. Ensure that run-off from drainage systems is directed away from foundation walls.

b. Exterior Surfaces. Repair or replace siding and other exterior components as required to ensure building shell is weather tight. Repair caulking failures and shrinkage cracks around doorframes, window frames, and other joints in wood and masonry structures. Cracks around windows and doors can be beneficial in providing ventilation to the interior of BMSL II buildings that have their air conditioning turned off and BMSL III buildings should be caulked only if needed to keep out moisture and insects. Open cracks in masonry walls, which could allow moisture to penetrate, should be sealed with backer rod and caulk. Tighten or replace fasteners, screws, bolts, brackets, and nails securing exterior components.

c. Interiors. Apply waterproof mortar or other waterproofing material at points where damaging moisture wells up through holes and cracks in concrete floors, walls, wall and floor junctures, etc. Seal seeping expansion joints.

d. Painting. Exterior painting of doors, windows, siding, and other surfaces should be limited to the extent necessary to prevent deterioration. Painting may also be required to prevent the flaking and peeling of exterior lead containing paint. Contact your local BRAC Environmental Coordinator for current guidance in this area.

4. Exterior Windows, Doors, and Other Openings. Deficiencies in windows, doors, and other openings must be identified using Form 3-1 and repaired as part of the layaway process.

a. Screens. Leave screens in place in BMSL II buildings. Remove, mark, and store screens on BMSL III buildings if the value of the screens exceeds the cost of removal. If stored, screens should be leaned against a wall inside the building. Store next to the window from which removed if screens are custom fitted; otherwise, store together in a remote location to reduce traffic obstructions during building inspections.

b. Windows. Windows are critical in maintaining a weather tight building shell. Broken windows in BMSL II buildings should be repaired or replaced. Broken windows in BMSL III buildings may be repaired, replaced, or boarded shut using the procedures specified below. Broken windows in buildings to be abandoned should be repaired or boarded up only if required to maintain adequate security or to prevent safety or environmental hazards (e.g., rain water could damage friable asbestos pipe insulation, making environmental cleanup and facility disposal more difficult and expensive). Limited boarding of non-damaged windows in BMSL III should also be considered if needed to provide adequate security and reduce vandalism.

- Boarding Considerations. Consider the following:
  - PROS:
    - Makes building entry more difficult;
    - Makes it easier to determine if entry has been made since most intruders will not take the time to replace window covering;
    - Reduces vandalism/rock throwing damage; and
    - Reduces interior facility temperature due to decreased exposure from the sun.
  - CONS:

- Installation is labor intensive and expensive;
- Damages window frames/exterior walls, particularly walls of dryvit, stucco, and metal;
- May contribute to a gloomy, rundown appearance which is not desirable when showing facilities to potential reusers;
- Makes it more difficult to detect entry if intruder is careful to replace window covering; and
- Lack of sunlight and reduction of natural air leakage around windows encourages the growth of mold and mildew.

- Boarding Recommendations. In areas where adequate security is provided, window boarding is of limited value. Accordingly, limit boarding to:

  - Windows which are within rock throwing range of fence lines;
  - Facilities which contain high value or easily pilferable personal property;
  - Facilities which are located in or close to urban areas, such as off Installation housing units;
  - Facilities which will be closed for long periods of time prior to operational closure of the entire activity; and
  - Other facilities with unique security requirements.

- Boarding Procedures. Plywood or other sheathing that is not properly installed tends to warp and pull away from the window. Improper installation can also cause significant unnecessary damage to window frames and exterior siding. There are a number of boarding methods available, including those discussed below. Caulk the seam between the plywood sheet and the wall only if necessary to obtain a watertight seal, such as when window glass is broken.

  - On double hung windows, bring the upper and lower sash to the mid-point of the opening and secure plywood using long carriage bolts anchored into horizontal wooden bracing or strong backs on the inside face of the window.

- Exterior plywood (1/2" - 3/4") or 1/2" OSD sheathing may be nailed or screwed directly to wood frame windows.

- Recessed windows in masonry structures may have a 2"x 2" or 2"x 4" frame attached to masonry, with plywood nailed or screwed to the frame; or plywood may be held into place with wooden wedges which are driven into notches cut near the four corners of the plywood sheet.

- Plywood may also be pressure fitted into recessed windows with simple jacking assemblies made of bolts, other common hardware, and wooden blocks attached to the inside plywood surface. Contact the BRAC PMO if there are questions.

c. Doors. In BMSL II and III buildings large spaces between the bottom of doors and the threshold should be covered with a rubber strip to prevent rain or snow from entering the building. Roll-up, swing-out, sliding, and other non-standard doors should be locked or blocked on the inside and made as windproof and weather tight as possible.

   - Main Entry Doors. One exterior door to each BMSL II and III building should be designated as the point of entry/exit. This door should be in the most accessible location, and should be located away from the prevailing weather, whenever possible. To identify the point of entry, an 8x10 inch bright yellow board with the words "AUTHORIZED PERSONNEL ONLY" stenciled (in black) thereon should be securely mounted to the center of the entry door.

   - Non-Entry Doors. Secure exterior non-entry doors in BMSL II and III buildings as specified in paragraph 5, "Locks and Keys". In BMSL III abandoned buildings nail or tack weld non-entry doors shut.

d. Other Miscellaneous Openings. Ensure that all miscellaneous openings in BMSL II, III, and buildings, such as chimneys, vents, grills, skylights, hatches, and louvers are screened, capped, or otherwise closed to prevent the entry of water, birds, rodents, and other pests. Damage resulting from the presence of pests can be extensive.

5. Locks and Keys.

a. Exterior. Key control should be obtained by changing existing locks on all exterior doors, or by installing hasps and padlocks on doors not already equipped with standard locking devices. Padlocks should be master keyed and should be of the non-corrosive type. If locks are replaced, place old exterior lock cores and available keys in a bag and leave inside the facility for the new owner. Maintain all keys and establish key control at a single location.

b. Interior. If there is an established system for control and identification of interior locks and keys, use this system to mark and store keys. Otherwise, leave keys to interior locks in the appropriate lock or bag and hang on doorknob.

6. Heating, Ventilating, and Air Conditioning (HVAC) Systems.

a. Heating Systems. When determining whether or not heating systems should remain operational, consider the use of thermostatically controlled heat wire or tape (heat tracing) as an alternate method of preventing pipes from freezing.

- BMSL II (With Heat). Deficiencies in heating systems in BMSL II buildings will be identified and corrected as necessary to maintain systems in fully operational condition. Minimal heating will be provided as required to reduce high humidity levels and prevent pipes from freezing. Temperatures should be maintained at not less than 50 degrees. Existing thermostats and controls may require adjustment or replacement to maintain temperatures at this level, if economical to do so.

- BMSL III. Provide normal seasonal shutdown maintenance for direct fired forced air, electric heating coil, and similar systems. Layaway boilers and related equipment in accordance with the procedures specified in Section II of this chapter.

- BMSL III (abandon). Provide minimal layaway as required to alleviate safety hazards and environmental problems.

b. Air Conditioning Systems.

- BMSL II (With AC). Deficiencies in air conditioning systems will be identified and corrected as necessary to maintain systems in fully operational condition. Minimal cooling will be provided as required to reduce high humidity levels. Temperatures should be maintained at not more than 85 degrees.

- BMSL III (No AC).

    - Chill Water Systems. Refrigerant should be pumped down and stored in receivers. Any excess refrigerant should be removed to appropriately marked containers and returned to the supply system for eventual recovery by the National Defense Stockpile. Receiver valves should be closed, tested for leakage, and repaired as necessary. Preserve refrigeration equipment in accordance with the manufacturer's recommendations and tag compressor as "OUT OF SERVICE". Drain water from the system (or add non-toxic antifreeze) and close valves.

    - Direct Expansion System. Refrigerant should be pumped down and stored in receivers. Any excess refrigerant should be removed to appropriately marked containers and returned to the supply system for eventual recovery by the National Defense Stockpile. Preserve the refrigeration equipment in accordance with the manufacturer's recommendations and tag the unit as "OUT OF SERVICE". Disconnect evaporator drains that are connected to the sanitary sewer system and cap.

    - Air Cooled Condensers. Lubricate any items that require lubrication during normal periodic maintenance.

    - Water Cooled Condensers (Cooling Towers). Shut off water supply to condenser. Drain water from condenser and clean/neutralize and preserve in accordance with the cooling tower and chemical manufacturers' recommendations. Tag as "OUT OF SERVICE". Disconnect condenser drains that are connected to the sanitary sewer

system and cap. Lubricate any items that require lubrication during normal periodic maintenance.

- Humidifying Systems. Humidifying systems should be shut down, flushed with water, cleaned, and drained.

- BMSL III (abandon). Provide minimal layaway as required to alleviate safety hazards and environmental problems. At a minimum refrigerant should be removed from equipment, put into appropriately marked storage containers, and returned to the supply system for eventual recovery by the National Defense Stockpile.

7. Supplemental Ventilation. Supplemental ventilation may be required in some buildings to prevent fungal growth and condensation. Both of these conditions will lead to accelerated deterioration of building interiors. Ventilation of confined spaces is not a new concept. Crawl space areas of houses and other buildings have been ventilated for decades by vents provided for that purpose.

a. General. Once closed up, a building interior will still be affected by the temperature and humidity of the exterior. Without proper ventilation, moisture from condensation may form on interior surfaces. Studies have shown that good air movement within a laid away building and greater equilibrium between interior and exterior humidity levels and temperatures will help reduce or eliminate condensation problems. Decisions on whether or not to provide supplemental ventilation in any given building must be made on a case by case basis, depending on the geographic location, type of construction, size, and configuration, and the inclination of a building to be either dry or damp.

b. Types of Ventilation. Depending on the building, either passive or mechanical ventilation may be used. Passive methods take advantage of natural airflow, while mechanical methods incorporate the use of existing air handling equipment.

- Passive Ventilation. Passive ventilation requires the strategic installation of louvers in windows (which are left open) located on opposite sides throughout the building, and on each floor, to ensure airflow. There is no exact science for determining how much ventilation should be provided for a given building, but there are general guidelines available. All interior room and closet doors are

wedged in a fully open position to allow air circulation throughout the building. Exit stairwell fire doors should remain closed. Since louvers must be manufactured to fit, be sure to field verify window sizes prior to ordering. Ensure louvers are well screened to prevent the entry of birds and other pests. In some buildings simply propping open existing louvers and vents may provide limited passive ventilation.

- Mechanical Ventilation. Some buildings cannot be vented passively due to a lack of windows or poor interior configurations. Mechanical ventilation, which takes advantage of existing air handling equipment, should be considered in these situations.

    - Air handler fan controls normally operate based on the time of day or interior building temperatures. For mechanical ventilation to be effective, controls must be replaced with components that sense and compare inside and outside relative humidity (RH). The control system should be set to ensure fans do not deliver outside air above 70 percent RH, and to ensure the air handler is providing fresh air to the building only if the inside RH is above 80%.

    - To be effective it is very important to locate the indoor humidistat in a space that tends to have the highest humidity. Humidistats must also be calibrated at least semiannually to ensure the system is operating properly.

8. <u>Plumbing Systems</u>.

a. <u>BMSL II and III</u>. Inspect all water supply and drain lines as required. If not required to maintain fire protection, HVAC, or other systems, domestic water should be secured at the interior master valve or exterior curb valve, drain hot water heaters/storage tanks and other tanks and reservoirs and post notice that systems have been drained. Where possible consider securing water within the building or at an outside main once a building has been closed. Water leaks and pipes bursting present a greater risk than those fires that may be suppressed by interior fire protection systems. If water to

building must be left on, turn off water at all hot water heaters/storage tanks (after power is secured) and other tanks and reservoirs not required to maintain operating systems.

- Freeze Protection. Where freezing conditions are possible, open all interior and exterior faucets and drain all hot and cold water service lines through valves, cleanout plugs, and other areas located at low points in the system. Use compressed air to remove remaining water. If there is no curb valve and the main service line is to remain active, one should be installed, and the line pumped out between it and the master valve.

- Tanks. To eliminate the possibility of leaks, freezing, and to minimize corrosion, drain all hot water heaters/storage tanks and other tanks and reservoirs, and post notice that systems have been drained.

- Traps. A number of procedures may be used to block traps in fixtures and floor drains which are connected to the sanitary sewer system to prevent the entry of sewer gases. Blocking or covering traps is preferable to keeping them wet, when practical, as this eliminates the requirement to periodically replenish antifreeze as it evaporates.

    - Block Traps. Accessible P-Traps may be disconnected and drained, a wadded piece of paper (e.g., newspaper) inserted just inside the drain opening, and just enough foam insulation sprayed into the opening to seal it. Toilets and urinals may be unmounted and placed aside, and their drain lines blocked using jimmy caps, pipe caps, and other devices. In some buildings it may be easier to temporarily block sewer lines at manholes or other accessible locations. Take care not to block drain lines that serve roof drains, floor drains, or other drains and connections that must remain open.

    - Cover Traps. In areas not subject to freezing conditions an acceptable alternate procedure is to place a bead of caulking compound around toilet rims, floor drains, etc., and cover with a piece of 15 pound felt paper, heavy plastic, or other equivalent material cut to fit. This will prevent sewer gases from escaping.

- Keep Traps Wet. In areas which may subject to freezing, traps may be kept "wet" by adding a non-toxic antifreeze to all fixtures, traps, and floor drains. Although this procedure will require period antifreeze replenishment after layaway, it may be the most practical solution for floor drains, bathtubs, showers, and other traps that are not easily accessible. Ensure that the anti-freeze selected meets federal, state, and local environmental requirements for introduction into the sanitary sewer system.

b. BMSL III (abandon). Secure domestic water supply at the curb valve or disconnect and cap off main service line. Block traps in all fixtures and floor drains which are connected to the sanitary sewer system to prevent the entry of sewer gases.

