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10 July 1997

NAVFAC INSTRUCTION 11000.4A

From: Commander, Naval Facilities Engineering Command

Subj: BASE REALIGNMENT AND CLOSURE CARETAKER MANAGEMENT
GUIDANCE

Ref: (a) NAVFACINST 11000.4 of 1 Sep 95
(b) CNO Washington DC 162120Z Mar 93 (Base Closure 020)
(c) COMNAVFACENGCOM ltr of 30 Apr 94
(d) Title XXIX of Public Law 101-510; "National Defense
Authorization Act for Fiscal Year 1991" as amended
(e) Title XXIX of Public Law 103-160, "National Defense
Authorization Act for Fiscal Year 1994" as amended
(f) 32 Code of Federal Regulations, Part 91, as amended
(g) Base Reuse Implementation Manual, DOD 4165.66-M,
Jul 95

Encl: (1) Caretaker Management Guidance

1. Cancel Reference (a).

2. Purpose. Reference (a) was issued to provide initial policy guidance to the Naval Facilities Engineering Command's (NAVFACENGCOM's) Engineering Field Divisions/Activities (EFDs/EFAs) for performance of caretaker management functions at bases declared excess to the Navy as a result of Base Closure law. This revision of that guidance (enclosure (1)) is based on three years of program implementation experience and changes in Federal, DOD, and Navy guidance.

3. Scope. The Chief of Naval Operations (CNO) designated NAVFACENGCOM as the Navy's agent responsible for caretaker management, environmental restoration, and real property disposal for bases that are declared excess to the Navy as a result of Base Closure Law. Based on direction contained in reference (b), NAVFACENGCOM will assume claimant responsibility upon claimancy transfer for closed bases. EFDs\EFAs will assume caretaker management responsibility for bases transferred to

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NAVFACENGCOC located within their assigned geographic area. Caretaker Site Offices (CSOs) are to be established as EFD/EFA detachments to provide on-site caretaker management, reference (c).

4. Discussion. Bases closed as a result of Base Closure law will be turned over to other Federal agencies or the public or private sector in the manner described in references (d) and (e), as implemented by references (f) and (g).

a. Caretaker Claimancy. NAVFACENGCOC, as the Navy's caretaker claimant, manages properties during the interim period between operational closure and disposal. Emphasis during the caretaker period is rapid transfer of properties. Rapid property transfer promotes reuse, job creation, preservation of facilities and improves the Navy's operational readiness by reducing expenditures on infrastructure maintenance. Rapid reuse is one of the key factors in the determination of caretaker requirements for buildings and facilities.

b. Leases. Excess property will not always be available for immediate transfer due to environmental clean-up requirements. In the interim, property may be leased to the Local Redevelopment Authority (LRA) to encourage reuse/redevelopment and to reduce Navy expenditures. The LRA may sublease to private tenants. The LRA will be responsible for support services for leased property. Support services include maintenance of facilities and infrastructure, fire and security, utilities, environmental compliance, and other normally provided community services. In the event any of these services continue to be provided by the Navy, the incremental cost of these services should be paid from lease revenues.

c. Caretaker Site Offices (CSOs). CSOs will be established to provide on-site management of facilities not leased and to provide oversight for leased property. CSOs will be minimally staffed, relying on base caretaker services provided by contracts with private providers or communities, cooperative agreements with LRAs, and/or support agreements with other military bases. Regional CSOs responsible for noncontiguous closed facilities are highly encouraged.

5. Action. EFDs/EFAs will establish and operate CSOs based on this policy guidance.

6. Further Information. For additional information or to provide comments on this guidance, contact the NAVFACENGCOM Base Closure Directorate, Caretaker Claimancy Division (Code 63) at commercial (703) 325-4212 or DSN 221-4212.

H. H. ZIMMERMAN, JR.
Director
Base Closure Office

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CARETAKER MANAGEMENT GUIDANCE

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CARETAKER MANAGEMENT GUIDANCE

I. OVERVIEW

A. Purpose. The following guidance is provided for performance of caretaker management functions at closed bases transferred to the Naval Facilities Engineering Command (NAVFACENGCOM). Emphasis during the caretaker period is rapid transfer of properties. Rapid property transfer promotes reuse, job creation, preservation of facilities and improves the Navy's operational readiness by reducing expenditures on infrastructure maintenance. Rapid reuse is one of the key factors in the determination of caretaker requirements for buildings and facilities. Application of this guidance is discretionary unless noted by the use of "will" or "must." Discretionary guidance should be tailored to fit site specific needs, resource availability, and to achieve results most beneficial to the Navy's execution of the Base Closure and Realignment (BRAC) program.

B. Content. This edition provides updated implementation guidance on changes in policy and/or DOD guidance that occurred since this instruction's initial release in September 1995. Guidance will be further modified as changes to law, DOD and Navy policy warrant. Appendix A provides definitions for key terms. Appendix B lists key references. Appendix C identifies many existing programs that require some action by the CSO.

C. Policy.

1. Caretaker Services: DOD policy provides for continued services (i.e., caretaker services) at closed bases, for a limited time period, to facilitate community redevelopment. It is Navy policy that funding for caretaker services be held to minimal levels during this period while maximizing funding for conveyance related actions. Often, services greater than those possible with constrained funding are required to facilitate community reuse efforts. For this reason communities will be provided the opportunity to undertake caretaker services (e.g., equipment maintenance and repair) they feel are essential to their redevelopment efforts, that would otherwise be deferred. Rapid transition from Navy provided services to community provided services is expected.

2. Reuse: Pending disposal of property, it is mutually beneficial to both the Navy and local communities that vacant property be reused at the earliest possible time. The Navy will enter into leases with the Local Reuse Authorities

(LRAs) with the expectation that the LRAs will sublease to a variety of tenants (see Section VIII).

3. Industrial Park: The Navy is not the sponsor for private tenants nor is the Navy funded to support private tenants. Closed bases will be managed as 'industrial parks' to the fullest extent possible. Navy control of leased space will be exercised through lease provisions. Federal and state regulators are expected, and should be encouraged, to deal directly with lessees, not the CSO.

II. CLAIMANCY TRANSFER

A. Claimancy Transfer. NAVFAC was tasked by the Chief of Naval Operations (CNO) to serve as the Navy's caretaker claimant for bases closed as a result of BRAC legislation (Base Closure 020). NAVFACENGCOM assumes responsibility for closed bases at operational closure on a date mutually acceptable to NAVFACENGCOM and the host major claimant. The conditions for transfer of real property are documented in an executive memorandum of understanding (MOU) negotiated between the two major claimants. A three-part process was developed to meet these requirements. The three parts are:

1. Executive Memorandum of Understanding (MOU). Executive MOUs are prepared at the claimant level and signed by the Commander in Chief/Commander of host claimants and the Commander, Naval Facilities Engineering Command. Signed executive MOUs are provided to CNO (N44). This formal agreement between claimancies identifies bases to be closed, expected dates of closure, and general responsibilities of the two claimants. There is a unique and separate executive MOU negotiated between NAVFAC and each major claimant having closing bases resulting from BRAC legislation.

2. Transfer Agreement. Transfer Agreements are developed based on the authority and guidance provided by MOUs. They are negotiated between the Commanding Officer of the closing activity (i.e., host command) and the Commanding Officer of the geographic Engineering Field Division/Engineering Field Activity (EFD/EFA). They provide specific details and requirements for the pending claimancy transfer of the closing base. These agreements, in addition to delineating local responsibilities and actions, support projected caretaker budgets and are the "trigger" that initiates staffing of CSOs. Agreements must take into consideration Local Redevelopment Authority (LRA) redevelopment plans. Transfer Agreements are negotiated at least 18 to 24 months prior to the projected closure date and signed at least 12 months prior to the operational closure date. A copy of each signed Transfer Agreement must be provided to the

appropriate NAVFAC Code 60 Action Desk. Transfer Agreements are unique to the base for which they are written. They reflect site specific closure requirements. These requirements may not be known when the Transfer Agreement is initially developed or may change in the months prior to operational closure. Transfer Agreements are "living" documents and are expected to be modified between time of initial agreement and operational closure. Elements that must be addressed in these agreements are listed in Figure 1.

Figure 1
Elements to be addressed in Transfer Agreement

- | | |
|-----------------------------|---|
| • Redevelopment plan | • Layaway Plan |
| • Tenants | • Personal Property |
| • Utilities | • Environmental Compliance Evaluations |
| • Jurisdiction | • Property Records |
| • Fire and Security | • Resources for any Incomplete Layaway Requirements |
| • Health and Safety Records | |
| • Public Safety | |

3. Letter of Property Transfer. This letter, signed by NAVFACENCOM, documents the official claimancy transfer to NAVFAC from the host claimant of the closing base and provides CNO (N44) with a copy of the executed Transfer Agreement. The appropriate NAVFAC Code 60 Action Desk prepares this letter upon written notification from the geographic EFD/EFA that all Transfer Agreement requirements have been met, or if not met, there is local agreement between the activity and the EFD/EFA that claimancy transfer should occur.

B. Joint Claimant Pre-Transfer Visits. Joint claimant visits will be conducted at bases scheduled to be closed under BRAC and transferred to the NAVFAC Caretaker Claimancy. The purpose of these visits is to review progress in preparing the site for closure and transfer, to identify potential impediments to claimancy transfer, to identify corrective actions as required so as not to delay closure or transfer, and to provide the Commanding Officers of the closing base and the receiving EFD/EFA an external assessment of conditions. Ideally, visits should be conducted four to six months prior to projected closure. Sufficient time between visit and projected closure must be allowed if corrective actions identified are to be acted on.

C. Operational Closure. For claimancy transfer to occur, bases must be operationally closed (Base Closure 020). The Director of Naval Nuclear Propulsion (NAVSEA Code 08) will

determine when operational closure is achieved for bases where Naval nuclear propulsion work has been performed. Agreement on claimancy transfer for a specific base is negotiated between NAVFAC and the host claimant as described above. Figure 2 provides a list of requirements that must be achieved prior to operational closure. The EFD/EFA Commanding Officer may waive these requirements, based on good justification, after considering the impact on available caretaker resources and probable success of performance of the caretaker mission. Waivers, if granted, will be documented in the Transfer Agreement.

Figure 2
Requirements For Operational Closure

- Tenant commands/units are disestablished or transferred.
- Facilities are laid-away in accordance with guidance provided in Base Realignment and Closure Facility Layaway and Caretaker Maintenance Standards Manual (BRAC # 032).
- Personal property, supplies, and material not identified as related personal property, required by the LRA, or required for caretaker operations are removed from the closing base.
- All operating permits (including environmental permits), contracts, and agreements are terminated or transferred to the CSO.
- Hazardous material and accumulated or stored hazardous waste from the closing base is removed in accordance with applicable regulatory requirements (host commands are responsible for materials and waste supporting or resulting from operations -- NAVFAC is responsible for clean-up of contaminated grounds and facilities).