9. Electrical Systems.

a. Interior Electrical Systems. All non-essential circuits should be secured by opening circuit breakers/removing fuses and taping breakers securely in the open position. Taping breakers will avoid accidental energizing of circuits with secured equipment (e.g., drained hot water heater). Circuits for interior lighting should be left energized as required to permit periodic facility inspections. Update service box wiring charts as appropriate to indicate circuits to remain energized, circuits secured, etc. All electrical panels and enclosures should be sealed as much as practical to minimize moisture and pest intrusion. Electric lamps should be left in place. Switches for all electrical and mechanical equipment not remaining in operation should be left in the "OFF" position.

- BMSL II (w/AC). Care should be exercised not to deenergize circuits required for HVAC systems, fire and intrusion detection alarms, sump pumps, elevators, and other essential electrical services. These circuits should be well marked for easy identification by maintenance personnel. If there are no such essential services required, the main disconnect should be turned off prior to securing the building.

- BMSL III. All circuits with the exception of interior lighting should be deenergized if at all possible. This will permit the main disconnect to be deenergized and used as a master switch for interior lighting during periodic inspections. If fire detection systems must remain active, they should be rewired if required so that

they are connected prior to the main disconnect. Take care not to deenergize sump pumps and other essential electrical services.

- BMSL III (abandon). Permanently disconnect electric service outside of building. Electric lamps may be removed if economical.

b. Motors, Generators, and Control Equipment. Motors, generators, and control equipment in BMSL III should be laid away. Motors in dry locations and those totally enclosed should be protected in plastic. All motors and generator sets on permanent mounts should be protected/preserved in place. Motors and generators in damp locations should be cleaned, covered, and removed to dry storage. Motors, generators, control panels, switch boxes, circuit breakers, fuses, and control devices should be protected from dirt, dust, water, and mechanical damage by being covered with shrouds. Prior to shrouding, equipment should be cleaned, lubricated, and securely blocked and braced to prevent movement. Lubrication procedures that apply to the specific equipment should be followed in preparing for inactivation.

- Commutators. When accessible, lift the brushes and apply wax free, Grade A, grease proof paper around the commutator; then let the brushes rest against paper wrapping commutator. Rust preventive compound should not be applied to the commutator.

- Exposed Steel Shafts. Exposed steel shafts of motors and generators should be cleaned with solvent and coated with corrosion preventive compound. Care should be taken to keep corrosion preventive compound out of bearings, commutators, brushes, brush holders, collector rings, windings, and similar parts.

- Bearings and Journals. Grease or oil lubricated journals, bearings, or similar surfaces should be lubricated as recommended by the manufacturer. Journal boxes and bearings should be wrapped in plastic or waterproof paper for protection from dust and dirt.

c. Batteries. When possible, lead acid batteries in BMSL II buildings should be stored in a charged condition using a float charge. If it is not possible to float charge the batteries, the electrolyte should be drained, and the battery should be placed in dry storage. Nickel-alkali batteries should be fully discharged and placed in storage without draining

off the electrolyte. When stored, batteries should be placed in environmentally approved areas. Leads should be disconnected and taped and terminals should be protected with corrosion preventive compound. Batteries in BMSL III facilities should be removed and properly disposed of.

10. Fire Protection and Alarm Systems.

a. General. Generally water supply will be maintained to fire hydrants throughout the activity. In areas where water is secured, hydrants should be clearly and permanently marked "OUT OF SERVICE".

b. Halon Extinguishing Systems. Disconnect halon extinguishing systems in all BMSL III, buildings regardless of the potential for reuse of the building. Halon extinguishing systems in BMSL II, buildings should also be disconnected unless there is a clearly established reuse requirement for both the facility and the extinguishing system. Halon (including halon fire extinguishers) should be transferred to the Defense Logistics Agency, which is the agent for the Department of Defense for halon reclamation.

c. Installation Wide Fire Reporting Systems. Installation wide fire alarm reporting systems, such as telegraphic, telephonic, and radio systems, should be maintained in an operational status. For buildings where fire alarm systems are disconnected/deenergized, the installation fire reporting system should be modified to remove these buildings from the data bank. This is especially true for radio alarm systems in order to prevent stacking countless trouble conditions on the installation reporting system.

d. BMSL II Buildings. All fire protection systems (except halon systems) should be maintained in an operational status, including fire alarm systems, sprinkler systems, individual building fire pumps, fire extinguishers, and any special extinguishing systems such as carbon dioxide, dry chemical, and wet chemical systems.

e. BMSL III Buildings. Fire protection systems should be deactivated in buildings that do not contain personal property, are not of high value, and do not pose a danger to adjacent buildings which require fire protection. Drain piping in sprinkler systems to prevent freezing, taking particular care to locate and open all auxiliary drains on trapped piping sections. Conversion of wet pipe to dry pipe systems should be avoided if

possible due to high maintenance costs and the continued danger of freezing. Fire alarm systems should normally be disconnected to avoid high maintenance costs and false alarms. Remove all fire extinguishers. Fire pumps should be laid away in accordance with the procedures specified elsewhere in this chapter.

f. BMSL III (abandon). Sprinkler systems should be deactivated and drained, and alarm systems disconnected in all buildings that do not pose a danger to adjacent buildings that require fire protection.

11. Miscellaneous Building Systems.

a. Gas Lines. In BMSL II and III buildings, gas lines should be shut off and locked on the outside except when needed to provide heat. If not already lockable, consider replacing existing cocks with lock and key type cocks. In BMSL III (abandon) buildings, lines should be permanently disconnected and capped off in coordination with the utility company.

b. Air Compressors. Unfired pressure vessels in all facilities should be drained of air and moisture. Preserve compressors larger than 100 CFM in BMSL III facilities in accordance with the manufacturer's instructions, including the driver (engine/motor).

c. Air Handler Units. Permanent filters should be removed and cleaned in all facilities requiring continued use of these units (e.g., passive ventilation).

d. Engines. In BMSL II facilities, drain or disconnect fuel supply and run engines to remove fuel in lines, carburetors, fuel pumps, etc. Engines in BMSL III facilities should be laid away in accordance with the following procedures.

- Diesel Engines. Diesel engines should be run for at least five minutes at a speed of not more than 15 percent above the normal operating speed, under no load. Lubricating oil should then be drained, and a yellow tag should be attached either to the crankcase oil filler cap or in a conspicuous place on a radial engine. This tag should read:

"CAUTION: This engine was treated for storage on (date). When the engine is placed in service, refill lubricating oil sump with _____."

- Fuel lines and injectors should be drained and filled with flushing oil. All openings in engines and accessories, including breathers, air intakes, exhausts, exhaust expansion joints, and openings in starters and generators, should be closed with plastic sheeting or waterproof paper and taped. After all unprotected exterior surfaces of engines are dry, all taped surfaces and all engine accessories, except electrical wiring and accessories, should be sprayed with a preservative compound.

e. Gasoline Engines. Gasoline engines should be run on unleaded, undyed gasoline for at least 10 minutes beyond the time required to run out any leaded gasoline in the lines and carburetor. Interior surfaces of engines should be treated with crankcase preservative oil as follows: remove spark plugs; while the engine is rotating, spray sufficient oil through spark plug holes for adequate protection to cylinder walls, valve heads and stems, and valve guides using an air atomizing type of spray gun. For L-head type engines, the oil may be poured in spark plug holes instead of spraying. Replace all spark plugs, or seal the holes with suitable threaded metal plugs and gaskets. For valve-in head engines, valve covers should be removed, and the preservative oil sprayed over rocker mechanisms, interiors of valve covers, between cylinder blocks and side plates, over push rods, and into oil filler and crankcase ventilator pipes. The entire fuel system, including carburetor, fuel pump, strainer, and fuel lines, should be drained; and all parts should be dry. The lubricating oil system should be drained, and a yellow tag attached to the oil filler cap with the following information:

"CAUTION: This engine was treated for storage on (date). When the engine is placed in service, refill oil sump with _____. "

- Exterior surfaces should be cleaned; openings, sealed; and surfaces, sprayed with preservative compound.

f. Manufacturer's Literature. Manufacturers literature and any other available written instructions or procedures on mechanical equipment and systems that would be of benefit to the new owner, should be taped to equipment or left in a conspicuous location in the building.

12. Elevators. Any elevator, dumbwaiter, or escalator remaining in operational status must continue to be maintained, inspected, and certified in accordance with ASME A17.1, Safety Code for Elevators and Escalators; ASME A17.2, Inspectors' Manual for Elevators and Escalators; and NAVFAC MO-118, Inspection of Vertical Transportation Equipment.

a. BMSL II. Maintain elevators in fully operational condition, including required inspections, testing, and certification.

b. BMSL III. In most cases elevators in BMSL III buildings should be taken out of service.

- Out of Service. Elevators taken out of service shall have power feed lines disconnected from the main disconnect switch. Suspension ropes will be removed, cars and counterweights shall be lowered to the bottom of hoistway, and doors will be barricaded or sealed in the closed position on the hoistway side. Securely fasten signs to doors on each floor indicating that the unit is out of service. Layaway motors, generators, and other elevator components in accordance with the guidance provided in this chapter.

- Remaining in Service. It may be necessary to maintain one or more elevators operational in high rise or other buildings to allow access to upper floors for maintenance personnel, showing of the building to potential reusers, asbestos cleanup crews, etc. Continue to maintain elevators in fully operational condition, including required inspections, testing, and certification.

13. Pest Control Services. Inspect all facilities to identify existing and potential pest problems. Initiate treatment or prevention procedures for potentially damaging pests, such as rodents and birds. Ensure that all pest access points, such as chimneys, vents, grills, and louvers are screened, capped, or otherwise closed. Consider placement of rodent bait blocks where rodent activity is likely.

14. Grounds. Shrubs and trees adjacent to buildings should be pruned or removed as necessary to prevent damage to buildings and electrical service lines, and to minimize fire hazards.

15. Appliances. If refrigerators are left in place in family housing, unplug the unit and tape a block of wood to the inside edge of freezer and refrigerator doors to block open and allow ventilation.

SECTION II:
UTILITY PLANTS AND DISTRIBUTION SYSTEMS LAYAWAY STANDARDS

Unless otherwise specified, the following layaway standards are generally equivalent to BMSL III for buildings. Utility system layaway should be provided to the minimum extent necessary to prevent further system deterioration, and should consider current system condition and reuse potential. If these system components are considered "installed equipment" and would be abandoned if the facility were abandoned, efforts would be restricted to that necessary for health and safety.

1. General Utility System Requirements. The following layaway standards apply in general to all utility systems, whether associated with buildings or utility plants and distribution systems.

a. Journals and Journal Boxes. Journals and journal boxes containing oil lubricated bearings should be drained and refilled with engine preservative oil (MIL-L-21260) and tagged to drain and refill with the proper lubricant before placing in operation. Grease lubricated bearings, journals, etc., should be lubricated with grease of the same type as that normally used in operating the equipment. Journal boxes and bearings should be wrapped with waterproof paper.

b. Draining of Lines and Appurtenances. All water lines, coils, cylinder water jackets, condensers, pumps, water pans, flash tanks, etc., should be flushed with fresh water and drained.

c. Air Ducts and Outside Openings. All supply or discharge air ducts and other outside openings should be blocked closed securely.

d. Exterior Surfaces. Precision machined surfaces should be coated with preservative conforming to MIL-C-11796C and wrapped or covered with greaseproof barrier material conforming to MIL-B-121F. Unpainted and exposed non-precision metal surfaces should be coated with preservative conforming to MIL-C-16173E.

e. Pumps. Pumps should be flushed with fresh water and drained. Interior surfaces including such parts as impellers, rotors, pistons, air chambers, vanes, valves, cylinder walls, and oil air steam or water passages should be coated with engine preservative oil (MIL-L-21260). Preservative should be applied by spraying or fogging while slowly actuating the pump. Shafts should be covered by corrosion preventive compound conforming to MIL-C-11796C. All openings should be waterproofed. Petcocks should be left open. Where there is a possibility that pump pits may be flooded, the pump should be raised above floor level.

f. Fan Wheels and Shafts. Fan wheels and shafts should be removed and repainted when required. Casings and housings should be dismantled to the extent necessary to clean and repaint properly. The units should be reassembled after painting. Bearing surfaces and journals should be protected with adhesive tape, PPP-T-60E, to prevent paint from entering bearing surfaces.

g. Gears.

- Exposed gears. The gears should be coated with preservative conforming to MIL-C-16173E.

- Enclosed gears. Gear housing will be drained and refilled completely with fresh oil (over the specified oil level). Briefly rotate the gears through the fresh oil to coat them for protection against pitting and rusting. Equipment will be marked with instructions to drain oil in gear housings down to specified oil level before placing equipment in operation.

- Tension adjusting mechanism. All springs, packing glands, and tension adjusting mechanisms will be relieved of pressure whenever practicable.

h. Signs. "OFF LIMITS" signs will be posted conspicuously and maintained on inactive utilities plants and systems.

2. Water Supply and Wastewater Disposal Facilities. Water supply must be maintained to all BMSL II buildings, and to all BMSL III buildings with active fire protection systems.

a. Potable Water Systems. Potable water systems will be laid up/operated in accordance with paragraph 2.5.5 of Military Handbook (MIL-HDBK) 1130.

b. Wastewater Systems. Wastewater systems will be laid up or operated in accordance with paragraph 2.5.7 of MIL-HDBK 1130, and the following.

- Sludge beds. Sludge beds should be cleaned and salt or sodium borate applied to prevent growth of vegetation.
- Pumps and lines. Pumps and lines carrying wastewater or sludge should be drained and washed.
- Mechanical equipment. All equipment should be cleaned, oiled, or greased, and protected, when applicable as prescribed for water purification plant equipment.

3. Electrical Distribution Systems. Electrical service will most likely need to be maintained to provide power to buildings in other than an abandon status; to operate utility systems (e.g., lift stations, boilers, etc.); to provide security lighting; and for many other possible reasons.

a. Substations. Substation transformer requirements should be reduced to a minimum consistent with load requirements. Where more than one three phase transformer or transformer bank supplied the load, transformers or banks not required by the remaining facilities should be deenergized. Transformer banks consisting of three single phase transformers connected delta-delta should be connected open delta when the maximum kVA demand is 50 percent or less of the capacity of the three transformers. Consider the installation of smaller transformers where the maximum kVA demand is less than 20 percent of the reduced transformer capacity remaining in service. Gaskets and bushings on all inactive equipment with reuse potential should be inspected and replaced if necessary, and all bolts tightened to minimize or prevent the entrance of moisture.

b. Distribution Systems. All system components that serve inactive areas should be deenergized by sectionalization. Distribution transformers not required should be deenergized and gaskets, bushings, and bolts inspected/replaced similar to that for substation transformers. Deficiencies in distribution system poles, lines, manholes, etc., which constitutes a safety or property hazard, should be corrected. Inspect all service

entrance wires and cables to ensure that adequate drip loops are present to prevent water from being carried into buildings.

c. Street and Protective Lighting. Street and protective lighting should be reduced to the minimum level required to meet security and safety requirements. On series lighting systems that can be completely deenergized, disconnect both the primary and secondary leads from constant current transformers. Time clocks and photoelectric type control switches on inactive systems should be removed from outdoor locations and placed in dry storage.

4. Heating Systems and Boiler Plants. Heating systems and boiler plants should be placed in one of the four layaway classifications specified in Table 3-2 on the following page. Decisions on whether to place a given system (whose continued operation is no longer required) in long term layaway or to abandon with minimal layaway, must be based on a thorough analysis of the known reuse potential, the age and condition of the system, and the cost of layaway.

a. Boiler Plants**.** Boiler plants will deteriorate rapidly if not properly preserved, and could adversely affect the reuse potential of a large number of facilities. Improper layaway could also result in a fire, explosion, or negative environmental consequences. Boiler plants that will be placed in layaway Class C, as defined in Table 3-2, should be laid away in accordance with the following procedures. Ensure that all equipment taken out of service is appropriately tagged, including a brief summary of major services performed.

- Boilers. When the boiler is taken out of service, let the boiler cool until the water is below the atmospheric boiling point. While maintaining boiler temperature between 180 degrees F and 200 degrees F, drain off the boiler water from the bottom drain. After the drain, flush out the boiler until the flush water runs clear. When the boiler cools sufficiently, remove the washout plugs (cast iron boilers) or all the handhole and manhole covers (steel boilers) and wash through these openings with high pressure water. This will normally remove any sludge or loose scale. If there is evidence that hard scale has formed on the internal surfaces, the boiler should be cleaned by chemical means as prescribed by a qualified water treatment specialist.

- Drying. The boiler must be completely dried since any moisture left on the metal surfaces will cause corrosion to occur on long standing. Boiler tubes and other components that will not drain by gravity shall be blown out with compressed air. Moisture not removed by this process should be removed by circulating hot air or by a light fire in the furnace. All piping connections to the boiler shall be tightly blanked or capped.

TABLE 3-2

LAYAWAY DEFINITIONS FOR BOILERS	
Class A	**OPERATIONAL**. System will remain in fully operational status. Continue standard operation and maintenance procedures.
Class B	**SHORT TERM LAYAWAY WITH KNOWN OR VERY HIGH REUSE POTENTIAL**. System will be laid away for not more than 12 months at the end of the normal heating season or during other temporary period of non-use. If the non-use period is six months or less, layaway using either the dry or wet storage procedures specified in Appendix C of NAVFAC MO-324, Inspection & Certification of Boilers & Unfired Pressure Vessels. If the period of non-use is more than six but less than 12 months, layaway using the dry storage procedures specified in the NAVFAC MO-324.
Class C	**LONG TERM LAYAWAY WITH REUSE POTENTIAL**. System has good reuse potential because of its location, age, and condition, but not within the next twelve months. Layaway using the dry storage procedures specified below.
Class D	**NO OR LOW REUSE POTENTIAL**. System has low reuse potential due to its location, age, or condition. Provide minimal layaway as required to alleviate safety hazards and environmental problems.

- Cleaning. When the boiler is cool and dry, clean the tubes and other fireside heating surfaces thoroughly of soot, carbon, and dirt accumulations using a wire brush and vacuum cleaner (use a flue brush to clean the tubes). Scrape the surfaces down to clean metal. Clean the smokeboxes and other areas where soot or scale may accumulate. Soot is not corrosive when it is perfectly dry, but can be very corrosive when it is damp. For this reason, it is necessary to

remove all the soot from a boiler at the beginning of the nonoperating period.

- Corrosion Prevention. Swab the fireside heating surfaces with neutral mineral oil to protect against corrosion. Place a tray of quicklime at a rate of 2 pounds or silica gel at a rate of 5 pounds for 30 cubic feet of boiler volume in pans in all drums and in the shells of horizontal return tube or fire box type boilers equipped with manholes. Serious damage can be done to the boiler if desiccants are not removed before the boiler is filled with water and fired when returning the unit to service, therefore desiccants are not recommended for boilers that cannot be entered through manholes. Large signs shall be placed in conspicuous places around the boiler to indicate the presence of moisture absorbing materials. These signs should read similarly to the following:

IMPORTANT - Moisture absorption material has been placed in the waterside and furnace areas of this boiler. This material must be removed before any water is placed in the unit and before boiler is fired.

- Drums and Tubes. The interior surfaces of the drum should be cleaned and treated to inhibit corrosion. Follow the manufacturer's instructions carefully when reassembling.

- Superheaters. Individual elements of balljoint type superheaters should be disconnected and washed out with hot water. Water should then be blown out with compressed air. After the elements have dried, they should be plugged.

- Economizers. Economizers should be washed and dried by portable heating equipment.

- Air Heaters. Deposits on the gas side of air heaters should be removed carefully. Tubular and regenerative types should be cleaned thoroughly by lancing or by washing with an alkaline solution followed by clean water. Tubular heaters may require turbining or wire brushing.

- Fans, Ducts, and Dampers. All deposits should be removed. Dampers should be closed to prevent air circulation. When necessary, wood barricades should be built into the ducts.

- Soot Blowers. All soot should be removed from blowers and deenergized.

- Soot and Ash Hoppers. Soot and ash hoppers should be cleaned thoroughly and closed tightly.

- Feed-Water Heaters, Deaerators, Vent Condensers, Water Heating Equipment, Tanks, and Receivers. Feed-water heaters, deaerators, vent condensers, water heating equipment, tanks, and receivers should be drained completely; take care to remove all water from trays, tubes, and coils. Silt, scale, and lime should be removed; wire brushing may be necessary to eliminate all corrosion blisters in tanks and receivers. Blowdown tanks should be drained. Clean flues of all deposits of soot and carbon; remove and store baffles. Heaters should be left open. All steam and water lines should be drained, and openings capped or blanked off. Tightly cap vent pipes. Overflow and oil traps should be thoroughly cleaned and reassembled. Manholes, handholes, and cleanout doors should be left uncovered. Gauge glasses and thermometers should be protected against breakage.

- Automatic Control Equipment and Meters. Automatic control equipment and meters left in place should be covered with plastic or waterproof paper. Where instruments are removed from mountings, all openings in connections on heating systems should be plugged, and the openings in the instruments should be sealed with waterproof tape. Pipe connections from controls to heating equipment should be disconnected and drained thoroughly. Covers on all

controls and instruments should be fastened securely in place to exclude dust and moisture. All containers for water, ink, or acid on carbon-dioxide meters and instruments containing mercury should be drained completely and all openings should be tightly closed to exclude dust. Mercury should be disposed properly to ensure compliance with environmental requirements and OPNAVINST 5090.1A.

- Combustion Equipment. Combustion equipment, discussed in the following paragraphs, consists of stokers, oil burners, and gas burners.

    - Stokers. Stokers should be run until all coal has been removed from the worm and hopper. Oiled sawdust should then be run through the worm until all surfaces are covered with an oil film. Remove all coal, clinkers, and ashes from the tuyere grates, ashpit, and dead plates. Housings on gearboxes should be securely fastened in place; oil in gearboxes should be retained. Hoppers and heater pipes should be tightly closed either with wood or metal covers. Stokers with hydraulic power to ram type feeds should be left with oil in the pumps and piping for hydraulic power; all openings on reservoirs should be tightly closed. Pneumatic spreader type stokers should have all blowers tightly closed. Securely fasten cover plates on air intakes in place.

    - Oil Burners. The firing ends of burners should be covered with heavy dustproof and weatherproof paper tightly fastened in place. If a burner can be swung out from firing ports, the entire burner should be covered. All oil should be drained from pumps, valves, lines, and reservoirs into the oil tanks. All openings on oil tanks should be tightly closed, the vent should be turned down, and a wire screen fastened securely over vent openings.

    - Gas Burners. Gas should be shut off outside the buildings and lines bled slowly through the gas burners. Areas in which the gas distribution is to be discontinued should be cut off from the remainder of the system by the closing of valves. All burners should be thoroughly cleaned. Primary air openings should be closed to exclude dust. Louvers should be fastened in a closed position. When

equipment is disconnected from the distribution system, pipe openings should be capped or blanked off. Weights should be removed from regulator arms.

- Water Softeners (Zeolite). For steel type softeners, the softener will be generated in the usual manner, and then drained by the lowest drain connection or drain plug. The top manhole, handhole, or plug should be removed. Water lines should be drained and openings capped or blocked off. Softener tanks, valves, and piping should be cleaned and painted. The inside of the tank should be scraped and cleaned above the zeolite bed and painted with a bitumastic base paint. Manhole covers should be left open, or plugs taken out and fastened securely to the tank or piping. The brine or salt tanks should be emptied, scraped, washed clean, and painted with a bitumastic base paint both inside and out. Salt should be removed and disposed of. For wood gravity type softeners, the softener will be regenerated and filled with water to prevent drying. Pipelines will be disconnected, cleaned, and painted. Multiport valves of either manual or automatic type will be greased internally. Hydraulic valve lines will be drained and cleaned.

- Miscellaneous Equipment. In general, all exposed machined surfaces not otherwise protected should be treated with rust preventive compound or paint.

    - Unit Heaters. Steam and water unit heaters should have supply and return lines disconnected; heaters should be thoroughly drained. On gas or oil fired heaters, secure fuel lines outside the building line.

    - Pressure Reducing Valves. Open and drain equalizing pipes between diaphragm chambers and low sides of systems, and thoroughly clean the interiors of valves. Remove plugs from drain holes and leave drains open. Loosen valves without drains loosened to permit drainage of moisture. Open vents and leave open on the low pressure side of valves.

    - Strainers. Strainers should be drained and thoroughly cleaned; drain plugs should be left open to permit drainage of moisture.

- Radiators and Convectors. Completely drain radiators and convectors, and tightly cap or cover all openings.

- Steel Smoke Pipes and Stacks. Steel smoke pipes and stacks should be cleaned internally with a wire brush and coated with discarded engine crankcase oil or mineral oil of similar quality. If possible, stacks not dismantled should have tops tightly closed off with metal caps or boards. When the tops of stacks cannot be closed off, stacks should be blanked off at boilers to prevent moisture from entering smoke boxes and tubes.

- Controls, Instruments, and Miscellaneous Parts. Controls and instruments that are to remain in place, such as gauges, thermometers, thermostats, and other miscellaneous parts should be properly secured. Vents should be plugged or covered to exclude dust, according to the manufacturer's recommendations.

b. Steam Supply and Return System.

- Piping. Steam and return lines should be completely drained of all condensate by removing all vent and drain plugs, and if necessary, drilling and tapping drain holes at the low points. Systems should be dried by operating a vacuum pump or by introducing compressed air into the system for approximately 24 hours. Drain plugs then should be screwed in with only a few turns to facilitate future drainage of moisture. All openings should be covered tightly with caps, blank flanges, or wooden plugs, firmly fastened in place.

- Traps and strainers. Traps and strainers should be cleaned and drained.

- Pressure reducing valves. Equalizing pipe between diaphragm chamber and low side of system should be opened and drained. The lower section of the valve should be loosened to provide drainage. Vents on the low pressure side of the valve will be opened.

c. Small Heating Plants**.**

- Steam and hot water. Boilers and combustion equipment should be processed substantially in accordance with Paragraph 4.a above. Desiccants will not be used in cast iron or steel boilers that cannot be entered through manholes. Manhole and handhole gaskets should be greased with a mixture of cup grease and graphite. The boiler should be closed tightly.

- Space and unit heaters.

  - Direct fired equipment. Direct coal fired space heaters should be laid up by removing all deposits of soot and ashes. Coal should be removed from bunker or bin. Grates should be left in place. Firing equipment such as shakers, lid lifters, etc., should be placed in the firebox and the door closed and securely wired. The ash pan should be left in place and the ash door closed and securely wired. Draft controls in stacks should be blocked closed. Oil should be drained from reservoirs on oil fired units and the openings closed. All primary and secondary air openings should be closed on gas fired units. Smoke or vent pipes should be completely removed and stored in the same building.

  - Indirect fired equipment. The supply and return lines or indirect fired steam and water unit heaters should be disconnected and the condensate and water drained from the lines.

d. Water Heating Equipment. Direct fired booster storage water heater tanks should be drained completely. Heaters should be opened and all deposits of silt and scale should be removed. Water lines should be drained and openings capped or blocked off. Heaters should be left open. External vent pipes should be capped. Interior smoke or vent pipes should be completely removed and stored in the same building.