D. Video Documentation. It is recommended that video tapes of real and personal property be made at operational closure, when facilities are leased, and again when the property is disposed. Video tapes augment (do not replace) documentation requirements, i.e., condition assessments and inventories.

III. CARETAKER SITE OFFICE (CSO)

A. Requirement. When BRAC closure recommendations become final, the EFD/EFA should immediately assess if real property disposal will extend beyond operational closure and if caretaker services are appropriate. If the closing activity is a tenant or if only a portion of the base is identified for disposal, NAVFAC Code 60 should be consulted. If a CSO is required, tentative planning and budgeting for the CSO should begin. The level of caretaker services needed should be identified and a staffing

plan that supports delivery of those services developed. The staffing plan identifies both military and civilian requirements with rank/grade level needed. This staffing plan will accompany the first budget submission from the EFD/EFA to NAVFAC for newly identified CSO requirements. These offices are EFD/EFA detachments, managed in a similar fashion as a Resident Officer In Charge of Construction (ROICC) Office. Figure 3 lists EFD/EFA actions required to support the transition of a closing base to caretaker status.

Figure 3
EFD/EFA Responsibilities

- Meet with the LRA to explain the caretaker mission.
- Identify staffing requirements, obtain authorized staff positions, make early offers to potential staff, and locate appropriate facilities. Work with the HRO.
- Negotiate the Transfer Agreement
- Determine administrative support requirements (personnel, finance, supply, etc.) and identify providers of service (HRO, PSA, NSC, etc.)
- Identify requirements for permits and licenses and assist the host command in their transfer to the CSO.
- Monitor host command's execution of Transfer Agreement requirements.
- Participate in the Joint Claimant Pre-Transfer visit.
- Assist the host command in developing the facility layaway and caretaker maintenance plan. Support the host command in consultations with the LRA on maintenance levels.
- Assist host command/Public Works Center to develop plans to convey or transfer management of utility systems to the LRA or local and/or private providers.
- Determine level of security and fire protection services required. Determine how to best provide these services.
- Determine preferred method for obtaining caretaker services: contracts with private providers and/or local government(s), cooperative agreement with LRA, or support agreement with other DOD commands.
- Implement the preferred method.
- Develop Draw Down Plan
- Disestablish CSO when property disposal is complete.

B. Responsibilities.

1. Operational Responsibilities. CSOs are responsible for day-to-day site management of closed bases. This comprises property management, physical security, site access, community interface, environmental compliance for CSO operations and by Navy contractors, oversight of leased property, and all related actions that facilitate property disposal. *[Note: CSOs are not responsible for tenant environmental compliance. If tenant non-compliance is observed, the lease holder and/or the state or Federal regulators should be notified.]* The CSO is not responsible for support to remaining military elements other than that specifically identified in short term support agreements and spelled-out in the Transfer Agreement. Remaining Federal tenants will provide full reimbursement for any services the CSO provides. Figure 4 lists some specific actions for which the CSO is responsible.

2. Program Responsibilities. The CSO is responsible for compliance with several Federal mandated and DOD/Navy required programs. Appendix D provides a list of programs that impact most CSOs. This list is not all inclusive, EFD/EFA functional managers should be consulted as appropriate. Local determination must be made as to which requirements apply to any given site. Where appropriate, waivers should be requested for DOD and Navy originated requirements.

C. Establishment. CSOs may be formally established six months prior to operational closure. This allows time to assemble the appropriate staff; monitor closure actions (e.g., layaway of facilities, disposal of personal property, etc.); implement contracts, cooperative agreements, and/or support agreements; and assist in the base's closure actions. CSO staffing and organizational guidance is provided in Appendix C.

1. Location. CSOs should be established at most closed bases where claimancy transfer will occur. Prior to operational closure an appropriate building should be identified to house the CSO. To the extent possible the building selected should be self-supporting (contain its own heat and air conditioning units, accessible for commercial telephone services, etc.).

a. Multiple Closure Sites. In some instances a single CSO will support multiple closure sites. The Long Beach Naval Complex in California and the Charleston, South Carolina Naval Complex are examples of CSOs supporting multiple closure sites.

Figure 4
CSO Responsibilities

- Assist in implementing preferred method for obtaining caretaker services.
- The CSO OIC and Base Closure Officer will host the Joint Claimant Pre-Transfer Visit Team, providing a detailed briefing and other support as required.
- Transition to caretaker services prior to the closure date. Principal efforts focused on security and utility operations to ensure a smooth transition.
- Assume command responsibility for closed base after claimancy transfer.
- Manage physical security and facility maintenance.
- Provide official interface with LRA, local community and remaining tenants.
- Manage administrative requirements for caretaker contracts, cooperative agreement, and/or support agreements.
- Manage personal property.
- Assist EFD/EFA in negotiating leases, and monitor lessee adherence to lease requirements.
- Maintain close communications with the EFD/EFA Real Estate Office.
- Assist EFD/EFA in formulation of CSO budget.
- Assist EFD/EFA in developing Draw Down Plan.
- Reduce CSO size and scope of caretaker services as caretaker requirements diminish.

b. Regional Site Offices. With declining budgets, regional CSOs responsible for noncontiguous closed facilities are highly encouraged where resources can be shared.

c. Reserve Centers. Several reserve centers are identified for closure. CSOs are not recommended because the sites are small and dispersed. Three alternatives are suggested.

(1) Assign an individual at the EFD/EFA responsibility for these sites. Caretaker funds may be used to fund this position (or portion thereof).

(2) Assign caretaker responsibility to an existing CSO that is in the geographic area.

(3) Assign caretaker responsibility to a ROIC office that is the geographic area.

d. Small Sites. EFDs/EFAs should determine when a site is too small to warrant a CSO. If a CSO is not warranted, the base should be managed in the same manner as a reserve center.

2. Furnishings/Equipage. Prior to operational closure personal property (e.g., furniture, personal computers, vehicles, equipment, etc.) necessary to support the CSO should be identified. Requirements should be filled from the host command's excess personal property. Requirements not satisfied from available excess property must be included in the CSO budget.

D. Reduction and disestablishment of CSO. CSOs are temporary. They will be disestablished upon final disposal of the closed base. A "Caretaker Draw Down Plan" (CDDP) is required for all closure sites in the NAVFAC Caretaker Claimancy having a CSO or significant funding requirements. CDDPs are developed by the parent EFD/EFA, with CSO assistance, and provided to NAVFAC Code 60. Plans should be developed within six months of claimancy transfer and revised as required. CDDPs identify how the level of caretaker support will be reduced in an orderly, thought-out fashion. These plans should accommodate redevelopment efforts to the extent possible while recognizing that Navy is not funded to support, or responsible for, local redevelopment efforts.

1. Draw Down Principle - The Federal Property Management Regulations provide the guidelines GSA uses to manage surplus property. These guidelines are general in nature, requiring prudent interpretation and application. As stated in Sec. 101-47.4913, *"In protecting and maintaining excess and surplus properties, the adoption of the principle of "calculated risk" is considered to be essential. In taking what is termed a "calculated risk," the expected losses and deterioration in terms of realizable values are anticipated to be less in the overall than expenditures to minimize the risks."* The underlying principle is that surplus property should be maintained only to the extent necessary to minimize deterioration. If reuse of a facility, or prospect of reuse, does not materialize within a reasonable time period, the Navy, as steward of federal resources, should minimize spending scarce resources on this property.

2. Draw Down Guidance. CDDPs must be site specific, tailored to redevelopment efforts and site conditions. The following items are provided for consideration in developing CDDPs.

a. CSO Core Staffing. The CSO core staff is, in broad terms, responsible for property management and compliance oversight. At the time of closure the principle focus is property management. As private reuse occurs, emphasis shifts to oversight responsibilities. This shift in focus may necessitate a change in numbers and types of employees on the CSO staff as well as designation of duties.

b. Real Property Maintenance (RPM). RPM comprises building up-keep, grounds care, and infrastructure maintenance. Six levels of caretaker maintenance, keyed to the timing of reuse, have been defined (Base Closure 028 and 032). If reuse actions are delayed, do not occur, or are changed the initial level of care identified for facilities should be re-evaluated. In the absence of reuse, facility layaway levels should be adjusted downward (e.g., Level II to Level IV) over the course of time.

c. Programmatic Agreements - Programmatic Agreements with State Historical Preservation Offices (SHPOs) are site specific. These agreements are derived from implementation of the National Historic Preservation Act (16 USC 470). The SHPO should be consulted and appropriate modification to Programmatic Agreements made prior to any reduction in support.

d. Utilities - Specific decisions must be made with respect to utility systems since they normally support the entire base or large portions of the base that can not be segregated. There are conflicting needs as caretaker services decline and private reuse expands. Reuse plans must address the transition of utility systems from Navy to private/public ownership. Reduction in utility services should be tied to the planned transition of these systems

e. Physical Security - Three functions comprise physical security: fire protection, security (guards), and police services. The need for these functions depends on the risk. The greater the risk of an adverse event, the greater the need for the respective service. At sites where there is active reuse, local communities are expected to take on a greater responsibility for physical security. Sites with limited or little reuse may not require or warrant significant levels of service.

f. Environmental Compliance - Compliance with environmental requirements is usually dictated by law. Non-compliance in some areas can result in monetary fines and in a few instances, civil and/or criminal prosecution of individuals. There is little flexibility in basic compliance requirements at most sites. Budget reductions in environmental compliance require planning and coordination.

g. Compliance Requirements - There are many laws, regulations and directives that may apply to a closed base. Appendix D identifies compliance requirements. Requirements identified as a priority "1" are required by law. Requirements with lower priorities are directed by DOD, Navy, or NAVFAC and waivers for these requirements should be requested.

h. Redevelopment Plan - Community redevelopment plans identify desired uses for surplus property. Caretaker maintenance levels are based on projected timing of reuse. Periodic assessment of the redevelopment plan should be made to see if there are significant variations. Market pressures may cause changes to the plan as reuse occurs. These changes may reduce caretaker effort.

3. Draw Down Timing: The following provides a general time schedule for caretaker draw down. Specific levels and mixes of caretaker services are dependent on site requirements and redevelopment efforts. Local communities are expected to assume a growing responsibility for these services over time. Figure 5 provides an example of the types of actions that may be considered.