5. Refrigeration Equipment.

a. Mechanical Refrigeration Equipment. The refrigeration system should be pumped down and the refrigerant stored in receivers. When receiver capacity is inadequate to store

complete charge, excess refrigerant should be removed, placed in appropriately marked containers, and returned to the supply system for eventual recovery by the National Defense Stockpile. Receiver connections and valves should be tested for refrigerant leaks. The crankcases should be filled with the oil normally used in operating the equipment, to cover seal and main bearings. The compressor should be red tagged as follows: "DO NOT OPERATE UNTIL EXCESS OIL HAS BEEN REMOVED." The valve plate should be flooded and seal housing filled with oil normally used in operating the equipment. Cooler and condenser coils should be wire brushed and cleaned with compressed air. When air cooled condensers are heavily filmed with kitchen greases, dry cleaning solvent should be used to remove grease deposits. Cooling towers should be drained and cleaned. After drying the bottom, drain should be left open.

b. Ice Plant and Brine Systems. Refrigerant should be removed from the equipment, placed in appropriately marked containers, and returned to the supply system for eventual recovery by the National Defense Stockpile. Brine tanks, water tanks, piping systems, strainers, and traps should be thoroughly flushed with fresh water and drained. Blowers, agitators, crane equipment, can fillers, ice dump equipment, exposed surfaces of brine coolers and cooling coils, and all unprotected metal surfaces should be protected with paint. Ice cans should be cleaned, repainted as required, and stored in a dry place.

c. Refrigerated Spaces. Interior surfaces of cold storage rooms and refrigerators should be cleaned. Movable shelving, floor gratings, and dunnage should be removed, cleaned, and dried; meat hooks should be removed, cleaned, and packed in suitable cartons. These parts should be stored in cold storage rooms or refrigerators. Meat tracks, scales, door hinges, and miscellaneous hardware should be cleaned and coated with a light film of preservative. Door gaskets should be cleaned with doors fastened in a partially open or open position. To ease the weight on the hinges, blocks should be placed under doors. Exterior openings should be covered to exclude the weather.

6. Gas Distribution System.

a. Gas Mains. When gas is required at the activity, inactive areas should be cut off from the remainder of the activity by closing (and tagging accordingly) all valves on distribution lines at the boundaries of the area. Where there is no requirement for gas at

the activity the main shutoff valve should be closed and locked tightly to prevent leakage. Where equipment is disconnected from the distribution system, the pipe openings should be capped. Plug cocks should be lubricated. Parts subject to corrosion should be greased and coated. Packing on stop valves should be lubricated with a few drops of graphite bearing oil or the packing should be covered with graphite bearing grease. Plugs from drains and drips should be removed at all low points and lines blown thoroughly before the gas is turned off, in order to be able to remove water and light oils which are condensed from the gas. Drain plugs should be replaced securely. Drip pots should be removed, emptied of condensate, and replaced. Cathodic protection systems should be operated and maintained for lines that have not been purged.

b. Gas Meters. Meters should be disconnected and drained. Weights should be removed from the regulating arms. Supply lines to meters should be capped.

c. Liquefied Petroleum Gas. The liquefied petroleum gas supplier should be notified to remove all privately owned containers and regulating equipment from the activity. Arrangements should be made with the supplier for the removal of entire stocks of liquefied petroleum gas stored in permanently installed systems.

Caution: Safety practices prescribed in National Fire Protection Association (NFPA) Pamphlet No. 58 and standing safety orders should be observed when working around liquefied petroleum gas tanks and systems.

7. Cathodic Protection Systems. Generally, deficiencies in cathodic protection systems should be identified using Form 3-1 and corrected so that systems may remain in operation. Cathodic protection systems may need to be maintained to ensure environmental compliance.

SECTION III.
MISCELLANEOUS FACILITIES LAYAWAY STANDARDS

1. Surfaced Areas and Drainage Structures.

a. Blocking Roads and Streets. Once tenant activities have departed and portions of the installation are inactivated, roads and streets which are no longer required for daily public access should be blocked off at intersections with a combination of concrete traffic barriers and removable cones and barrels. Cones or barrels may be easily removed and replaced by maintenance crews, fire and security personnel, and others needing street access, but will keep most curiosity seekers from driving through inactive areas.

b. Drainage Structures. All storm sewers, drainage ditches, culverts, inlets, catch basins, and other drainage structures should be cleaned and repaired as necessary to prevent flooding and storm damage to roads, runways, tracks, and structures. Ensure that work is done in compliance with Stormwater permits if applicable.

2. Waterfront Facilities. Waterfront facilities will be laid away in accordance with the procedures specified in paragraph 2.3.3 of MIL-HDBK 1130.

3. Graving Drydocks. There are three major milestones which need to be taken into consideration when determining the appropriate layaway requirements of a drydock: 1) the condition of the drydock at the point of the BRAC decision, 2) the condition required to maintain mission support, and 3) the condition required to support community reuse. The fundamental premise of BRAC Serial 28 is that facilities should not be allowed to deteriorate prior to community reuse (i.e. that "facility maintenance and repair prior to operational closure should be consistent with continuing mission/safe operations, but in no case lower than the minimum levels required to support the use of such facilities for non-military purposes").

a. BRAC Decision.

- Drydocks which were not in mission support use and were flooded at the time of the BRAC decision will remain in this condition with no additional maintenance or preservation required for layaway (assuming that they do not need to be recertified for subsequent mission requirements), except as may be required to prevent safety or environmental hazards.

- Drydocks in either certified or dry layaway condition at the time of the BRAC decision will be laid away and maintained in accordance with Paragraph 3.b below.

b. Mission Use.

- Drydocks needed for mission requirements will be maintained in certified condition, irrespective of community reuse.

- Drydocks which were certified at the time of the BRAC decision will be placed (laid away) in dry layaway condition once the drydock is no longer needed for mission requirements.

- Drydocks which were not certified at the time of the BRAC decision will be maintained (laid away) in dry layaway condition (assuming that they do not need to be recertified for subsequent mission requirements).

c. Community Reuse. Once the Community Reuse Plan has been submitted or a separate bilateral accord is negotiated with the community regarding drydock use:

- Drydocks not identified for reuse shall be flooded and abandoned once they are no longer needed for mission requirements.

- Drydocks which are identified in the Community Reuse Plan as required to support future shipyard uses are to be maintained in dry layaway condition once they are no longer needed for mission requirements.

d. Dry Layaway Condition. The following general guidelines apply to ensure dry layaway condition.

- Maintenance of certification level status is not required since dry layaway condition meets minimum requirements to support the use of drydocks for non-military purposes.

- Because the specific actions required to preserve individual drydocks will vary depending on both the current condition and planned community reuse, specific technical layaway requirements will need to be locally developed for each activity. As with other facilities, the objective is to maintain the drydock condition status quo relative to its condition at mission cessation (i.e., neither increasing the condition beyond that existing at mission cessation, nor, on the other hand, allowing the drydock to deteriorate beyond the condition at mission cessation), while minimizing the expenditure of funds. For example, if a drydock's pumps require future overhaul to ensure long term use, but dry conditions can be maintained using portable pumps at less cost, then portable pumps should be used.

e. Special Circumstances. Maintenance of the drydocks in dry layaway condition is predicated on the activity's ability to legally pump the drydock. If for whatever reason pumping cannot legally occur (i.e., discharge permits are revoked or permit waivers cannot be obtained), pumping is to cease and the activity is to notify the Local Reuse Authority of the situation prior to the drydock flooding.

4. Swimming Pools. Swimming pools in BMSL II should be laid up as prescribed for normal seasonal shutdown. Swimming pools in BMSL III should be drained and equipment protected against deterioration in the same manner as other similar equipment. Pools subject to structural damage due to hydrostatic pressure or frost upheaval should either not be drained, or should be filled with sand. Pumps and chemical feeders should be stored with valves left in half open or closed position. Sedimentation basins, filters, storage tanks, and clear wells will be drained, and where possible, outlets must be arranged so that they will not hold water. Remove and properly dispose of chlorine cylinders, calcium hypochlorite, acids, and other chemicals.

5. Railroads. Railroads will be laid away in accordance with the procedures specified in paragraph 2.3.5 of UFC 4-911-01N, *Operation and Maintenance: Inactive Care and Closure of Shore Facilities*.

6. Other Miscellaneous Facilities. Contact the BRAC PMO for specific guidance on the layaway of other miscellaneous facilities.

Chapter 4: ENVIRONMENTAL CONSIDERATIONS

The environmental considerations identified below are independent of the BRAC Service Levels (BMSLs). Actions identified are required for all property being closed, transferred, or otherwise removed from the Navy's inventory of active sites. Information relating to the environmental condition of the installation, past practices that may have impacted the condition of the installation, and compliance with regulatory requirements and statutes is required for property disposal. The collection of records, documents, plans, maps, etc., is in conjunction with the guidance provided in Chapter 1, paragraph five. Coordinate collection of this material with the BRAC PMO. This material shall be provided to the CSO at the time of Operational Closure.

1. Records. The types of records need to be organized and consolidated prior to the transfer to the CSO at the time of operational closure.

a. Building Plans, Microfiche Cards & Blueprints. Organize and consolidate all plans; installation utility drawings, and facility maintenance records, historical maps, photographs, and documents that would assist in future cleanup activities. Include any major name changes of buildings or streets. Historical aerial photographs are of particular interest as they are useful in documenting areas of past industrial use. Note location of any archives where data from the activity may be stored. It's important that these records are well organized and secure.

b. Environmental Permits. Provide copies of all permits and all associated records, active and inactive. These permits will include, but are not limited to, air, drinking water, wastewater discharge, storm water, industrial wastewater, RCRA Part A/B, tiered facility permits, and other environmental permits. Include closure documentation (original signed copies from the agencies if possible) and correspondence files as applicable. These permits should be organized and consolidated for transfer to the CSO upon operational closure. Documentation on air permit credits (or used credits) and locations should also be provided.

2. **Hazardous Waste and Hazardous Materials**.

a. Reports, Manifests, Test Results. Hazardous waste regulations (40 CFR 262.40) require sorted manifests & locations, Biennial Reports, Exception Reports, test results and waste analyses be retained for three years (it is helpful sometimes if older records are also identified. Employee training records for hazardous waste workers need to be retained for the last two years.

b. Hazardous Material/Waste Storage Area, Spills, and Other Releases. CERCLA addresses clean up of a hazardous release to the environment, but does not address hazardous material/waste storage areas, spills, and other releases contained within a building or facility. Provide any documentation and cleanup results related to these areas. Identify hazardous waste accumulation areas (HWAA), generator accumulation points (GAP), 90-day storage areas, and hazardous material storage areas. Provide all environmental records, surveys, and documentation regarding any soil, groundwater, or other samples. Provide closure documentation of all HWAA's. Organize and provide records of hazardous materials used in each facility including Material Safety Data Sheets (MSDSs).

c. Environmental Permitted Units. Buildings and facilities which have State environmental permits associated with operations need to be identified and cleaned according to those permit requirements. All associated piping needs to be purged and cleaned. All documentation associated with these permitted units will be needed to verify closure was completed and met state and federal environmental requirements. This includes but not limited to closure plan, closure documentation, final closure report, letter's from State approving closure. If units are not approved for closure prior to base closure all documentation must be provided.

3. Underground Storage Tanks (USTs) and Above-ground Storage Tanks (ASTs).

Provide the locations of all current and former underground storage tanks (USTs) and above-ground storage tanks (ASTs) along with the following information for each tank: contents, size, construction type, fuel line maps, and appropriate state and/or county registration. All tanks and associated pipelines need to be drained and cleaned as part of facility layaway. These

procedures should be documented and provided to the CSO. Any UST & AST reports and sampling results should also be provided with any closure reports & certifications.

4. Industrial Facilities. For all industrial facilities, provide maps and operational records including permits. Provide documentation on locations of process units, waste areas, pipelines, and other facilities.

a. Water and Wastewater Facilities. Provide maps and records on current and former water and wastewater treatment facilities. Provide all permits and operational records. Provide maps showing locations of treatment units, lift stations, storage tanks, oil water separators, etc. Layaway of these facilities should be conducted in accordance with Chapter 3.II.2.

b. Paint and Sand Blast Facilities. Paint and sand blast booths or other facilities should be thoroughly cleaned. All surfaces where dust could settle should be cleaned and the washed. Provide documentation of the types paints and sand blast grits used at the facility. Provide MSDSs for all chemicals used.

c. Landfills. Provide all historical records for current and former landfills. Provide all permit records, especially for RCRA permitted landfills. Provide maps and aerial photos, current and historical, to show the boundaries of the landfill. Provide records on the waste streams that were disposed of in the landfill and note in particular if there was a history of specific waste such as discarded military munitions, radiological material, medical wastes, or other wastes of concern

d. Miscellaneous Industrial Facilities. Provide records for all industrial facilities, including, but not limited to, medical facilities, photo labs, chlorine systems, bilge pumps, cooling towers, laundries, dry cleaners, compressed gas systems, parts washers and degreasers, hoods and ventilations systems, incinerators, and other industrial process components. Include in the records the locations, chemicals used, years in use, layaway process, and other pertinent information. All industrial process components should be laid away in a manner that is free of hazardous materials and all process tanks and pipelines should be emptied, rinsed, and marked with the condition. Records of this process should be noted in the Facility Layaway Plan.

5. **<u>One-Time-Compliance (OTC).</u>** All facilities and buildings where hazardous operations existed needs to be identified, cleaned, and documented. This includes, but is not limited to operations associated with plating, stripping, degreasing, painting, overhauling of lead batteries, sanding blasting, maintenance operations, hydraulic lifts, engine overhauling where fuel lines exists, kitchens, dry cleaning operations and any sumps or holding tanks. The following needs to be completed and documented in the Facility Layaway Plan:

- All tanks, sumps, and associated lines need to be completely drained, purged and triple rinsed;
- All areas that have been exposed to contamination due to operations need to be cleaned;
- All lines that held hazardous materials during operations need to be drained, purged and cleaned;
- Clean sand blasting equipment and areas around the operations where dust would have settled;
- Layaway all equipment for reuse by draining excess oils and fuels not needed for operations and apply preservative;
- All equipment designated for disposal need to be drained of all fluids;
- All refrigeration systems need to be drained of ozone depleting substances and shutdown properly;
- All fire extinguishers need to be disposed and halogenated systems purged;
- All kitchen facilities need to cleaned, refrigerators drained and shutdown properly (doors left open), cooking grease tanks and grease traps emptied and cleaned; and
- All gas cylinders should be removed and disposed of properly

6. **<u>Environmental Clean up Sites</u>.** Provide documentation and records on the location of Solid Waste Management Units (SWMUs), Areas of Concern, and Installation Restoration (IR) sites. These records should include maps, sampling data, and site history and record response actions concerning any spills or cleanup actions.

7. **<u>Pesticide and Herbicide Records</u>.** Collect and provide pesticide procedures and records to the CSO. Special attention should be provided regarding Chlordane use and

application. Provide the locations of storage and handling areas and records of application frequency and MSDSs for the pesticide and herbicides used.

8. Munitions and Explosives of Concern (MEC) and Small Arms Firing Ranges. Organize records on areas where MEC was handled and stored and provide records and maps of ranges (military & civilian use), both current and former, location of ammunition storage, and any other records related to MEC. If there was an Explosive Ordnance Detachment (EOD) unit located at the installation, provide records of EOD training activities, EOD responses throughout the installation, and other pertinent records. For small arms ranges, provide records on the types and quantity of munitions fired, frequency of use, history, and all pertinent records and maps of the range. Provide records of site approvals and correspondence with Naval Ordnance Safety and Security Activity (NOSSA).

9. Radiological. Provide records of radiological uses and source areas on the installation i.e., Radium paint and shop locations. Provide records of surveys, locations of radiological work, and all other radiological records and documentation. Provide all correspondence with the Navy's Radiological Affairs Support Office (RASO) to the CSO.

10. Natural Resources. Provide copies of Natural Resources Management Plans. Identify and list any endangered or threatened animal species or plants located on the installation and provide reports which document what steps are currently undertaken for the protection of threatened and endangered species. Provide appropriate contact information for regulatory agencies and local interest groups.

11. Cultural Resources. The activity commanding officer is responsible for compliance with the National Historic Preservation Act of 1966, as amended (NHPA) and 36 CFR Part 800 and the assignment and training of the Activity Cultural Resource Manager (CRM). Specific responsibilities are detailed in SECNAVINST 4000.35 and OPNAVINST 5090.1B. The Activity CRM should insure all documentary items are surveyed, inventoried, and archived in accordance with the National Archives and Records Administration guidelines. Provide all records to the CSO upon operational closure. Activity CRM determines if an intensive survey of the activity has been performed to ascertain the presence or absence of historic properties and whether or not there are recognized Native American Tribes that must be consulted. Provide

input to BRAC budgeting process for the activity to ensure funding for contracting for surveys, consultations, archiving of documents and photos, shipment of heritage assets materials to the NHC, and other anticipated expenses.

The Navy Historical Center Staff at the Washington Navy Yard reviews “Heritage Assets” items, and ensures BRAC layaway and disposal actions are accordance with their curation/archival standards. The DON defines 'heritage assets' as 'items that are unique due to historical or natural significance; cultural, education or artistic importance; or significant architectural characteristics.’ The NHC will work with activities to identify how heritage assets will be collected, inventoried, and cared for.

Activities must identify archaeological artifact collections held on the installation or in off site facilities. By federal law, these archaeological materials must remain in federal ownership even after operational closure or property transfer. Activities should consider negotiating a transfer to another federal agency or negotiating long term curation agreements with private curation facilities that meet the standards set forth in 36 CFR 79.

12. Oil Water Separators. Oil Water Separator locations and conditions need to be documented. The Facility Layaway Plan should identify the location and planned layaway for each oil water separator. Layaway will typically consist of draining, cleaning, and disconnecting oil water separators and all associated piping. Documentation of both current and historical oil water separators should be provided to the CSO.

13. Other Environmental Reports and Surveys. Copies of all reports, surveys, and test results need to be centrally organized and provided to the CSO. These items include, but are not limited to the following:

- All Emergency Response Plans, Spill Response Plans, SPCC plans for specific locations as well as installation wide to the CSO;
- PCB reports and analytical results with transformer locations (both current & former), PCB levels, and cleanup reports;
- Stormwater Pollution Prevention Plans and all associated best management practices;

- Lead Based Paint (LBP) surveys and remediation reports. In particular for the housing areas as well as any O&M plans;
- Asbestos surveys and remediation reports and locations. Provide current O&M plan;
- Mold surveys and locations and document any actions taken to remove mold;
- Environmental Compliance and Assessment Audit reports;
- Industrial Best Management Practices documentation for operations on the installation;
- Pollution Prevention Plans and Waste Minimization Plans;
- Provide information as to where all archived documentation and records including all personnel records, historical documentation, and etc have been shipped for storage. This may be required to address employee concerns about exposure to hazards;
- Public Works Center (PWC) records, files, and maps, and if records are archived, provide a list of what was archived and where it is stored; and
- Provide all these reports for primary and tenant commands.

14. Regulatory Points of Contact (POCs). Provide a list of all local, state, and federal regulatory personnel that activity personnel have been working with in each area. Provide names, addresses, phone numbers, email addresses, and indicate the type of interaction that has occurred between activity personnel and these POCs. Correspondence files, if they are available, should be provided.

15. Clean Air Act Requirements and Permits. Inventory, assemble, and maintain all current and past air permit documents for emission sources. For BMSL I facilities, emergency, standby and mobile emission sources that are required to remain operational, work with the local Air Quality Management Agency to maintain the individual permits to operate each source. This includes supplying the annual permit update information and fee payments. For operation of the emission sources by reuse activities, consider allowing the transfer of existing permits with the sources.

In accordance with 40 CFR 70 and 71 and local Air Quality Management Agency regulations, for BMSL II and III facilities with shutdown emission sources and for shutdown mobile and emergency emission sources, obtain air emission reduction credits with the local Air Quality Management Agency. Coordinate the transfer of the emission reduction credits to another federal agency, LRA or tenant with the local Air Quality Management Agency and BRAC PMO.

Ozone Depleting Substances (ODS)

Per 40 CFR 82, subpart F and local Air Quality Management Agency requirements, ozone depleting substances (ODS) in refrigerants should be inventoried and managed in shutdown heating, ventilation air conditioning, and refrigeration (HVAC&R) equipment. Lay away HVAC&R equipment per Chapter 3, Section II, paragraph 5. Turn in ODS refrigerants in accordance with Defense Logistics Agency Department of Defense Ozone Depleting Substances Turn-In Procedures, March 27, 1997.

Chapter 5: CARETAKER MAINTENANCE STANDARDS

1. General. This chapter provides standards for routine caretaker maintenance of facilities that have been closed and placed in a laid away status. Caretaker maintenance may be performed by the closing activity prior to operational closure and by the Caretaker Site Office (CSO) after operational closure of the installation. As with the BMSLs provided in Chapter 3, there is no substitute for the use of experience and common sense when applying the standards provided to specific activity facilities and situations. Caretaker maintenance standards for buildings are summarized in Table 5-1 below. In general, caretaker maintenance will not improve the condition of a facility. Caretaker maintenance is the controlled deterioration of facilities.

TABLE 5-1
CARETAKER MAINTENANCE STANDARDS FOR BUILDINGS

COMPONENT	BMSL II	BMSL III
Security Inspections	Conduct in conjunction with other inspection. Roving security provides visual inspections on rounds.	Same as BMSL II.
Interior Walk Through	Monthly & after severe storms.	Quarterly & after severe storms. If abandoned, annually & after severe storms.
Building Shell	Inspect monthly & after severe weather. Keep gutters, drains, & downspouts clean.	Quarterly & after severe storms. If abandoned, annually & after severe storms Keep gutters, drains, & down spouts clean.
Exterior Windows, Doors, and Other Openings)	Inspect after severe weather or in conjunction with other inspections.	Inspect at least annually or in conjunction with other inspections.
Building Interior	Minimal required to ensure structural soundness of floors, roof framing, & other structural members. This should be done in conjunction with other inspections.	Minimal required to ensure structural soundness of floors, roof framing, & other structural members. For abandoned facilities only if required to prevent safety or environmental hazards. This should be done in conjunction with other inspections.
Heat	Perform scheduled operational checks & PM inspections on operating systems.	Not Applicable.

Air Conditioning)	Perform scheduled operational checks & PM inspections on operating systems.	Not Applicable.
Water/Plumbing	Monthly turn water on to toilets, urinals, faucets, fountains, etc. to keep traps wet and seals good.	Add antifreeze to traps & fixtures as required due to evaporation.
Electricity	Check after severe thunderstorms. Check operating equipment during walk through inspections.	Same as BMSL II.
Fire Protection Systems	Visual inspection quarterly of operational systems; routine maintenance semiannually, quarterly for fire pumps.	Visual inspection annually; routine maintenance annually.
Elevators	Continue routine maintenance and continue inspections as required by ASME A17.1, ASME A17.2, & NAVFAC MO-118.	Not applicable unless elevator remains in service. If in service, same as BMSL II.
Pest Control Services	Identify potential problems during walk through inspections & initiate appropriate control procedures.	Same as BMSL II, annual/biannual termite inspection.
Grounds Maintenance	Maintain grass between 1 1/2" & 6" based on requirements for reuse, otherwise.	Maintain sufficient for fire protection.
Installed mechanical equipment	Perform scheduled PM inspections only on operating systems.	Perform scheduled PM inspections only on operating systems.

2. **Inspections.** Brief interior walk through inspections should be conducted periodically in all facilities to check for obvious potential problems which, left unchecked could result in rapid building deterioration. Building occupants in active facilities would typically identify these types of problems. Examples include roof leaks; bird, bat, or other obvious pest infestations; broken windows; leaking pipes; mold and mildew caused by excessive humidity; and other similar problems. Inspections should be made at least monthly in BMSL II buildings, quarterly in BMSL III buildings, and annually in BMSL III (abandon) buildings. Walk troughs should be made in buildings having energized utilities after severe storms.

3. **Building Shell.** It is critical to maintain weather tight building shells as described in Chapter 3, Section I, Paragraph 3. As in building layaway, repair actions should minimize expenditure of funds while providing a fix that will last through the projected disposal of the facility. Brief inspections of building shells should be made during periodic walk through inspections. More detailed inspections should be conducted after severe weather.

- o Steps, Platforms, and Ramps. Exterior wood steps, platforms, ramps, or similar components should be limited to one per building (where required) and maintained only to the extent necessary to provide safe access during inspections or other visits to the interior of the building. As necessary secure and post unsafe areas that are not needed for access.

- o Windows and Doors. Broken windows in BMSL II buildings should be replaced. Broken windows in BMSL III buildings may be replaced or boarded shut using the same procedures specified in Chapter 3, Section I, Paragraph 4.b.

- o Roofing, Flashing, Sheet Metal Work, and Drainage Systems. Roofs must be periodically inspected and maintained watertight throughout the caretaker period. Inspect if interior inspections indicate leaks and after severe storms. Repairs should be limited to the minimal levels necessary to achieve weather tightness and in no case greater than that outlined in Chapter 3, Section I, Paragraph 3.a. Inspect gutters, down spouts, scuppers, and roof drains as often as necessary to ensure they are clear of debris and working properly. This will vary depending on the rate of accumulation of leaves, pine straw, and other debris.

- o Exterior Surfaces. Repair or replace siding and other exterior components as required to ensure building shell is weather tight.

- o Other Miscellaneous Openings. Ensure that screens and caps blocking miscellaneous openings, such as chimneys, vents, grills, and louvers, remain securely in place.

4. Building Interiors. Maintenance of interior of buildings should be confined to that necessary to ensure structural soundness of floors, roof framing, and other structural members, and to eliminate hazards to personnel.

5. Heating, Ventilating, and Air Conditioning (HVAC) Systems. Minimal preventive maintenance should be performed on operating mechanical systems in BMSL II buildings. PM should be limited to filter changes and seasonal start up and shutdown requirements, such as lubrication, belt changes, and other maintenance actions required to ensure continuous and efficient operation of HVAC systems.

6. **Plumbing Systems**.

BMSL II. During monthly walk through inspections water should be turned on briefly at each faucet, water fountain, and shower, and each urinal and toilet flushed once to keep traps wet and seals in faucets and flushometers functioning properly. Check for leaks in buildings in which the water has not been secured.

BMSL III. If traps are kept "wet," conduct monthly walk through inspections and check and replenish antifreeze in traps and fixtures as required due to evaporation.

7. Electrical Systems. Perform routine maintenance as needed for operating sump pumps, security systems, and other operating electrical equipment during periodic walk through inspections and after severe thunderstorms.

8. Fire Protection and Alarm Systems.

a. Water Storage Tanks. Ground level, underground, and elevated water storage tanks used to supply water for fire protection should continue to be maintained. Tanks should be inspected and maintained at least every six months. Water levels in these tanks should be verified weekly.

b. Installation Fire Pumps. Fire pumps used to boost pressure in the installation's underground water distribution system should continue to be maintained. Installation fire pumps should be inspected and started on a weekly basis. Fuel driven pumps should have their fuel supply checked weekly.

- BMSL II Buildings. Visually inspect systems during walk through inspections. Provide routine maintenance every six months to all systems except fire pumps, which should be run and maintained quarterly.

- BMSL III Buildings. Visually inspect systems during periodic walk through inspections. Provide routine maintenance annually.

9. Elevators. Any elevator, dumbwaiter, or escalator remaining in operational status must continue to be maintained, inspected, and certified in accordance with ASME A17.1, *Safety*

Code Elevators & Escalators Handbook; ASME - A17.2 – *2001 Guide for Inspection of Elevators, Escalators; and Moving Walks*; and NAVFAC MO-118, *Inspection of Vertical Transportation Equipment*.

a. BMSL II. Maintain elevators in fully operational condition, including required inspections, testing, and certification. Continue routine maintenance at pre-closure levels.

b. BMSL III. Elevators in BMSL III buildings that remain operational should be maintained in fully operational condition, including required inspections, testing, and certification. Continue routine maintenance at pre-closure levels.