E. Staffing. Staffing of CSOs is to be held to the minimal number that permits management functions to be adequately performed. CSOs are unique, sized to the specific needs of the base supported. **It is strongly recommended that temporary or term employees be used to the greatest extent possible.** In most cases it is desirable to fill core CSO positions with individuals from the closing site. These individuals have knowledge of the closed base that is unobtainable from other sources. If

Figure 5

Example Draw Down Plan Criteria

- o First 12 Months - Caretaker funding levels are established prior to operational closure. Levels are based on projected staffing, physical security requirements, and percentages of plant value for property management. This funding provides the "initial" level of caretaker maintenance as addressed in the BRIM. Expectations for community assumption of responsibility for services are minimal in the first year.
- o Second Year - Funding for the second year, or part thereof until the start of the 2nd full fiscal year after closure, continues at the initial level. During this period, Navy provided levels of service are decreased. The difference in funding between the initial level of service and the reduced level of service is used to prepare facilities for reduced level of care. Communities are expected to begin taking on responsibility in the second year. Actions initiated may be the transfer of responsibility for utility services or the transfer of facilities under a master lease. Limited community involvement may require the Navy to terminate some utilities or truncate utility lines, terminate contracts, secure facilities, etc.
- o Third and Fourth Years - Funding for the third and fourth year is at 64 percent of initial funding. Navy provided services during the third year are at the reduced level prepared for during the second year. During the third and fourth year additional responsibilities are transferred to the local community. Navy provided service levels are further decreased.
- o Fifth Year - In the fifth year funding is reduced to 33 percent of the initial funding level. Little effort is expended on facilities. Available resources are applied to oversight functions and basic services necessary for the minimal care of facilities for which the local community has not taken responsibility.
- o Sixth and Future Years - After the fifth year caretaker funding is reduced to 10 percent of the initial level. Navy efforts in the sixth and out year are focused on oversight functions and compliance with legal requirements.

selected, or identified for selection, they may be able to support both host command layaway efforts and CSO caretaker functions. Recruitment of these individuals may be difficult in that stopper lists, RIF bumping rights, and recruitment procedures must be considered. It is suggested a staffing plan be developed early and worked with the supporting HRO.

1. Military. It is desirable that CSOs have a military Civil Engineer Corps officer serving as the Officer in Charge (OIC). Principal duties of the OIC include: management of contracts, cooperative agreements, and/or support agreements; point-of-contact for Federal and State environmental agencies; EFD/EFA on-site agent; physical protection (i.e., fire and security coverage); lease management; and supervisory responsibilities. This officer may also be tasked to serve as the Base Transition Coordinator (BTC), i.e., local Navy

representative providing interface with the local community and/or the LRA (see section VII).

2. Civilian. CSOs are to be staffed with the smallest possible number of civilian employees, depending on site specific requirements. This core staff performs government functions regardless of how support services are procured. Fire and security positions staffed with government employees are not core positions. The CSO will normally not be staffed to perform public works type services (e.g., will not operate an emergency/service desk, perform minor repairs, dispatch vehicles, etc.).

a. Types of Appointments. CSO staff may be hired under the following appointments.

(1) Temporary Appointments. Temporary appointments are ideally suited to fill staffing needs for positions that are expected to last for less than 12 months. Temporary appointments can provide employees with benefits if the employee is moving from a permanent appointment. Benefits are retained if there is a break in service no greater than 30 days.

(2) Term Appointments. Term appointments are the most appropriate type of appointments for filling CSO positions expected to be required for more than one year. Term appointments provide employees the full range of benefits but avoid termination (i.e., RIF) costs as long as expiration of appointments corresponds to position termination. Effective use of term appointments requires that the termination date of the CSO be known or at least reasonably well projected. Term appointments can not exceed four years.

(3) Permanent Appointments. Use of permanent appointments should be limited to core positions, and then, only those positions filled via "transfer of function" or where specific individuals are to be selected from a "stopper list". Positions filled by permanent appointments will be subject to reduction in force (RIF) when the CSO is terminated and separation costs need to be budgeted.

F. Automated Management Systems. Automated facility management and personal property systems used by the host command are to be turned over to the CSO. Training may be required for CSO staff. It is recommended that the transition for management of these systems occur prior to operational closure. The principal provider of caretaker service should be required to use these systems. Systems may be made available to the LRA as part of any lease agreement.

G. Mail. Prior to the closure of the base, the CSO should contact the local post office and make arrangements for delivery of CSO mail. When the base is disestablished, a new postal addressee may be required. The host command is responsible for insuring that the post office is notified of forwarding addresses for former base tenants. If naval message traffic is required, NAVFAC Code 63 is available to assist in obtaining a message address. It is suggested that each CSO obtain an "INTERNET" address. This will facilitate exchange of information between CSOs, EFDs, EFAs, and NAVFAC.

H. Legislative Jurisdiction. Legislative Jurisdiction is the power and authority of the Federal Government to legislate and exercise executive and judicial powers over an area of land (i.e., enact, promulgate, and enforce Federal laws). The degree of legislative jurisdiction held by the Federal Government also determines the obligation of local governments to provide governmental services such as police and fire protection. Prior to operational closure, the legislative jurisdiction of the closing base must be determined and action initiated to retrocede jurisdiction back to the State. Jurisdiction and retrocession requirements should be addressed in the Transfer Agreement.

1. Types of Jurisdiction. NAVFAC P-73, *Real Estate Procedural Manual*, Chapter 26 provides the Navy's definitions of the four categories of legislative jurisdiction. Different portions of the closed base may be covered by different legislative jurisdiction. Adjustments may be necessary in order to make jurisdiction uniform and to simplify law enforcement arrangements. In layman terms the four categories of jurisdiction are:

a. Exclusive Jurisdiction. All legislative jurisdiction has been ceded by the State to the Federal Government. The State has no right to exercise any of its authority within the area except the right to serve civil and criminal process for activities that occurred outside of the area. Police and criminal investigative services are provided by Federal authorities (e.g., FBI, Federal Marshals, Navy Criminal Investigative Service, etc.). All misdemeanor traffic and criminal violations are tried by a Federal magistrate. Local governments are not obligated to provide police powers or fire protection services other than under existing mutual support agreements.

b. Partial Jurisdiction. Under partial jurisdiction the State cedes some jurisdiction rights to the Federal Government. The State retains all legislative and judicial authority not ceded to the Federal Government.

c. Concurrent Jurisdiction. The State has reserved to itself the right to exercise, concurrently with the Federal Government, all legislative authority and powers. Generally both Federal and local agencies have authority to enforce Federal and local laws and statutes respectively. There may be some constraints in State authority based on the Supremacy Clause of the Constitution. There may be a need for a division of responsibility for enforcement of laws since many fall under both State and Federal jurisdiction.

d. Proprietary Jurisdiction. The State retains all jurisdiction rights. Subject to the powers and immunities granted to the Federal Government by the Constitution, the Federal Government has the same rights as any other landowner.

2. Adjustments. Jurisdiction can be adjusted by acquiring or retroceding jurisdiction. This requires coordination with State and local authorities and the U.S. Attorney. Adjustment or retrocession may take a significant amount of time to process. The host command should obtain concurrence from State and local communities for retrocession of legislative jurisdiction prior to closure. The supporting EFD/EFA documents retrocession requirements (see NAVFAC P-73) and forwards the request, via NAVFAC, to ASN (I&E) for Secretariat approval. ASN(I&E) requests the State to take action to retrocede jurisdiction. Depending on the State involved, retrocession may require State legislative action.

3. Closure Sites Under Exclusive or Partial Jurisdiction. CSOs of closure sites under exclusive or partial jurisdiction should identify local Federal law enforcement agencies they would turn to in the event of a problem. OICs should contact appropriate persons at those agencies to make them aware of the potential need for support and to establish procedures in the event law enforcement support is needed. (As a general rule, OICs should contact the head of all supporting law enforcement offices/agencies regardless of jurisdiction.)

I. BRAC Environmental Program. NAVFAC is responsible for the BRAC environmental program -- e.g., site clean-up and compliance, removal of underground tanks, mitigation of asbestos, and lead-based paint. EFDs/EFAs are tasked with program execution. Normally this program is staffed and funded separately from caretaker functions. The CSO environmental engineer may provide limited assistance for on-going work if EFD/EFA environmental staff is not on-site. At sites with more extensive requirements, environmental staff may be collocated with the CSO. The EFD/EFA may, if desired, augment the CSO with additional staffing and funds to perform environmental program functions.

IV. CARETAKER SERVICES

A. Caretaker Services. At closure, Base Operating Support (BOS) services previously funded from Operations and Maintenance, Navy (O&M,N) or Defense Base Operating Funds (DBOF) accounts cease. There will, however, be a continuing requirement for minimal protection and maintenance services that are funded by BRAC. Guidance for level and duration of services is provided in the BRIM. Services provided should be purchased from external sources. These are "caretaker services" and comprise:

1. Physical Protection. Adequate fire and security services are required at each closure site to protect government property until disposal. A key issue for fire and security services is "jurisdiction." Communities may have an existing responsibility to provide fire and/or police services if jurisdiction is other than exclusive.

a. Security Services. The type of service required for caretaker purposes is predominantly guard services. Security requirements at closure sites should be established and periodically reviewed by the EFD Security Officer. The BRAC Security Officer, located at the EFD or EFA, provides oversight for the security function while the CSO OIC retains supervisory and management responsibility for caretaker security forces. The level of security should be such that security violations are detected and acted upon. Security services intended to prevent violations exceed caretaker mission requirements at most sites. If tenants require increased security, reimbursement must be provided by those tenants.

(1) Security Plans. The BRAC Security Officer in consultation with the CSO is required to establish a security plan for the closure site. This plan will identify specific responsibilities of the caretaker security force.

(2) Firearms. Caretaker security forces may carry firearms provided they are properly qualified in accordance with DOD and OPNAV Instructions and licensed to do so in accordance with applicable local law.

(3) Check List. Figure 6 provides a security check list.

b. Police Services. Minimal police services are required for an inactive base. However, as the level of activity picks-up (e.g., community reuse, leases and subleases, environmental clean-up contracting, etc.) the need for access to police services becomes critical. The source and scope of

available services are dependent on legislative jurisdiction. The OIC should establish contact with the appropriate source for police services and identify potential needs.