10. Pest Control Services. Pest control services must continue to be provided to the extent necessary to prevent damage to facilities. Inspectors should be trained and on the lookout for evidence of pest problems during all periodic walk through inspections of BMSL II and III facilities. The type and extent of services required will vary widely depending the location of the activity and the type of facilities.

a. Weeds. Weeds grow and enlarge pavement cracks, create fire hazards, damage, and obscure fences, retard drying, provide habitats conducive to pest population growth, damage exterior surfaces of buildings, and promote decay by blocking vents. Low-level maintenance may require annual, biennial, or triennial herbicide applications. All herbicide applications need to meet environmental standards.

b. Fire Ants and Africanized Bees. These pests may interfere with the maintenance and showing of closed facilities and grounds. Control procedures should be implemented when these or other pests interfere with caretaker operations or disposal.

c. Other Insects. Termites, carpenter ants and bees, and powder post beetles can cause serious structural damage. Annual or biennial inspections for these pests should generally be made in all BMSL III facilities.

d. Birds and Bats. Birds and bats establish indoor roosts, fouling surfaces and rendering spaces unfit for human occupation. Pigeon and bat droppings may also create serious health hazards. Check for the presence of these pests during periodic building walk through inspections and implement control procedures when required.

e. Mosquitoes and Biting Flies. Mosquitoes and biting flies may create a public health problem. Control procedures for these pests may need to be continued after closure if breeding areas are located on installation.

f. Rodents. Inspect for evidence of rodents and replace bait blocks as necessary during periodic building walk through inspections.

11. Grounds Maintenance. Grounds in areas that do not have BMSL II buildings should be maintained to the minimum extent necessary to protect against fire and erosion, and to assure proper forest and wildlife management where applicable. Installation "curb appeal" should be maintained by maintaining areas along main roadways and active facilities in a relatively high level of maintenance. Table 5-2 below summarizes ground maintenance requirements.

TABLE 5-2
GROUND MAINTENANCE REQUIREMENTS

GROUNDS MAINTENANCE REQUIREMENTS					
AREA	MAX HEIGHT (INCHES)	MIN HEIGHT (INCHES)	EDGE	TRIM	SHRUB & HEDGE MAINT
BMSL II Facilities	3	1 1/2	YES	YES	YES
Golf Courses (w/known reuse)	"semi-playable" condition				
BMSL III, Facilities	6	1 1/2	NO	NO	NO
Airfields	14	8	NO	NO	NO
All other	24	6	NO	NO	NO

a. Grass Cutting. Grass within 25 feet of combustible structures should be cut as frequently as required to protect against fire hazards. Otherwise, grass cutting should

be performed in accordance with the following general guidelines. Grass should never be cut shorter than 1 1/2 inches, and all areas should be cut at least once annually.

b. Tree and Shrub Pruning. Shrubs and trees should be pruned and trimmed only as needed to prevent damage to buildings and electrical service lines; and to prevent low hanging limbs from interfering with traffic on roads and streets.

c. Golf Courses. Golf courses will be maintained to BMSL III standards unless there is a specific reuse proposal present. If there is a specific reuse proposal, the golf course will be maintained in "semi-playable" condition. This includes full care of greens and tee boxes, but reduced mowing on fairways, rough practice putting greens, and driving ranges. This level of maintenance will continue no longer than six months after operational closure.

12. Fences. Perimeter fences and other fences required for security should continue to be inspected and repaired at normally required frequencies.

13. Surfaced Areas and Drainage Structures.

a. Roads and Streets. Resurfacing of bituminous pavements should be discontinued, and seal coats applied only to forestall major deterioration of the pavement structure. Roads and streets required for daily public access should be maintained in good condition with potholes filled, joints and cracks sealed, and markings and signs maintained. All other roads and streets should be maintained only to permit safe passage at reasonable speeds. Markings, signs, and signals should not be maintained or renewed.

- Blocking. Roads and streets not required for daily public access should be blocked off at key intersections with a combination of concrete traffic barriers and removable cones and barrels. Cones or barrels may be easily removed and replaced by maintenance crews, fire and security personnel, and others needing street access, but will keep most curiosity seekers from entering closed areas.

- Mowing. Mowing of shoulders and right-of-ways should be limited to that required to maintain required "curb appeal," and for proper drainage, fire

inspection, control of noxious weed growth, and to prevent formation of insect breeding places.

b. Snow Removal. With the exception of roads and streets required for daily public access, snow removal should be provided only to the extent required to provide access for maintenance personnel, fire protection, security, and similar activities. Remove snow around fire hydrants to make them accessible for firefighting requirements. Snow and ice removal should also be provided if required to maintain critical drainage system openings.

c. Storm Sewers and Drainage Ditches. Storm sewers and ditches should be maintained as required to prevent erosion and damage to roads, runways, tracks, and structures. Keep ditch banks free of debris, silt, and mud. Drainage structures such as culverts, inlets, and catch basins should be kept clean and at full efficiency to prevent flooding damage.

14. Bridges. Bridges should be periodically inspected for verification of structural integrity in accordance with AASHTO, *Movable Bridge Inspection, Evaluation and Maintenance Manual* (1998). If corrosion or physical damage threatens the continued survivability of bridges, consideration should be given to securing the bridge (i.e. closed to traffic). If the bridge is to be repaired, repairs should be limited to critical deficiencies.

15. Utility Systems. With the exception of the items noted below, utility plants and systems remaining in use should continue to be maintained and operated in accordance with established standards. Operating logs, records, and maps should be maintained, and reports, samples, and tests should be completed in accordance with standard procedures.

a. Heating Systems and Boiler Plants.

- o External sweating and corrosion. Periodically to guard against sweating and corrosion on the external surfaces of boilers, furnaces, tanks, unfired pressure vessels, and the like, portable heating equipment may be used at safe points to keep metal surfaces above the dew point, particularly during protracted spells of damp weather accompanied by rising temperature.

- Desiccants. The fireside of boilers should be opened and inspected every six months. Desiccants should be replaced when the absorbing properties are no longer effective.

b. Utility Distribution Systems. Generally existing cathodic protection systems should continue to be operated and maintained.

- Gas. Gas distribution systems should be checked with a pressure gauge every 90 days to ensure that valves are not leaking gas into the inactive portions of the system. If a cathodic protection system is installed, it should be kept in operation.

- Steam. Underground steam distribution systems should be inspected every 30 days. Manholes and pump pits should be pumped out when flooded. Waterproof coatings on insulation of overhead steam distribution systems should be maintained. Damaged or deteriorated pipe supports should be repaired or replaced.

c. Wastewater Collection System. When the installation population declines to a low level it may be necessary to periodically flush certain sanitary sewer lines. Float controls in lift station wet wells should be adjusted to maintain wastewater elevation at low level to ensure frequent pumping.

d. Water Distribution System. When the installation population declines to a low level it may be necessary to periodically open fire hydrants or other lines to allow water to run through portions of the distribution system serving active buildings. Otherwise water may sit in the distribution system for so long that it is no longer adequately chlorinated.

16. Railroads. Switches should be oiled or greased annually. Damaging vegetation in ballast, roadbed, and ditches should be controlled with herbicides or soil sterilants.

17. Graving Drydocks. Because the specific actions required to maintain drydocks will vary depending on condition and planned community reuse, specific technical caretaker maintenance requirements will need to be locally developed.

Appendix C. Transfer of Custody and Control of Real Property Agreement

FINAL March 2007

AGREEMENT FOR THE TRANSFER OF CUSTODY AND CONTROL OF REAL PROPERTY

BETWEEN

COMMANDER, [Host Activity]

AND

DASN (I&F), BRAC PROGRAM MANAGEMENT OFFICE (PMO)

FOR THE CLOSURE OF

[Host Activity]

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SECTION I: Introduction and Purpose

1.0 Overview

This Transfer Agreement documents the responsibilities of the Commander, [Host Activity] and the Base Realignment and Closure Office (BRAC PMO), preceding and following the transfer of custody and control of certain property at [Host Activity], located in [location]. This Transfer Agreement is intended principally to govern the allocation of responsibility between [Host activity] and the BRAC PMO with respect to the custody and control of real property at [Host Activity] in [location]. This Transfer Agreement is intended only to improve the internal management of the Department of the Navy and is not intended to, nor does it, create any right or benefit, substantive or procedural, enforceable at law or equity by any party against the United States, its agencies, or its officers. This Transfer Agreement should be in place no later than 18 months prior to operational closure.

1.1 Background and Authority

[Host Activity] is to be closed pursuant to recommendations of the Defense Base Closure and Realignment Commission made pursuant to the Defense Base Closure and Realignment Act of 1990, P.L .101-510, as amended. The recommendations became final and binding on 9 November 2005.

1.1.1 Property Description

[Host Activity] consists of approximately -– acres [insert general description] [Host Activity] is under the purview of the Commander, Naval Installations Command (CNIC). For the purposes of this Transfer Agreement, [Host Activity] will serve as the focal point for the activities herein. [Host Activity] will ensure that the coordination and concurrence of CNIC or other echelons of command have been obtained as required to implement the activities addressed in this Transfer Agreement.

1.1.2 Implementation: Upon execution of this Transfer Agreement, the activities required for transfer of custody and control will be implemented in accordance with the milestones addressed in this Transfer Agreement. Transfer of custody and control **will not occur until operational closure and completion of all pre-transfer tasks** that are

required in accordance with this Transfer Agreement. Transfer of custody and control will be documented by execution of DD Form 1354, "Transfer and Acceptance of Military Real Property." The as-of date for transfer of custody and control will be the date that the DD Form 1354 is signed by BRAC PMO as the accepting party. A copy of DD Form 1354 is attached hereto as Attachment A and incorporated herein. Responsibilities for preparation of the DD Form 1354 and for real property accountability are addressed in paragraph 3.1.1 of this Transfer Agreement. Upon transfer of custody and control of any portion of [Host activity], the terms and conditions of this Transfer Agreement will remain in full force and effect with respect to all remaining property. It is anticipated that execution will occur on or about [insert date] provided that all pre-transfer tasks that are required by this Transfer Agreement have been completed to the satisfaction of BRAC PMO. [Host Activity] will continue to be responsible for providing funding and personnel resources for the tasks identified in this Transfer Agreement until such time as the transfer of custody and control and related funding responsibilities are implemented.

1.2 Definitions

For the purpose of this Transfer Agreement, the terms set forth herein shall have the meanings described in Attachment C.

SECTION II: Contracts, Real Estate, and Support Agreements

2.0 General Requirements

This section details the requirements for the handling of all support agreements, real estate agreements, contracts, and claims. [Host Activity] shall retain responsibility for all actions, disputes, and claims related to employee compensation, personnel, torts and all other issues related to or arising from acts or omissions of [Host Activity] or its employees, contractors, lessees, licensees, tenants, agents or predecessors prior to the date of transfer of custody and control. [Host Activity] shall also retain responsibility for all matters arising under any contract, account, real estate and support agreement not described in Appendices D and E.

2.1 Contracts

Not later than [Insert Date], [Host Activity] will prepare and will provide BRAC PMO with a list of active contracts and accounts that pertain to the [Host Activity]. The list will include brief descriptions and will be attached hereto as Attachment D. The list will be periodically updated until transfer of custody and control. [Host Activity] will terminate contracts not required by BRAC PMO for caretaker operations, upon receipt of the concurrence of BRAC PMO. [Host Activity] will be responsible for any contract modification and termination costs. BRAC PMO will prepare new or modify existing contracts for BRAC PMO use.

2.2 Real Estate and Support Agreements

Not later than [Insert Date], [Host Activity] will prepare and will provide BRAC PMO with a list of all active real estate and support agreements for the [Host Activity] including but not limited to leases, licenses, easements and permits. All non-DON users/tenants along with details concerning use arrangements will be identified. The list will be attached hereto as Attachment E. In consultation with BRAC PMO, [Host Activity] will remain responsible for management of all real estate and support agreements for [Host Activity] until the date of transfer of custody and control. However, new agreements and changes in terms and conditions of existing agreements must be approved by BRAC PMO. [Host Activity] will renew, extend, or terminate all real estate and support agreements as required by BRAC PMO, and will be responsible for displaced tenants. [Host Activity] will notify grantees of changes in points of contact and payment procedures as a result of transfer of custody and control. After the date of transfer of custody and control, BRAC PMO will be responsible for management of all real estate and

support agreements. [Host Activity] will not permit or agree to encumber or grant any interest in the real property or any part thereof without the approval of BRAC PMO.

2.3 Claims

Not later than [Insert Date], [Host Activity] will prepare and provide BRAC PMO with a list of all claims, causes of action or other litigation or proceedings pending or threatened with respect to ownership or operation of the [Host Activity]. The list will be attached hereto as Attachment F, or a statement that there are no such claims or proceedings will be prepared by the [Host Activity} and attached hereto as Attachment F.

SECTION III: Plant Property, Supplies, and Materials

3.0 General Requirements

[Host Activity] will be responsible for implementing the layaway and caretaker maintenance activities prior to transfer of custody and control in accordance with DON's BRAC Implementation Guidance (NBIG) of [insert date]. Layaway and caretaker activities shall be coordinated with BRAC PMO. BRAC PMO will provide program oversight to review decisions on layaway maintenance levels and schedules. In accordance with Paragraph 3.2.1 below, [Host Activity] shall conduct an inventory of personal property and remove, store or dispose of all supplies, materials, and personal property prior to the date of transfer of custody and control, except for such supplies, materials, and property that the parties have agreed are to remain for community reuse or caretaker operations.

3.1 Real Property (Class 1 & 2)

3.1.1 Accountability CNIC will retain real property accountability until final disposition of the property by BRAC PMO. This responsibility will include maintaining the Internet Naval Facilities Assets Data Store (iNFADS), Real Estate Summary maps and cadastral records. [Host Activity] will prepare the DD Form 1354, "Transfer and Acceptance of Military Real Property" to document transfer of custody and control. BRAC PMO will be responsible for funding all costs associated with the installation after transfer of custody and control except as otherwise agreed to in this Transfer Agreement or other governing Memorandums of Understanding or agreements. Upon final disposition of the property, BRAC PMO will notify CNIC and CNIC will update the iNFADS, Real Estate Summary maps, and cadastral records accordingly.

3.1.2 Inventory Not later than [Insert Date], [Host Activity] will validate and update the real property iNFADS for the [Host Activity]. Discrepancies will be resolved to ensure the accuracy of the real property inventory. [Host Activity] will provide BRAC PMO with a copy of the updated real property record cards and the corrected inventory in hard copy and in electronic format prior to transfer of custody and control, or by [Insert Date], whichever is sooner.

3.1.3 Facility Records Facility records for all facilities (existing and demolished) at [Host Activity] will be inventoried prior to transfer of custody and control. Records and documents shall be current and updated with both hard copy and, where practicable, electronic files. These records include, but are not limited to: Annual Inspection Summary (AIS) or facility condition reports, facility history files, as-built drawings, utility maps, project documentation, existing facility files, plans, specifications, warranties, results of safety, health, environmental surveys and reports, and historic documents, including records, maps and photographs, Existing Condition Maps and General Development Maps, confined space inventories, project documentation, lead based paint and asbestos surveys, and industrial hygiene surveys. [Host Activity] will provide a list of all the documents to BRAC PMO not later than [Insert Date]. The list will be attached hereto as Attachment G.

3.1.4 Real Estate Summary Maps [Host Activity] will be responsible for updating the real estate summary maps not later than [Insert Date] and will provide an updated copy of the Real Estate Summary maps, cadastral records, and muniments of title to BRAC PMO.

3.1.5 Utilities [Host Activity] will remain responsible for provision of utilities and for utilities system maintenance until the date of transfer of custody and control. BRAC PMO will be responsible for disposition of the utilities systems, effective upon the date of implementation of this Transfer Agreement. [Host Activity] will support BRAC PMO as required in support of activities pursuant to the disposition of the utilities systems, but will not be responsible for funding disposition activities (i.e., reports, appraisals, etc). [Host Activity] will provide BRAC PMO with copies of any existing utilities layaway documents 60 days from the date of this Transfer Agreement. [Host Activity] shall layaway utilities in accordance with NBIG dated [insert date] upon receipt of the concurrence of BRAC PMO.

3.1.6 Security and Fire Protection [Host Activity] shall retain responsibility for security and fire protection for the [Host Activity] until the date of transfer of custody and control. Until that time, [Host Activity] will coordinate security and fire protection requirements with the BRAC PMO. [Host Activity] will build security fences and install other security

devices, as required for facilities placed in a layaway status prior to transfer of custody and control to the BRAC PMO.

3.1.7 Verification [Host Activity] and BRAC PMO will verify that all layaway requirements have been met in accordance with NBIG dated [insert date].

3.1.8 Facilities Inspection [Host Activity will inspect facilities in accordance with NBIG dated [insert date]. Upon completion of inspection, [Host Activity] will provide documentation in accordance with NBIG dated [insert date]. [Host Activity and BRAC PMO will mutually determine which deficiencies are critical. Critical deficiencies will be corrected by [Host Activity] prior to transfer of custody and control.

3.2 Personal Property (Class 3, 4 & Minor)

3.2.1 Personal Property Inventory [Host Activity] will complete an inventory of personal property within the [host activity] in accordance with 32 CFR 174.13(b), not later than May 06. [Host Activity] will be responsible for the disposition of property that meets the exemptions provided in 32 CFR 174.13(e). Personal property not subject to the exemptions will be properly preserved in a dormant state, packaged, and stored in a secure area acceptable to BRAC PMO until BRAC PMO and the Local Redevelopment Authority (LRA) determine whether it is required for reuse. [Host Activity] will provide a complete list of the non-exempt property, which will be attached hereto as Attachment H. Property not required for reuse will be disposed of by the [Host Activity]. Should any dispute arise with the LRA with regard to the personal property inventory, BRAC PMO will take the lead in attempting to resolve the dispute, with support from [Host Activity] as required by BRAC PMO. [Host Activity} will provide a completed DD Form 1149 for all accountable personal property that BRAC PMO and the LRA require for reuse, and for all accountable personal property that is required for caretaker operations.

3.2.2 Transportation Equipment, Vehicles and Civil Engineering Support Equipment (CESE) Not later than May 2006, [Host Activity] will provide a list of all vehicles and equipment required to continue interim caretaker functions within the [Host Activity}. Copy of said list will be attached hereto as Attachment I. All Class 3, Class 4, and minor

property that are not required for caretaker functions, and all GSA leased vehicles, shall be disposed of in accordance with Paragraph 3.2.1 above. [Host Activity] shall be responsible for preparing and executing all SF-97 (U.S. Government Certificate to Obtain Title to a Vehicle) forms for vehicles that are required for interim caretaker functions prior to the transfer of custody and control. The SF-97 forms shall be prepared (excluding mileage) for transfer as required by BRAC PMO to facilitate disposition.

3.2.3 Lost or stolen vehicles or equipment [Host Activity] will appropriately report all vehicles or equipment associated with the [host activity] that is lost or stolen, including preparation of DD Form 200, prior to transfer of custody and control.

3.2.4 Supplies and Materials In accordance with Paragraph 3.2.1 above and prior to transfer of custody and control, [Host Activity] will remove or store all materials and supplies unless required for caretaker functions. Prior to transfer of custody and control, [Host Activity] will provide BRAC PMO with a complete inventory of materials and supplies that will remain. All materials that will remain will be stored and secured in buildings mutually acceptable to BRAC PMO.

SECTION IV: Environmental Requirements

4.0 General Requirements

With the exception of the Environmental Installation Restoration Program (IRP), [Host Activity] is responsible for complying with all applicable federal, state, and local environmental laws and regulations until the date of transfer of custody and control to BRAC PMO. At that time, BRAC PMO will assume these responsibilities for the [host activity], except as otherwise provided in this Transfer Agreement.

4.1 Interface with Environmental Regulators

BRAC PMO will serve as primary interface with environmental regulators concerning BRAC clean up plans and actions. BRAC PMO will establish priorities and direct, review, and approve clean up actions in coordination with property disposal.

4.2 Environmental Permits

[Host Activity] and BRAC PMO will jointly determine the environmental permits to be transferred to BRAC PMO, transferred to the LRA or another entity, or terminated. [Host Activity] will prepare a final list of all permits not later than [Insert Date]. The list will be attached hereto as Attachment J. [Host Activity] will terminate or transfer all permits as identified in Attachment J prior to transfer of custody and control. [Host Activity] will provide an organized file of all correspondence and records relating to each permit that will be transferred to BRAC PMO. BRAC PMO will apply for any environmental permits that cannot be transferred from [Host Activity] and will be required for [Host Activity] after the date of transfer of custody and control.

4.3 Environmental Documentation and Operational Records

Prior to transfer of custody and control, [Host Activity] will coordinate plans, schedules, and requirements for environmental cleanup documentation and actions with BRAC PMO for review and approval. [Host Activity] will maintain and archive records as required by NBIG dated [insert date] until the date of transfer of custody and control. BRAC PMO will then be responsible for records that are created after the date of transfer of custody and control. [Host Activity] will provide BRAC PMO with all records needed to support future regulatory submittals and environmental compliance prior to transfer of custody and control. These include but are not limited to records relating to environmental planning, cultural and natural resources

management, pesticides and herbicides, asbestos, lead based paint, Munitions and Explosives of Concern, Solid Waste Management Units, Areas of Concern, and Installation Restoration Program sites. Such records include, but are not limited to, maps, Geographic Information System (GIS) data, sketches, databases, sampling data, site history, and response or clean up actions in both hard copy and digital form.

4.4 Notice of Violation (NOV)/Notice of Non-Compliance (NONC)

[Host Activity] is responsible for closing out any existing NOV/NONC. Not later than [Insert Date], [Host Activity] will prepare a list of open NOV/NONC that will be attached hereto as an Attachment K, or a statement that no NOVs or NONCs will be prepared and attached as Attachment K. Any steps taken to correct them must be documented. [Host Activity] will remain responsible for responding to any NOV/NONC that is based upon conditions, facts, and/or events existing, arising, and/or occurring during the period preceding the date of transfer of custody and control. [Host Activity] will retain the responsibility for maintaining all environmental compliance records for such NOV/NONCs. Any NOV/NONC that is issued based upon facts and/or events arising and/or occurring after the date of transfer of custody and control will be the responsibility of BRAC PMO except as provided in this section and in Section 2.0 above. [Host Activity] will provide all records and points of contact to BRAC PMO, as required.

4.5 Air Emission Credits

Host activity will inventory all existing emission sources, including all stationary and mobile sources, and existing air permits with expiration dates, and provide the data to BRAC PMO as Attachment L, or will provide a statement that there are no such sources or permits as Attachment L to this Transfer Agreement, by [Insert Date]. BRAC PMO, with support from [Host Activity] as required, will coordinate disposition of air emission credits. BRAC PMO will make final decisions on the distribution of any air emission credits after consultation with the LRA, the local Air Quality Region, other military departments, and DON. Further details on management of air emissions credits prior to operational closure are found in NBIG dated [insert date].

4.6 Hazardous Wastes, Materials, and Storage

[Host Activity] will retain and archive reports, test results, and other records as required. Upon transfer of custody and control, [Host Activity] will provide to BRAC PMO any documentation and clean up results related to the [host activity], in regards to hazardous material/waste storage

areas, spills, and other releases, including hazardous wastes manifests, and will identify hazardous waste accumulation areas (HWAA), generator accumulation points (GAP), 90 day storage areas, and hazardous material storage areas. [Host Activity] will provide to BRAC PMO all environmental records, surveys, and documentation regarding any soil, groundwater, or other samples. Upon transfer of custody and control, [Host Activity] will also provide closure documentation of all HWAAs and records of hazardous materials used in each facility including Material Safety Data Sheets (MSDSs). Prior to transfer of custody and control, [Host Activity] will remove and dispose of all hazardous materials, including Radioactive Material and/or Low Level Radioactive Wastes (LLRW) in accordance with OPNAV Notice 5100 and OPNAVINST 5090.1B and all laws and regulations, or will notify BRAC PMO of plans to complete removal of such wastes or materials.

4.7 Compliance Program

4.7.1 Petroleum Products and Storage Tanks [Host Activity] will remove and dispose of all petroleum products, wastes and other material stored in all Oil Water Separators (OWSs), Underground Storage Tanks (USTs), and Above Ground Storage Tanks (ASTs) currently out of service and those that will not remain in service after transfer of custody and control and will remove unused OWSs, USTs, and ASTS. [Host Activity] will document these procedures and provide the documentation to BRAC PMO. [Host Activity will also provide a list of unused OWSs, USTs, and ASTs to BRAC PMO as an Attachment M, or will prepare a statement that there are no unused OWS, USTs, and ASTs as Attachment M, to this Transfer Agreement, prior to transfer of custody and control.

4.7.2 Polychlorinated Biphenyl (PCB) [Host Activity] will remove and dispose of all PCBs and PCB contaminated transformers that are currently out of service. Inspect, identify, and remove PCB contaminated fluids from all equipment and decontaminate. [Host Activity] will transfer PCB Annual Report data to BRAC PMO. [Host Activity] will also provide a list of PCBs and PCB contaminated transformers, including disposal information, to BRAC PMO as a Attachment N to this Transfer Agreement, or will provide a statement that there are no PCBs or PCB contaminated transformers as Attachment N to this Transfer Agreement prior to transfer of custody and control.

4.7.3 Locations of Concern (LOCs)/Areas of Concern (AOCs) [Host Activity] will close out all LOCs and AOCs that have been identified and mutually agreed upon by [Host Activity] and BRAC PMO [Host Activity will also provide a list of LOCs and AOCs that have been identified and those that have been closed to BRAC PMO as a Attachment O, or will provide a statement that there no such LOCs or AOCs as Attachment O to this Transfer Agreement prior to transfer of custody and control.

4.7.4 Environmental Surveys and Remediation/Closures BRAC PMO will budget and execute all surveys and remediation/closures for asbestos; radon; lead based paint; OWSs, ASTs, and USTs (still in service); Solid Waste Management Units; PCB transformers (still in service); Treatment Storage and Disposal (TSD) facilities (permitted and interim); and radiological contamination as required to facilitate conveyance.

4.7.5 Pollution Abatement Projects [Host Activity] will budget and execute all Pollution Abatement projects that are required prior to transfer of custody and control. [Host Activity will also provide a list of executed pollution abatement projects to BRAC PMO as Attachment P to this Transfer Agreement, or will provide a statement that there are no required or executed pollution abatement projects as Attachment P to this Transfer Agreement, not later than Sep 06.

4.8 Environmental Summary Document, Finding of Suitability for Transfer/Lease (FOST/FOSL) and Finding of Suitability for Early Transfer (FOSET)

BRAC PMO will complete required Environmental Summary Documents, FOSTs, FOSLs, and FOSETs in order to support leases and conveyances of properties within the [host activity]. [Host Activity] will remain responsible for providing supporting records and points of contact that BRAC PMO can rely upon in preparing these documents.

4.9 Environmental Condition of Property

BRAC PMO will complete the required Environmental Condition of Property. [Host Activity] will remain responsible for providing supporting records and witnesses that BRAC PMO can rely upon in preparing these documents.

4.10 [*Intentionally Left Blank*]

4.11 Installation Restoration Program (IRP)

BRAC PMO will be responsible for development and execution of the Installation Restoration Program for [Host Activity].

4.12 National Environmental Protection Act (NEPA)

BRAC PMO will be the NEPA action proponent for all Class I and Class II property disposal actions. [Host Activity] will be the NEPA action proponent for operational realignment actions and for any required non BRAC activities, programs, or projects. [Host Activity] will coordinate all NEPA compliance activities with BRAC PMO. [Host Activity] will maintain the NEPA administrative record until transfer of custody and control, when BRAC PMO will assume this responsibility. All hardcopy files, computer files and software, and hardware in support of the administrative record will be transferred to BRAC PMO upon the date of transfer of custody and control.

4.13 Cultural and Natural Resources Management

Prior to transfer of custody and control, [Host Activity] will be responsible for cultural and natural resources management, including providing security and access restriction for endangered and protected species and cultural resources sites and artifacts, as well as completing any requirement under existing pre-BRAC cultural/natural resources agreements. BRAC PMO will be responsible for cultural and natural resources management within the [Host Activity] after transfer of custody and control. Upon execution of this Transfer Agreement, BRAC PMO will have the lead on any activity requiring coordination pursuant to the National Historic Preservation Act, the Endangered Species Act, or any other laws related to cultural and natural resources management. [Host Activity] will transfer any up to date information including, but not limited to, reports, maps, GIS data, sketches, databases, and survey data in both hard copy and digital format. [Host Activity] will provide support to BRAC PMO as required.