Figure 6
Security Check List

- Obtain copy of existing security plan
- Obtain copies of existing post orders
- Obtain copies of existing traffic surveys
- Ensure that perimeter fencing is in good condition and complete with required signs
- Ensure that there is a clear zone around and inside perimeter fencing or that there are waivers/exceptions in place from OP-09N
- Ensure that traffic signs, street signs, and lane striping are in place and in good repair

(1) Arrests. Arrest authority and investigative services are beyond the scope of the CSO. Dependent upon jurisdiction, any arrests made shall be under the authority of the governing law enforcement agency. If the closed site is under exclusive jurisdiction, the OIC should contact federal law enforcement authorities or the Navy Criminal Investigative Service (NCIS) if police or investigative services are required.

(2) Detention. Guards at closed sites have authority to detain individuals under specific circumstances. Those circumstances must be identified in the security plan, post orders, SOP's, etc. Site specific guidelines for detention must be coordinated with local providers of police services.

c. Fire Protection Services. Caretaker fire protection services are restricted to structural fire protection. Structural fire protection may be further reduced if facilities are of little value, do not store items of values, and present no threat to adjacent property. If additional effort is required for prevention due to the presence of tenants, tenants must fund the incremental cost.

(1) BRAC Classification. A structural fire protection classification of BRAC-2 generally shall be assigned to closed activities. Class BRAC-2 is total assumption of risk,

no emergency services are available. Reliance is on other military installations and/or municipal fire services. Closed activities undergoing environmental remediation may be assigned a structural fire protection classification of BRAC-1 depending upon the scope of work being performed. The Navy Fire and Emergency Services Program Office (NAVAFACENGCOM 13F) will assign structural fire protection classifications and shall be consulted when developing fire protection requirements.

(2) Additional Guidance. OPNAVINST 11320 (current version), Shore Activities Fire and Emergency Services, provides guidance for services that the Navy may be required to provide at a closure site.

(3) Funding. CSOs normally budget for fire protection services at sites with BRAC-1 classification. If there is an adjacent or nearby military fire department, for sites having a BRAC-2 classification, that adjacent department will respond in the event of a fire. Reimbursement will be restricted to actual costs incurred. There is normally no increased staffing or equipage requirement on adjacent or nearby military fire departments.

d. Key Control. The Transfer Agreement should address how keys are to be turned over to the CSO. Keys must be inventoried and accounted for in order to ensure future security of facilities (i.e., unauthorized access). The CSO should identify a key control process prior to closure and implement that process at closure.

e. Disaster Preparedness. The CSO should have a Disaster Preparedness Plan in the event of natural disasters (e.g., tornado, flood, fire, etc.). The Activity's Disaster Preparedness Plan prior to closure may provide a basis for this plan. Obviously the resources and staffing previously available are no longer available and adjustments will have to be made. The OIC and selected other CSO staff should obtain "Federal Emergency Management Identification Cards." The regional Federal Emergency Management Agency field office can provide information on how to get these cards.

f. Spill Response Plan. The CSO OIC is responsible for managing oil and hazardous substance spills due to Navy or Navy contractors that may occur. Tenants are responsible for plans supporting their operations. As the landowner, the CSO plan must address how the Navy will respond in the event tenant confinement and clean-up actions are insufficient. The Oil Pollution Control Act of 1990 (OPA 90) establishes contingency planning requirements. A spill response plan for the closed base must be developed to establish policy,

responsibility, and procedures for controlling and clean-up of oil and hazardous substances spills. The spill response plan from the closing base may provide a basis for the CSO spill response plan.

g. Safety Services. Caretaker safety efforts are aimed at accident prevention and detecting serious deficiencies for CSO operations only. Tenants are responsible for their compliance with OSHA and state requirements.

2. Real Property Maintenance. Real property maintenance comprises facilities and grounds maintenance. Maintenance efforts should be held to minimum levels that minimize the rate of deterioration in concert with redevelopment plans, correcting health and safety deficiencies, and maintaining a "cared for" appearance(32 CFR 91). DOD Manual 4165.66-M provides policy guidance for caretaker maintenance efforts. The host command, in consultation with the LRA and the supporting EFD/EFA, assigns layaway and initial caretaker maintenance levels prior to operational closure based on the LRA's redevelopment plan (Base Closure 028). This information is included in the Transfer Agreement. The CSO provides caretaker services that correspond to the agreed upon maintenance levels. Guidance for initial maintenance levels is provided in Base Closure 032.

3. Utility Services. Utility services are provided at the minimal level necessary to provide the level of support for caretaker requirements and as needed to support the BRAC Clean-up Plan (BCP). Every effort should be made to purchase required utilities (water, electricity, natural gas, telephone, etc.) from local providers. Where practical and economical, government systems should be terminated, capped, and/or otherwise isolated to limit their use. Requirements for reconfiguration of utility systems for caretaker requirements should be addressed in the Transfer Agreement. Reconfiguration efforts should be funded by the host command and initiated prior to operational closure. Special attention from a public health perspective should be provided for potable water and treatment systems and sewage systems. It is essential that LRAs be party to decisions affecting utilities and be involved with the management of utility systems early-on.

B. Commercial Activities Program, OMB Circular A-76. OMB A-76 requirements are waived for bases closed under BRAC legislation (Base Closure 19). Services, with the exception of fire and security services where contracting is constrained by statute, may be contracted without conducting cost comparison studies. Any contract awarded under this waiver must include the "right of first refusal" for DOD civilian employees who previously performed contracted functions. Although the host

command is the primary beneficiary of this waiver, it may apply to some caretaker services.

C. Tenant Services. It is the intent that CSOs not support tenants -- military or civilian. But, it is recognized that events at closure sites may result in the need for short term support of some tenants. The incremental cost of an increased level of existing caretaker services and all facility maintenance and utility costs attributable to tenant occupancy is fully reimbursable. **BRAC funds cannot be used to support tenants.**

D. Providers of Service. There are several potential providers for caretaker services. The two preferred alternatives are cooperative agreements and contracts. Each alternative involves the local community. Each creates job opportunities. Other alternatives include purchasing services from other military organizations, and continuation of providing services with Government employees. The choice as to which alternative to use should be based on cost, site requirements, and the potential provider's capabilities.

1. Cooperative Agreements. One way to foster development of a business base and at the same time involve the LRA in management of the site is through a cooperative agreement. Cooperative agreements are a form of grant. They consist of a formal agreement between the Government and a non-Federal party that provides the principal benefit to the non-Federal party. The rationale for use of cooperative agreements at closed bases is to actively involve LRAs in the management of closed bases at an early stage; develop local skills in managing a complex set of facilities and infrastructure; and to provide an environment in which a business base can develop that will support conveyance of the property, or short of conveyance, the leasing of excess property and the avoidance of caretaker costs. These agreements allow up-front funding, are flexible enough to accommodate unique and changing requirements of a closed base, and can be easily extended or terminated. Caretaker services provided under cooperative agreements may be provided by local government agencies (e.g., public works, fire, police departments) or the LRA can contract for services using their local contracting practices. The key differences between cooperative agreements and contracts are that cooperative agreements normally apply to an entire closure site and the LRA is provided significant management control over the site. NAVFAC guidance for implementing cooperative agreements is provided in NAVFAC letter Ser 112/96-239 of 27 August 1996.

2. Contract.

a. Contract with Private Sector. The Navy has used Facility Service Contracts (FSCs) to augment support services at active military bases for many years. More comprehensive contracts, Base Operating Support (BOS) contracts, have been used to provide total support services at some bases. Use of contracts requires planning. Contracts must be developed, advertised and awarded -- a process that may take six months or more depending on complexity. Contract scope should be well defined or unnecessary expense may be incurred in change orders.

(1) Fire and Security Services. Current law (10 U.S.C 2465) restricts the use of funds appropriated to DOD for contracting for fire and security-guard services at military installations. Contracts for fire and security-guard services must either be at sites where services were contracted prior to 1984 or contracts are awarded to local governments as described in sub paragraph (2) below.

(2) Preference for Local and Small Business. FY 1994 Defense Authorization Act directed that preference for contracts be given to qualified businesses located in the vicinity of the closing base and to small business concerns.

b. Contracts with Local Governments. The original BRAC legislation was amended to provided authority for closing bases to contract with local governments or enter into cooperative agreements for "*...the provision of police services, fire protection services, airfield operation services, or other community services ...* " This authority allows DOD to enter into sole source contracts with local governments for these services up to 180 days prior to closure. NAVFAC letter of 20 December 1995 provides guidance on payment to local communities for community provided services at BRAC sites that normally would be prohibited. Police service cannot be contracted for unless jurisdiction permits the exercise of local police authority.

3. Support Agreements. If another military base, installation, or Public Works Center is available, arrangements may be made to purchase services via a support agreement (Navy to Navy) or an Inter Service Support Agreement (ISSA) (Army/Air Force to Navy). Other Federal agencies may also be a source of support, but purchase of services from these sources may be subject to rules of the Economy Act. The Economy Act (31 U.S.C 1535) may apply to services purchased from a non-DOD federal agency. If so, a "Determination and Findings" must be issued. The EFD/EFA counsel should be consulted as to the applicability of this act if services are purchased from other federal agencies.

4. Government Employees. Only as a last resort should a CSO hire or retain personnel to perform caretaker services. If it is determined services can only be obtained by retaining existing employees or hiring new employees, those employees should be placed in term or temporary positions to the extent possible.

E. Historic Properties and Archeological Sites. Special care is required for historic facilities. There may be existing agreements between the base and State Historic Preservation Office (SHPO) that must be complied with, e.g., existing agreements as to the level of care the government is obligated to provide. These agreements, as well as requirements imposed by the National Historic Preservation Act (NHPA); NAVFAC MO-913, *Historic Structures Preservation Manual*; and other applicable regulations must be identified in the Transfer Agreement. Caretaker maintenance plans for historic properties should be reviewed with the EFD/EFA Historic Preservation Officer.