4.14 Mission Related Compliance and One-Time Environmental Compliance

[Host Activity] will budget for and execute routine and recurring actions necessary to achieve or remain in compliance with federal, state, and local environmental laws, regulations, and

enforceable agreements until transfer of custody and control. [Host Activity] will complete compliance activities for parcels and vacated buildings to remove and dispose of hazardous substances and residual contamination prior to transfer of custody and control.

4.15 Asbestos

[Host Activity] will post signs and notices in conspicuous locations at the entrances of each facility, janitorial closet, and mechanical room identifying the location of asbestos containing materials or presumed asbestos containing materials; its condition; and general work practices to avoid the generation of dust. This requirement does not apply to facilities scheduled for demolition.

4.16 General Radioactive Material (G-RAM)

[Host Activity] will develop an inventory of facilities that contain or contained General Radioactive Materials (G-RAM) and ensure that G-RAM is removed and properly disposed of, including any remaining residual contamination. Coordinate with the Radiological Affairs Support Office (RASO), NAVSEA 07R to determine survey, decontamination and disposal requirements; and complete required surveys, decontamination, and disposal prior to transfer of custody and control. [Host Activity] will inventory equipment or items that RASO agrees may remain in place, such as radioluminescent signs or smoke detectors, and provide copies to the appropriate agencies (if requested).

SECTION V: Public Affairs and Legal Requirements

5.0 General Requirements

This section addresses the requirements for public affairs, legal support, and Freedom of Information Act (FOIA) requests. [Host Activity] and BRAC PMO will ensure that there is sufficient funding and staff (to be addressed in Section VI) available to accomplish these tasks.

5.1 Public Affairs

Until the date of transfer of custody and control, BRAC PMO and [Host Activity] will work cooperatively to address relevant issues and determine the appropriate resource for response to public affairs issues. BRAC PMO will be the lead concerning BRAC implementation matters, including responding to Congressional inquiries regarding BRAC implementation issues. After the date of transfer of custody and control, BRAC PMO will be responsible for all public affairs issues.

5.2 Legal Support

[Host Activity] will be the lead for legal issues arising from activities which related to or arising from acts or omissions of [Host activity] or its employees, contractors, lessees, licensees, tenants, agents, or predecessors except as otherwise provided in this Transfer Agreement. However, BRAC PMO will be kept apprised of issues and will participate in a support capacity when required. BRAC PMO will take the lead for legal issues arising from activities initiated or as a result of decisions, actions, or omissions of BRAC PMO employees, contractors, lessees, licensees, tenants, agents, or predecessors, with [Host Activity] in a support capacity when required.

5.3 FOIA Requests

[Host Activity] will be the lead to answer FOIA requests for all issues pertaining to its activities or operations arising from the activities of the [Host Activity]. However, BRAC PMO will be kept apprised of issues and will participate in a support capacity when required. BRAC PMO will assume this responsibility for issues pertaining to all FOIA requests related to BRAC activities.

SECTION VI: Budget/Funding and Resources

6.0 General Requirements

In cooperation with CNIC, BRAC PMO will review, establish priorities, and concur in budgets for all BRAC related closure and realignment efforts. BRAC PMO will act as the Budget Submitting Office (BSO) for all BRAC environmental compliance and clean up as well as all BRAC Operations and Maintenance operations required for disposal. BRAC PMO will oversee the entire budget development process and lead the defense of the budget during DON, DoD and congressional reviews. BRAC PMO will execute the approved program for all BRAC environmental actions and property disposal efforts and any other related documentation or decisions for BRAC. In cooperation with CNIC, BRAC PMO will coordinate with OSD and FMB in BRAC budget allocations. Within the guidelines established by FMB, BRAC PMO will resolve funding policy conflicts including joint funding issues, appropriate use of funds and requests for funds realignment. BRAC PMO will provide oversight of all aspects of BRAC budget execution.

6.1 Implementation

BRAC Funds will be utilized for actions associated with the closure and disposal of [Host Activity]. [Host activity] will work in cooperation with BRAC PMO to create budget documents and program requirements. Unless otherwise specified in this Transfer Agreement, [Host Activity] will budget for all BRAC related actions that occur up to and including the fiscal year of custody and control transfer. BRAC PMO will budget for actions commencing the fiscal year following custody and control transfer.

6.2 Billets/positions

CNIC, HQMC, and BRAC PMO will jointly agree on military billets and civilian positions to be transferred to the CSO.

SECTION VII: Commissary Stores and Non-Appropriated Funds Property

7.0 General Requirements

BRAC PMO will obtain information regarding the unrecovered depreciated value of facilities, and personal property which belongs to a non-appropriated fund instrumentality (NAFI) or were acquired, constructed, or improved (in whole or in part) with non-appropriated funds. BRAC PMO will consult with the owner of such facilities or personal property concerning the disposition of such property.

SECTION VIII: Caretaker Maintenance

8.0 General Requirements

[Host Activity] will be responsible for implementing the layaway actions and caretaker maintenance levels in accordance with NBIG dated [insert date] prior to transfer of custody and control. However, caretaker maintenance levels will be established by BRAC PMO and the LRA in accordance with 32 CFR 174.14. [Host Activity] will coordinate caretaker activities with BRAC PMO to ensure consistency with BRAC requirements regarding caretaker maintenance levels. Upon transfer of custody and control, BRAC PMO will be responsible for establishing priorities, preparing plans, schedules, requirements, and budgets for caretaker needs and contracting actions as required. [Host Activity] will coordinate with BRAC PMO to ensure that the CSO has the information required for a smooth transition of caretaker responsibilities. Prior to transfer of custody and control, [Host Activity] will inventory and update facility operating and maintenance documentation for critical systems and equipment (i.e., ventilation, elevators, power circuits, spare parts, parts lists, operations/maintenance manuals, tools, service vendors, etc,) and facility spill contingency and emergency response plans.

SECTION IX: Implementation

9.0 General Requirements

[Host Activity] and BRAC PMO are responsible for maintaining a Plan of Action and Milestones (POA&M) for the transfer of custody and control for [Host Activity]. A schedule of major events identified in this Transfer Agreement is as follows:

Proposed Completion Date	Actual Completion Date	Para No.	Major Event	*Lead*
NLT 18 Months prior to operational closure			Complete negotiations and sign Transfer Agreement	Joint
		2.1	Provide a list of active contracts	[Host Activity]
		2.2	Provide a list of active real estate and support agreements	[Host Activity]
		2.2	Renew, extend or terminate outgrants; notify grantees of changes in POC, payment procedures	[Host Activity]
		2.3	Provide list of any pending or potential claims or litigation	[Host Activity]
		3.1.2	Update iNFADS	[Host Activity]
		3.1.2	Provide copy of updated Real Property Inventory and property record cards	[Host Activity]
		3.1.3	Provide list of facility records	[Host Activity]
		3.1.4	Provide updated Real Estate Summary maps, and cadastral records	[Host Activity]
60 Days from date of execution of Transfer Agreement		3.1.5	Provide existing utilities layaway documents	[Host Activity]
MAY 06		3.2.1	Provide list of personal property inventory	[Host Activity]
		3.2.2	Provide list of vehicles and equipment	[Host Activity]
		3.2.3	Provide list of lost or stolen property	[Host Activity]
		3.2.4	Provide list of remaining supplies and equipment	[Host Activity]
		4.2	Provide list of environmental permits	[Host Activity]

		4.2	Terminate/transfer environmental permits	[Host Activity]
		4.3	Transfer environmental records to BRAC PMO	[Host Activity]
		4.4	Provide list of open NOVs & NONCs	[Host Activity]
		4.5	Provide list of emission sources and air permits	[Host Activity]
		4.6	Transfer documentation related to hazardous wastes, materials, and storage	[Host Activity]
		4.7.1	Provide list of OWSs, USTs, and ASTs	[Host Activity]
		4.7.2	Provide list of PCB contaminated equipment and transformers	[Host Activity]
		4.7.3	Provide list of LOCs and AOCs	[Host Activity]
		4.12	Transfer NEPA Administrative Record	[Host Activity]
		7.0	Obtain unrecovered depreciated value of NAFI facilities	[Host Activity]
		8.0	Establish and implement caretaker maintenance levels	Joint
		1.0	Complete all pre-transfer tasks	Joint
		1.0	Sign DD Form 1354 to implement transfer of custody and control	Joint

SECTION X: Agreement Signatures

The Commander, [Host Activity], and the Director, BRAC PMO [Regional Office] hereby agree to the terms of this Transfer Agreement:

_____

_____

_____

_____

ATTACHMENT A: DD FORM 1354

"TRANSFER AND ACCEPTANCE OF MILITARY REAL PROPERTY"

TO BE PROVIDED

Blank copy of DD Form 1354 can be found at:

http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd1354.pdf

ATTACHMENT B: REFERENCES

a. Defense Base Closure and Realignment Act of 1990 (Title XXIX of the Public Law 101-510

b. 32 CFR 174, Revitalizing Base Closure Communities.

c. DUSD Memo, Recovery of Non-Appropriated Fund Invested in Real Property Investment at BRAC Installations, 18 November 1997.

d. Navy procedures for Recovery of Commissary Store and Non-Appropriated Fund (NAF) Investments in Real Property at Base Closure and Realignment Installations, 4 August 1999.

e. DON Base Closure Implementation Guidance (NBIG) dated [insert date].

ATTACHMENT C: DEFINITIONS

a. Accountability: The obligation to maintain formally prescribed property records. For the purposes of this agreement, accountability will include maintaining the iNFADS and the Real Estate Summary maps and cadastral records. This term is referred to as "Custody" in the Operating Agreement between DASN I&E and NAVFAC (see Paragraph 6(b) and the Operating Agreement between DASN I&E and CNIC (see Paragraph 4(b)(6).

b. Caretaker: As used in this agreement, "caretaker" refers to the actions necessary to protect and maintain facilities in a layaway status. Protection consists of security and fire protection services. Security services are intended to discourage and detect intrusion. Fire protection services are intended to reduce the risk of fire and to ensure an initial response to minimize damage in the event of a fire. Caretaker maintenance levels will be established by BRAC PMO and the LRA in accordance with 32 CFR 174.14.

c. Caretaker Site Office: A PMO detachment established at an activity identified for closure under the Base Closure and Realignment Act, to manage real and personal property in a caretaker status.

d. Custody and control: As used in this Transfer Agreement, the action transferring custody and control of real and personal property does not include real property accountability.

e. Contracts: Includes but is not limited to formal agreements for facility support, repair, maintenance, construction, vehicle leases, and supply.

f. Facilities: Class 1 and Class 2 property, which is comprised of land (improved and unimproved); buildings and structures (temporary or permanent); and utility systems.

g. Host Activity: The command that holds the Class 1 property records and provides support services to tenant commands.

h. Host Command: The mission command of the host command at the closure site. In most cases, this will be CNIC.

i. Layaway: As used in this Transfer Agreement, “layaway” is the preparation of facilities for a period of inactivation prior to their disposition. In general, layaway actions secure facilities to prevent unauthorized entry, disconnect or limit utility services, prepare installed equipment and related personal property for storage, and correct any critical deficiencies that, if not corrected, may cause structural damage.

j. Minor Property: Personal property acquired for immediate use and having a unit cost of less than $5,000.00, and those personal property items having a unit cost of $5,000 or more, but with a useful life of less than 2 years.

k. Operational Closure Date: The date upon which all missions of the installation have ceased or have been relocated. All personnel positions (military, civilian, and contractor) have either been eliminated or relocated, except for personnel required for caretaking, conducting ongoing environmental cleanup, and disposing of the installation, or personnel remaining in authorized enclaves.

l. Personal Property: Includes all property except real property, naval vessels, and records of the federal government.

m. Plant Property: Includes the four classes of plant property as follows:

- Class 1 Land
- Class 2 Buildings, Structures, and Utilities
- Class 3 Equipment other than Industrial Plant Equipment with a value of $5,000 or more, $15,000 if purchased after 1 October 1991, $25,000 if purchased after 1 October 1993, and $50,000 if purchased after 1 October 1994.
- Class 4 Industrial Plant Equipment with a value of $5,000 or more, $15,000 if purchased after 1 October 1991, $25,000 if purchased after 1 October 1993, and $50,000 if purchased after 1 October 1994.

n. Real Property: Includes Class 1 and 2 plant property. Any interest in land, together with the improvements, structures, and fixtures located thereon, and appurtenances thereto. Related personal property is an integral part of real property, or is related to, designed for, or specially adapted to the functional or productive capacity of the real property and its removal would significantly diminish the economic value of the real property.

o. Real Estate Agreements: Any agreement for the use of real property between federal or DoD agencies, as well as any agreement such as an easement, lease or license with a state, local governmental agency, or private entity.

p. Support Agreements: All agreements (formal and informal) other than contracts or real estate agreements between the Marine Corps and DoD/non-DoD activities (e.g., Mutual Support Agreements, Interservice Support Agreements, and Franchise Agreements).

ATTACHMENT D: CONTRACTS

TO BE PROVIDED

ATTACHMENT E: REAL ESTATE AND SUPPORT AGREEMENTS

TO BE PROVIDED

ATTACHMENT F: CLAIMS

TO BE PROVIDED

ATTACHMENT G: FACILITY RECORDS

TO BE PROVIDED

ATTACHMENT H: PERSONAL PROPERTY INVENTORY

TO BE PROVIDED

ATTACHMENT I: VEHICLES AND EQUIPMENT

TO BE PROVIDED

ATTACHMENT J: ENVIRONMENTAL PERMITS

TO BE PROVIDED

ATTACHMENT K: NOVs/NONCs

TO BE PROVIDED

ATTACHMENT L: AIR EMISSIONS CREDITS

TO BE PROVIDED

ATTACHMENT M: OWS, USTs, AND ASTs

TO BE PROVIDED

ATTACHMENT N: PCB INVENTORY

TO BE PROVIDED

ATTACHMENT O: LOCs/AOCs

TO BE PROVIDED

ATTACHMENT P: POLLUTION ABATEMENT PROJECTS

TO BE PROVIDED