V. PERSONAL PROPERTY

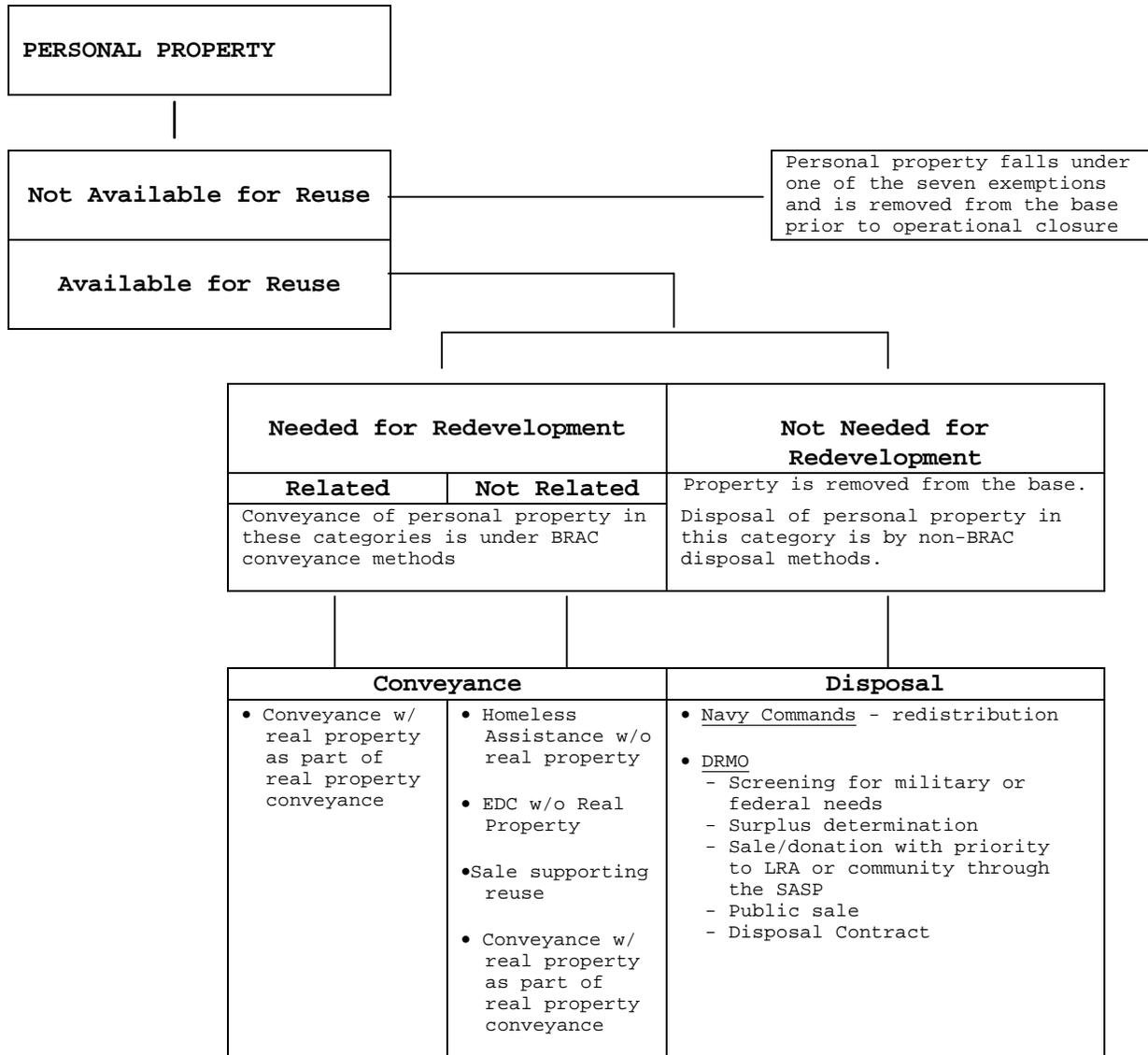
A. Personal Property. Personal property comprises all assets other than "land, fixed in place buildings, Naval vessels and records of the Federal Government". DOD Manual 4165.66-M, Base Reuse Implementation Manual (BRIM), provides policy guidance for management of property at BRAC closure sites. Disposition decisions for personal property are the responsibility of the closing base Commanding Officer in conjunction with the LRA. Property "available for redevelopment" is classified as "needed for redevelopment" or "not needed for redevelopment".

1. Property "Needed For Redevelopment". Only that personal property designated as property "needed for redevelopment" should remain at a base after operational closure. All other personal property should be removed from the base prior to operational closure.

2. Layaway/Storage. The host command is responsible for preparing personal property for storage. Decisions about non-related personal property required for redevelopment should be coordinated with the LRA. These decisions may impact the LRA's ability to manage this property when conveyed.

B. Categories for Personal Property. The BRIM identifies several ways in which personal property is categorized. Figure 7 attempts to graphically display the relationship between these categorizations and methods available for conveyance or disposal.

Figure 7
Personal Property Categories



C. Related/Non-Related Personal Property. By definition (41 CFR 101-47), related personal property is "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 and removal of this personal property would significantly diminish the economic value of the real property. Normally common use items including but not limited to general-purpose furniture, utensils, office machines, office supplies, or general-purpose vehicles are not considered to be related personal property". Further, classification of personal property as related is dependent on the approved redevelopment plan. The

projected reuse of a facility must include the personal property located in that facility, otherwise that personal property is non-related. As redevelopment requirements warrant, the closing base Commanding Officer and/or the EFD/EFA Commanding Officer may determine personal property to be related that by the above definition would otherwise be classified as non-related.

D. Personal Property Inventories. CSOs are responsible for managing personal property inventories transferred to the NAVFAC caretaker claimancy. All property remaining at a closed base must be identified in the Transfer Agreement. Inventory requirements for personal property considered "accountable" is more stringent than that required for "non-accountable" personal property. Categorizing of personal property as accountable or non-accountable requires the assistance of the closing site or EFD/EFA property records manager. If minor (i.e., non-accountable) property is itemized in existing inventories and the CSO determines it is more efficient to manage this property on a gross basis, inventory items may be aggregated by location (e.g., tool room).

E. Value of Personal Property. Caretaker Site Offices (CSOs) are to use their best judgments to determine current value of personal property. Determination of value should be based on one or more of the following factors. Acquisition cost (as reflected on property record cards); cost of similar items; condition of item; probable receipts to be realized when disposed: sale, donation, salvage, etc.; or other local factors that are appropriate. The local Defense Reutilization and marketing Office (DRMO) should be consulted to identify these local factors. The DRMO can also provide information on local historical sale prices for like items. This information can serve as a basis for property valuation.

F. Maintenance of Personal Property. Guidance for the care of related personal property is provided in Base Closure 032. There is no prescribed maintenance level for non-related personal property. Normally, only physical security will be provided. If requested, LRAs may be provided a license for performing increased maintenance and security services to ensure preservation of personal property to support reuse. Funding for increased levels of service is the LRA's responsibility.

G. Conveyance. Related personal property will normally be conveyed with its associated real property. Non-related personal property can be conveyed with real property or separate from real property. There are three possible conveyance/disposal methods available for non-related personal property separate from real property. They are:

1. Economic Development Conveyance (EDC) W/O Real Property. An EDC for personal property is the conveyance method that is most likely to be used. Application guidance for personal property EDCs is provided in the BRIM.

2. Homeless Assistance Conveyances. This type conveyance requires a homeless assistance plan as part of the redevelopment plan be approved by the Secretary of Housing and Urban Development (HUD).

3. Donation of Surplus Personal Property. Personal property not needed for redevelopment is turned over to DRMO for disposal. Property remaining after Federal screening is available to the community through the State Agency for Surplus Property (SASP) donation program with priority given to the LRA or local community

H. Conveyance or Disposal. The LRA should be advised that timely application for non-related personal property is expected. In the event timely application is not made, the Navy may initiate disposal actions for non-related personal property.

1. Conveyance Application. The LRA's application for conveyance of non-related personal property must be made within 90 days after submission of the Local Redevelopment Authority's (LRA's) adopted redevelopment plan to the Navy, or in the case of a Homeless Assistance Conveyance, within 90 days of HUDs approval of the redevelopment plan.

2. Acceptance of Property. The LRA must accept ownership of requested personal property within 60 days of approval of the conveyance request. With Navy concurrence, personal property transferred to the LRA may remain in government facilities. The request by the LRA to store personal property in government facilities must be in writing. The Navy must provide written concurrence. Facilities used for storage should be licensed or leased to the LRA.

3. Government Disposal. Non-related personal property will be reclassified as "not needed for redevelopment" if the LRA does not submit an application for conveyance or decides not to accept the personal property within the established time frame. If reclassified, the CSO will notify interested Navy commands that this property is available for redistribution. Remaining property should be report excess to the nearest DRMO for surplus determination and disposal in accordance with 41 CFR parts 43 through 45.

I. Documentation. Documentation is required for conveyance of personal property. Standard Form 118C (Report of

Excess Real Property - Related Personal Property, Part C) is required for related personal property conveyed with real property. Conveyance of non-related personal property requires varying degrees of documentation dependent upon the conveyance methods used. Prior to operational closure, the CSO OIC should review proposed documentation being provided in light of disposal expectations. The inventory and supporting documentation provided at operational closure will need to satisfy conveyance/disposal requirements.

J. Defense Reutilization and Marketing Office (DRMO). DRMO is the DOD disposal agent for personal property. All excess personal property is managed by DRMO except for personal property conveyed under BRAC authority. CSOs should maintain close coordination with the DRMO to expedite unanticipated personal property disposals. Contingency plans should be established for on-site sales, collecting like items for disposal, salvage determinations, etc.

VI. ENVIRONMENTAL COMPLIANCE

A. Responsibilities. The CSO is responsible for compliance with all applicable Federal, State, and local laws and regulations that pertain to operating facilities or providing services at the closure site. The OIC's responsibility is the same as that of an operating base. If utility systems remain in operation, required permits must be kept current. These responsibilities must be clearly identified in the Transfer Agreement. When the CSO is established, an interface between the CSO staff and State and Federal regulators/inspectors should be established. The current version of OPNAVINST 5090.1, the *Environmental and Natural Resources Program Manual*, provides detailed guidance for environmental topics addressed below.

B. Permits. It is critical that certain permits be maintained by the CSO. Host commands are responsible for obtaining permits. Permits required for ongoing operations are to be transferred to the CSO. Generally, permits not required shall be canceled by the host command. The CSO should coordinate with the LRA to insure continuity of critical permits. Questions listed in Figure 8 need to be addressed in the Transfer Agreement.

1. CSO Required Permits. Permits may be required for caretaker or to maintain functional capability of facility for reuse. The following permits should be considered.

a. Air Permits. All states and some territories were required by the Clean Air Act (CAA) Title V to submit a Federal Permit Program for the operation of major stationary

sources for its approval by the Environmental Protection Agency (EPA). Major stationary sources of regulated air pollutants are required by federal law, to have a CAA Title V operating permit or a "timely and complete" permit application on file. In the absence of a permit (or timely and complete application), it is illegal to operate a stationary source of regulated air pollutants. Permit applications are due at specific dates set by each state but not longer than one year after the date that EPA approves the state's permit program. Therefore it is important that each facility track carefully its permit application's due date with the state's regulatory agency. A permit is not required if operations are scheduled to cease prior to the date established by the appropriate permitting authority to file a permit application. Accordingly, sources on installations scheduled to close before the due date for a submittal of a permit application need not apply for permits unless the source will continue to operate following closure or if the permit will be required for reuse. In addition to the requirements of the Federal Permit Program for the operation of major sources many states have their own permit programs for the construction and operation of specific categories of minor sources.

Figure 8

Questions for Environmental Permits

- If permits expire, can caretaker operations continue?
- When do permits expire?
- What impact is anticipated from laws/regulations (new or revised) that are scheduled to take effect during the caretaker period?
- What permits are required to support redevelopment plans?

b. Clean Water Act Permits. In the absence of a permit, it is illegal to discharge a pollutant or combination of pollutants into the navigable waters of the United States from a point source. The term "pollutant" is defined very broadly and covers any man-made or man-induced physical, chemical, biological or radiological change in the receiving water. Similarly, the term "navigable waters" is defined broadly to mean the "waters of the United States", including wetlands. Criminal penalties can be levied for Clean Water violations.

c. Safe Drinking Water Act Permits. State and local permits for drinking water systems should be maintained.

d. RCRA Permits. Resource Conservation and Recovery Act (RCRA) permits are required for facilities that treat, store, or dispose of hazardous wastes. If facilities at the closure site handle hazardous waste, permits are required. If facilities handled hazardous waste prior to closure, renewal of permits may be required.

2. Tenant Required Permits. Permits required by tenants for their operations are the responsibility of those tenants. Permit requirements will be identified in support agreements for military or other federal tenants, and in leases (and sub-leases) for commercial tenants. **The CSO will retain the right to terminate any tenant operation that is in violation of permit requirements.**

C. Notice of Violation (NOV)/Notice of Non-Compliance (NONC). The host command is responsible for closing out any existing NOVs/NONCs. Any open NOVs/NONCs must be identified in the Transfer Agreement and steps taken to correct them documented. If claimancy transfer is to occur before corrective action is completed, sufficient resources to correct deficiencies must be provided by the host claimant. NOVs/NONCs occurring after claimancy transfer are the CSOs responsibility.

D. Compliance with the Clean Air Act (CAA) General Conformity Rule. In accordance with Section 176(c) of the CAA, the Navy will not engage in or support any activity which does not conform to an approved State or Federal implementation plan. Implementation plans are normally developed by the State or by EPA if the State fails to do so. Closing bases must comply with these plans. A determination must be completed showing that a Federal action conforms to an approved implementation plan before the action is taken. Property disposal actions resulting from the base closure process will typically be exempted from the requirements of the General Conformity Rule.

E. Compliance With Right-to-Know Laws and Pollution Prevention Requirements. CSOs are responsible for complying with the Emergency Planning and Community Right-to-Know Act of 1986 and the Pollution Prevention Act of 1990 as directed by Executive Order 12856 of 3 August 1993. As property 'manager,' the CSO is responsible for DOD tenants and DOD contractor operations reporting requirements. The CSO is not responsible for non-DOD tenant operations.

F. Environmental Compliance Evaluation (ECE). ECEs may be conducted at closed bases in the NAVFAC Caretaker Claimancy to assure compliance with local and federal environmental laws. The purpose of ECEs is to insure compliance with environmental requirements (e.g., permits, operational standards, etc.). ECEs

do not duplicate Environmental Baseline Surveys (EBSs) which are used to identify environmental clean-up requirements.

1. Tier II ECE. Tier II ECEs are reviews of compliance actions performed by the claimant, assisted by the EFD/EFA. Within six months of the date NAVFAC assumes claimancy of a BRAC installation, a Tier II ECE will be performed. If the EFD/EFA Commanding Officer feels a Tier II ECE is not necessary, he/she may direct that it be deferred until a later date. If conducted, the ECE will focus on caretaker operations (i.e., plant operations, permits, and lessee oversight responsibilities) and NAVFAC sponsored contracted environmental restoration efforts. The Tier II ECE will be coordinated by NAVFAC, as the major claimant representative, with the geographically responsible EFD/EFA providing ECE team support. Future Tier II ECEs will be conducted as the EFD/EFA Commanding Officer feels appropriate.

2. Tier I ECE. Tier I ECEs are self reviews of environmental compliance actions. CSOs at closed bases are responsible for conducting annual Tier I ECEs. EFD/EFA environment specialists may be required to assist.

G. National Environmental Policy Act (NEPA). Appropriate NEPA documentation must be completed before disposal and leasing actions (42 U.S.C. 4321 et seq.). NEPA is a procedural law that requires federal agencies to go through a specific decision-making process for all major federal actions. This decision-making process ensures that alternatives to the proposed action and the resulting indirect and direct environmental impacts are considered and evaluated before the action occurs. These evaluations are made available to the decision makers and the public. To determine what actions would trigger an evaluation, one or more of the following four criteria must be met: be Federally funded; require federal permits; involve federal facilities or equipment, or affect federal employees. There are three levels of NEPA documentation:

1. Categorical Exclusion (CATEX). Properties that are designated CATEX have the lowest required level of documentation. CATEX properties require no further actions because there is no significant effect on human health or the environment. Costs to prepare this documentation are minimal. The list of categorical exclusions and Naval instructions on the NEPA process are found in the current release of OPNAVINST 5090.1. Normally a CATEX will suffice for transfer or assignments to other federal agencies and for leases or licenses where use is similar to previous Navy use.

2. Environmental Assessment (EA). An EA is an analysis of the potential environmental impact of a proposed action. An EA is prepared when it is not known whether the proposed action will significantly affect the environment. Two outcomes of completing this analysis are: a Finding of No Significant Impact (FONSI), or a decision to do an EIS. EAs typically cost between \$50K and \$100K and normally require 6 to 12 months to complete.

3. Environmental Impact Statement (EIS). An EIS includes the same topics as an EA but is usually much more complex. There is a specific time line to adhere to when going through the EIS process. Included in this process are public hearings, scoping meetings, and public comment periods. A Notice of Intent (NOI), the Draft EIS (DEIS), the Final EIS (FEIS), and the Record of Decision (ROD) are published in the Federal Register. EISs typically run \$500K to \$800K and may require a year or more to complete.

H. Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Certain findings and disclosures about the environmental condition (i.e., contamination) of the property must be made prior to disposal, leasing, or transfer of property to another Federal agency. An environmental baseline survey (EBS) must be completed at all closing bases to determine levels of contamination resulting from storage, release, treatment, or disposal of hazardous substances or petroleum products which occurred on the property. Disclosures and determinations about the environmental condition of the closing base will be based on the EBS and additional studies of samples as required.

1. Transfers to Other Federal Agencies. CERCLA requires that any agency obtaining property from DOD be notified of its environmental condition. Generally this notification includes the EBS, any additional studies, and a summary document signed by the EFD/EFA CO.

2. Finding of Suitability for Transfer (FOST). A FOST is required for all military property to be conveyed to a non-Federal agency or private party. The FOST certifies that the environmental condition of the property to be conveyed is suitable for the intended use. The FOST also certifies that there has been no release of contaminants or, if there has been a release, that the contamination has been remediated, or that the remediation is in place and functioning satisfactorily (e.g., ground water pumping). Regulatory agencies must be notified when the FOST process begins. Both the regulatory agencies and the public must be notified of the intent to sign a FOST and again when the FOST is signed. The BRAC Environmental Coordinator (BEC) is responsible for developing the FOST. FOSTs are reviewed

by the Restoration Advisory Board (RAB) and approved/signed by the EFD/EFA Commanding Officer or his designee.

3. Finding of Suitability for Lease (FOSL). A FOSL is required for all military property leased to non-Federal agencies or private parties. The FOSL certifies that the environmental condition of the property to be leased is suitable for the intended use. Regulatory agencies must be notified prior to entering into any lease and should be kept apprised of the FOSL as it is developed. The BRAC Environmental Coordinator (BEC) is responsible for developing the FOSL. FOSLs are reviewed by the Restoration Advisory Board (RAB) and approved/signed by the EFD/EFA Commanding Officer.

VII. OCCUPATION SAFETY & HEALTH (OSH)

A. Compliance. CSO health and safety requirements are governed by OPNAVINST 5100.23 (current version), *the Navy Occupational Safety and Health Program Manual*, and NAVFACINST 5100.11 (current version), *NAVFACENGCOM Safety and Health Program*. CSO OSH programs will be integrated into the EFD/EFA OSH program. A member of the CSO staff should be assigned collateral duties as the Safety Coordinator. The Safety Coordinator is responsible for working with EFD/EFA OSH Manager (usually Code 09K) to identify OSH requirements and resources necessary for the CSO staff (e.g., training, personal protective equipment, contract review, etc.). The EFD/EFA OSH Manager must be kept informed of CSO safety issues.

B. Records. CSO will obtain copies of critical safety and health related records from the closing activity. This requirement must be addressed in the Transfer Agreement. Examples of critical records are identified in Figure 9 below. The Base Clean-Up Plan can also be used as a resource to identify required documentation. The EFD/EFA OSH Manager should be consulted for assistance.

C. Accidents. All accidents and compensation claims involving CSO personnel are the responsibility of the respective EFD/EFA. All accidents involving government employees, contractors, or cooperative agreement personnel shall be reported promptly to the EFD/EFA OSH Manager. In addition, any accident involving tenants or the general public should also be reported. Serious accidents will be investigated by the EFD/EFA safety manager.

D. Contract/Cooperative Agreement Compliance. All BRAC contracts and cooperative agreements will contain the same OSH

requirements and will be managed in the same manner as other EFD/EFA contracts.

E. Tenants. Tenants are required to comply with local, state, and federal OSH regulations. Leases should clearly delineate government and tenant responsibilities for OSH compliance. As in other areas, the CSO's role is limited to oversight of the LRA's compliance with lease requirements.

Figure 9
Required Safety and Health Documentation

- Facility history information: facility condition; details of all known or suspected contaminated sites or equipment and past hazardous operations/ processes conducted in facilities; industrial hygiene surveys for past five years, latest fire protection survey, etc.
- Listing of uncorrected deficiencies or unsafe conditions existing at time of closure.
- Hazardous material inventory, including high energy sources such as laser, microwave, explosives, radiation, etc.
- Confined Space Inventory. Ensure the closing activity has identified and posted all permits required for confined spaces in accordance with OSHA 29 CFR 1910.146 and OPNAVINST 5100.23D and provide the CSO the confined space inventory.
- Asbestos, Lead, Radon, and PCB records, including all previous inventories, surveys, and abatement records.
- OSH related records of activity personnel transferred to EFD/EFA roles (e.g., training, medical surveillance, workers' compensation claims).
- Facility operating and maintenance documentation for critical systems and equipment (e.g., ventilation, elevators, fire protection systems, life safety equipment, power circuits, etc.).
- Facility spill contingency and emergency response plans.

VIII. LEASES

A. Need for Leases. Leasing closed facilities facilitates State and local redevelopment efforts leading to disposal while minimizing Navy caretaker expenses. The FY 1994 Defense Authorization Act (P.L. 103-160), Section 2906, provides authority and criteria for leasing closed facilities at less than fair market value. General leasing authority is contained in 10

U.S.C. 2667. NAVFAC leasing guidance is provided in NAVFAC P-73, the Real Estate Procedures manual and the DOD 4165.66-M.

B. Lease Responsibility. The EFD/EFA is responsible for developing and negotiating lease documents. Significant input is generally required from the EFD/EFA BCO, Counsel's Office, Environmental Division, and the CSO's OIC. NEPA documentation and the FOSL are required. Lease documents are prepared in the field and submitted to NAVFACHQ for review and further submission to ASN (I&E) for approval. Approval from ASN (I&E) is delegated back to the appropriate EFD/EFA, through NAVFACHQ. Leases are executed for the Navy by the EFD/EFA warranted real estate officer. The overall process requires coordination and communication at all levels.

C. Lease Scenarios. There are several leasing approaches that the Navy and the LRA can employ to meet the objectives of the parties. Remember that the lease is between Navy and the LRA. The LRA then usually subleases to a company that will actually occupy the space. The language in the lease controls what the LRA can permit a sublessee to do in, or on, the premises. The LRA and the sublessee will sign their agreement which must be approved by the Navy, even though the Navy is not a party to the sublease agreement. Since the lease is the controlling document, the sublease must not be in conflict with the senior document. Types of leases commonly used include the following:

- Interim leases of five years or less
- Interim leases longer than five years (also called long term leases)
- Master or Zone Interim leases
- Leases In Furtherance of Conveyance (LIFOC)

Leases can be executed for fair market value, for less than fair market value, for varying periods of time and for similar or different uses than previously used for. Generally, "protection and maintenance" of the leased facility becomes the responsibility of the lessee.

Additionally, Navy routinely collects revenue for "Common Area Maintenance" or "CAM" charges. As the caretaker budget ramps down, these CAM charges, passed on to sublessees, become more and more important to funding installation maintenance, operations and repairs.

1. Interim Leases of Five Years Or Less. These have been the typical BRAC leases. NEPA documentation is required and similar uses may be approved by a CATEX. Protection and

Maintenance charges or Fair Market Value rents are assessed. CAM charges are standard. The leases do not give the LRA any claim for future reuse decisions. The LRA becomes responsible for the facility, but initial charges may be deferred until the first sublessee is in place.

2. Interim Leases Longer Than Five Years. (long term leases) These leases are basically the same as those for less

five years with one key exception. If the property is offered to the LRA, the LRA has 180 days to accept the conveyance. If it refuses, the lease can be terminated and any sublease in effect would also be terminated. Additionally, in the package submitted to NAVFAC, reasonable justification for a term longer than five years is required.

3. Lease in Furtherance of Conveyance (LIFOC). If a ROD has been issued and the parties have agreed on a valuation and method of conveyance, a LIFOC may be created. LIFOC's are used when a transaction is set, but conveyance cannot occur before regulatory (usually environmental) conditions are met. The LRA has control of the property; in fact conveyance documents are part of the LIFOC exhibits. A termination clause is included in the LIFOC in the event the LRA does not accept conveyance of the property covered by the lease once the regulatory conditions have been met. Property use must be consistent with the reuse plan.

4. Master or Zone Interim Leases. These leases are used for larger areas on an installation where the LRA and Navy have the appropriate NEPA documentation and the potential for several subleases. The sublease can be executed by the EFD/EFA warranted real estate officer and treated as a modification to the Master lease, unless the sublease use conflicts with the lease CATEX. These types of leases can be for any justifiable term. They require extensive preplanning and environmental work in order to be approved.

D. Subleases. The LRA may sublease parcels or individual facilities to private parties or local agencies. Revenue collected by the LRA from subleases is used by the LRA to cover maintenance and operational expenses. The government may also share in revenue from subleases, depending upon circumstances. Funds may be used by the LRA to make improvements to facilities with prior government approval. The EFD/EFA Commanding Officer retains the right to approve/disapprove subleases in order to protect the government's interest in the property prior to disposal. The overriding language of the Navy/LRA lease will require that revenues due to the Navy under the lease will not be suspended if the LRA loses its revenues from the sublessee. The reason for this is decreasing Navy caretaker funds. Once an expense is transferred to the LRA, Navy will not usually be able to rebudget such expenses. This particularly impacts CAM charges and protection and maintenance charges.

E. Existing Leases. Leases that were in place at closure sites prior to closure were based on the assumption that many BOS services were readily available and could be provided at little or no incremental cost (e.g., security for site access). This is

no longer the case at a closed base. Tenants must be prepared to provide full reimbursement for all services that are above the normal services provided at a base in caretaker. Leases may be modified to cover the incremental cost attributable to the lessee.

F. Modifications to Leased Space. Closed facilities at most sites, will be leased to the LRA during the interim between operational closure and property disposal. Since the property title has not been conveyed, NAVFAC retains ultimate responsibility for life safety and egress requirements. This responsibility will be met to the extent possible either by lease provision or memorandum of understanding between the LRA and the Navy, that the LRA will apply, or cause to be applied, applicable building codes used by the jurisdiction in which the facility is located. The LRA will monitor and enforce compliance with life safety and egress requirements of one of the model building codes, the *Life Safety Code*, or other applicable local building codes. NAVFAC letter 150JG of 19 December 1996 provides policy guidance.

G. CSO Involvement. The NAVFAC warranted real estate officer has responsibility for insuring compliance with lease terms. The CSO, as his field agent, is responsible for day-to-day requirements associated with leases. The OIC should work with the EFD/EFA real estate office to develop a good process for information exchange and to determine the necessary level of oversight required on specific leases/licenses. Figure 10 identifies major lease administrative actions and indicates lead (L) and support (S) roles for the EFD/EFA and the CSO.

1. Oversight. Oversight of lease requirements is focused on the primary lease, not subleases. It is the lessee's responsibility to monitor sublessee actions. CSO oversight includes monitoring of (but not ongoing involvement in) the lessee's oversight program for sublessees. Compliance with applicable Federal, state, and local environmental and other requirements is the lessee's responsibility. If a problem is suspected, the CSO should first notify the lessee of the potential problem. If there is no action, or there is the potential of a significant problem, the CSO should notify appropriate local, state or federal authorities. The EFD/EFA should be kept informed and consulted as actions are taken.

2. Government Incurred Costs. Leases normally require that the government be reimbursed for costs it incurs that are associated with leases. The CSO is required to identify and document reimbursable costs and to provide formal notification to the lessee of reimbursement requirements. Reimbursable costs are of two types.

a. Common Services. Common services include fire protection, area security, and police services. Common services also include the actions required to maintain common areas (e.g., road maintenance) or facilities that provide general support (e.g., utility distribution systems). Leases normally provide an algorithm that allocates costs for these services. Allocation of costs will normally be determined based on square footage of leased facilities as a ratio to total usable square footage on the base.

b. Incurring Costs. Incurred costs are those costs incurred by the government as a result of lessee action or inaction. These costs are unique to the specific action and may be determined based on engineering estimates, actual costs, or a proportion of planned costs. Examples include:

- An 'open house' held by a sublessee as part of a promotion campaign. Increased traffic caused by this event may require additional traffic control.
- A sublessee failed to take necessary actions to prevent improper drainage of a holding tank resulting in flooding of local roads. The CSO was required to secure the roads and repair erosion damage.
- Supporting documentation developed for tenant initiated repair, modification, or improvements to historic facilities, and coordination with the State Historic Preservation Office (SHPO).

3. Utilities. The CSO will coordinate with the lessee if the level of utility services initially anticipated under the terms of the lease are to be reduced or altered. The CSO will also monitor billing of utilities to the lessee to ensure the proper allocation of charges between the government's portion and the lessee's portion.

4. Coordination. The CSO will coordinate government access to leased spaces with the lessee. Coordination includes access requirements by Navy safety, health, and environmental inspectors and Navy remedial contractors performing environmental restoration work. Federal, state, and local inspectors for environmental or other compliance issues deal directly with the lessee.

5. Disputes: The CSO OIC is the initial point of contact for facility related disputes. If potential disputes cannot be resolved by the lessee and the CSO OIC, the dispute should be brought to the EFD/EFAs attention with all supporting

documentation. All leasing disputes will be handled directly between the EFD/EFA and the lessee. Regular communications with the EFD/EFA real estate office is a part of the CSO's responsibility.

H. Summary. Leasing is a viable method for Navy to support reuse while ensuring that facility and installation operating costs are shared by the users of Navy property. While conveyance is the endgame of BRAC, leasing is an interim step to assist the LRA in keeping the installation active and marketable.

Figure 10

LEASE ADMINISTRATION

<u>EFD</u>	<u>CSO</u>	<u>LEASE ADMINISTRATION ACTION</u>
L	S	Terminate lease or take other corrective action
L	S	Negotiate and award lease
L	S	Execute lease options/renewals
L	S	Approve use of lease revenues for LRA's Marketing and Property Management Plan
L	S	Approve LRA's proposed expenditures for improvements to installation
L	S	Approve requests for subleases
L	S	Approve Lessee's plan for responding to hazardous waste, fuel and other chemical spills
L	S	Approval for any undertaking that may affect natural or cultural resources
L	S	Negotiate, and revise as appropriate, allocation for costs of common services
L	S	Manage cost accounting system, using FIS, for lease revenues
L	S	Review documentation submitted in support of a request to alter or modify historic property, and consult with SHPO as appropriate
L	S	Review certificates of insurance or insurance policies evidencing the purchase of adequate coverage
L	S	Receive all other notices as specified in leases, licenses, MOUs/MOAs, etc.
L	S	Approve requests for movement of personal property to or from leased space
L	S	Approve requests for alterations, modifications, additions, to leased property
S	L	Approve disposal of personal property which has reached the end of its useful life
S	L	Approve requests to conduct subsurface excavation, digging, drilling, etc.
S	L	Manage billing and collections for utilities consumed by tenants.
S	L	Manage billing and collections for common area maintenance charges.
S	L	Manage billing and collections for government incurred costs resulting from tenant actions or inaction
S	L	Monitor lessee's enforcement of lease provisions on subleases (e.g., pre-occupancy inspections; required maintenance; compliance with environmental, safety and occupational, health laws; permits; etc.)
S	L	Provide 24 hours notice to lessee of intended entry onto the premises

* L - Lead
S - Support

IX. TENANTS

A. Services. Tenants sponsored by the LRA are anticipated and encouraged, as previously indicated. It is to

the Navy's benefit to have facilities occupied and maintained by others as quickly as possible, short of disposal of facilities. NAVFAC therefore strongly encourages leases with LRAs. The LRAs, in turn, sub-lease to tenants. The LRA will provide landlord functions and manage/provide support services required by tenants.

B. Industrial Park. Tenants at a BRAC closed base will be treated by the Navy the same as tenants at commercial industrial parks.

C. Non-DOD Tenants. The host command will determine the post-closure status of existing civilian tenants prior to operational closure. Outcome of these determinations must be included in the Transfer Agreement.

1. Endorsed Tenants. Civilian tenants that occupy government facilities prior to operational closure should be required to obtain the endorsement of the LRA. These leases should be transferred to the LRA and included as sub-leases under a primary lease with the LRA.

2. Tenants Not Endorsed. Civilian tenants not endorsed by the LRA should be required to vacate the premises prior to operational closure.

3. New Tenants. All new non-DOD tenants should be sub-lessees of the LRA.

D. Military and Other Tenants. Although military commands/units should be relocated or disestablished prior to operational closure, there may be occasional need for a command/unit to remain at the closed base after operational closure. These requirements must be documented in the Transfer Agreement.

1. Short Term (Up To 12 Months). The CSO may be required to provide support services, to the extent possible and on a fully reimbursable basis, to military tenants when relocation or disestablishment actions have been delayed and the host command and the receiving EFD/EFA have agreed on the continued presence of these tenants. Details of these agreements will be included in the Transfer Agreement. Provision of these services should normally not exceed a 12 month period.

2. Long Term. In some instances commands/units working with the LRA may be incorporated into the redevelopment plan. In these cases, the LRA will assume full responsibility for these command/units. To facilitate transition from military support to civilian support, the CSO should be prepared to

provide limited and diminishing services, on a fully reimbursable basis, to these tenants.

X. COMMUNITY INTERFACE

A. CSO Community Interface. The CSO OIC is, in most cases, the local military member responsible for community interface after transfer of the base to NAVFAC.

1. Site Access. LRAs will require frequent access to bases to develop and refine reuse plans. There will be frequent requests for tours of bases by private parties who have interest in the facilities. If facilities are leased, lessees will require on-going access.

2. Community Meetings. The OIC should participate in community meetings held to discuss various aspects of the base closure. Occasionally the OIC will be asked to make presentations at these meetings on availability of facilities, environmental clean-up progress, disposition plans, etc.

3. Information. There will be requests for information from parties interested in facilities. The LRA may request periodic reports on availability of facilities, environmental clean-up progress, disposition plans, etc. The CSO should be prepared to respond to these requests.

B. Base Transition Coordinator (BTC). The OIC of the CSO may be assigned BTC duties. This function, previously assigned to the host command, may be transferred to the CSO at operational closure. The BTC reports directly to the DOD Base Transition Office. The BTC's role is that of a facilitator and provider of information. BTC duties are listed in figure 11.

XI. PROPERTY RECORDS MANAGEMENT

A. Real Property. Prior to operational closure the CSO should obtain the property records; as-built drawings; facility history files; the most recent Annual Inspection Summary; existing warranties for new construction, installed equipment, new roofs, etc.; and any other documentation that pertains to closed facilities or facilities to be closed. This includes a listing of all equipment, facility layaway plans, and redevelopment plans if available. Specific requirements for property records should be identified in the Transfer Agreement.

1. Vacant. Property records for vacant facilities should be maintained and annotated by the CSO staff to reflect results of periodic walk-through inspections and repairs that may be required.

Figure 11

Base Transition Coordinator's Duties

- Encourage and assist development of strategies for expeditious environmental cleanup and restoration
- Assist in identifying real property having potential for rapid and beneficial reuse
- Assist in developing BRAC closure plans that take into account redevelopment plans
- Assist in developing plans to ensure caretaker activities after closure take into account and support the redevelopment plan
- Assist in determining whether property at the closed base can be transferred
- Assist the LRA in identifying real and personal property that may have reuse potential
- Assist the Office of Economic Adjustment (OEA) in coordinating assistance provided under transition assistance and transition mitigation programs with LRAs
- Assist in identifying property that may be leased
- Assist in identifying real and personal property that may be used to meet the needs of the homeless.

2. Leased. Records for leased property will remain government property but should be provided to the LRA (the LRA is the primary lease holder) who will be responsible for record maintenance. Records should be annotated to indicate lease and sub-lease information. Maintenance, repairs, and any modification to facilities should be noted in the facility history.

3. Disposed. Records for property conveyed to another federal agency, LRA, local government, or a private party will be provided with the property. The CSO will keep copies of the property record cards, annotated to reflect disposition, and other key documents as directed. Records must be made available to the EFD/EFA in order that this property be removed from the NAVFAC Facilities Asset Data Base (NFADB).

B. Personal Property. Personal property remaining after claimancy transfer must be identified in the Transfer Agreement. Accountable personal property must be identified individually (i.e., detailed inventory indicating quantity, location, and condition) and must have a property record card. Non-accountable personal property may be identified by quantity and location.

XII. BUDGET/FUNDING

A. Funding Responsibilities. NAVFAC's Base Closure Directorate (Code 60) is responsible for obtaining resources for caretaker requirements. The EFD/EFA Base Closure Offices (BCOs) are responsible for projecting funding requirements, managing CSO funds that have been issued, and ensuring proper and prompt obligation of those funds.

B. CSO Funding. Funds provided for caretaker functions should be used only for caretaker functions at caretaker locations. Other organizations within the EFD/EFA should not charge against these funds. Shortfalls due to diversion of funds will not be covered by BRAC funds -- shortfalls may be taken from EFD/EFA operating funds. If funds are diverted to other closure sites the appropriate Code 60 Action Desk should be notified. If funding is found to be in excess of requirements, funds should be returned to NAVFAC for use at closure sites managed by other EFDs/EFAs. Unfunded requirements should be brought to the appropriate Code 60 Action Desk attention at the earliest possible time.

C. Budget Formulation. BRAC caretaker budgets are prepared annually by NAVFAC Code 60 based on EFDs/EFAs budget projections for each closure site. A call for budget projections for a given fiscal year is made late first quarter or early second quarter of the prior fiscal year. Guidance for preparation of CSO budgets is provided each year by the NAVFAC Code 60.

D. Tracking Expenditures. NAVFAC is required to track and report expenditures by specific BRAC program (i.e., '88, '91, '93; or '95), fiscal year funds issued, by closing base, and fund purpose (e.g., BP38 for caretaker). The Facilities Information System (FIS) Authorization Records ("AUTHs") are to be used to document BRAC caretaker (BP38) funding commitments and obligations. "AUTHs" identified in Figure 12 should be used.

XIII. EXTERNAL SUPPORT

A. EFD/EFA Support. The CSO is minimally staffed and dependent on the parent EFD/EFA for support as is evident in the

above guidance. Support should be coordinated by the EFD/EFA BCO.

Figure 12

BP38 FIS AUTHORIZATION RECORDS ("AUTHS")

- CSO Salaries & Support Costs: Includes salaries of all CSO employees except fire, security, and police which are included in other categories. Also includes all expenses associated with CSO support costs: supplies, travel, training, janitorial, etc. Utilities supporting the CSO are not included here but will be included under "Utilities". (Rationale for this inconsistency is to eliminate the need to separate CSO utility costs from the overall caretaker utility costs.
- Real Property Maintenance (RPM): Includes care of Class I property (land) and maintenance and repair costs for Class II property (buildings, structures, facilities), except for utility systems. RPM costs for utility distribution systems and generation facilities will be included under 'Utilities.'
- Utilities: Cost of all utilities commodities consumed. Includes cost of plant operations if utilities are produced on site. Maintenance of utility distribution systems or production facilities is included here. Utilities billed to and directly supporting the CSO are also included here.
- Security: Cost to provide security services. Cost include salaries for government employees if service performed by in-house personnel, support cost for government employees (supplies, equipment, uniforms, training, etc.); contract costs if performed by contract; and cooperative agreement costs if performed by cooperative agreement.
- Fire: Cost to provide fire protection services. Costs include salaries for government employees if service is performed by in-house personnel, support cost for government employees (supplies, equipment, uniforms, training, etc.); contract costs if performed by contract; and cooperative agreement costs if performed by cooperative agreement. Costs will also include any payments to local communities if locally provided services are paid for by BRAC funds.
- Police: Cost to provide police services. Costs include salaries for government employees if service is performed by in-house personnel, support cost for government employees (supplies, equipment, uniforms, training, etc.); contract costs if performed by contract; or cooperative agreement costs if performed by cooperative agreement. Will also include any payments to local communities if locally provided services are paid for by BRAC funds.
- Environmental Compliance: All costs associated with environmental compliance that are required for on-going operation. This includes permits, inspections, corrective actions, and report preparation. Not included are compliance actions that abate asbestos or lead base paint.
- Personal Property: All costs associated with the management of personal property left at the closed base.

• Other: Any other cost that may be incurred that does not fall in one of the above categories.

1. Environmental Restoration and Compliance. The EFD/EFA has the responsibility for the execution of all environmental cleanup and compliance programs (asbestos and lead paint abatement) related to the disposal of the base, or parcels, to the extent required by law. The principal point of contact for the oversight and execution of these responsibilities is the BRAC Environmental Coordinator (BEC).

2. Property Disposal/Lease. The EFD/EFA is responsible for real property disposal issues. This includes the BRAC screening process, leases, easements, requests for retrocession of jurisdiction, property disposal, etc. The CSO OIC is normally the real estate contracting officer's on-site representative for oversight of leases and should maintain close contact with the real estate contracting officer.

3. Contracts and Cooperative Agreements. The EFD/EFA contracts office or Commanding Officer may delegate contracting authorities to the CSO OIC depending on site requirements and the OIC's level of warrant. Grants officer authority for cooperative agreements may also be delegated. The EFD/EFA contracts office retains full oversight responsibility for contracts and cooperative agreements at closure sites.

4. Occupation Safety and Health Manager. The EFD/EFA safety manager (usually code 09K) provides oversight and technical support for the CSO safety program. The safety manager must be informed of all safety violations and accidents that occur at closure sites.

5. Security Officer. The EFD Security Officer provides oversight for CSO security functions. The security officer must be notified if there is a breach of security.

6. Counsel. EFD/EFA Office of Counsel has responsibility for providing advice and assistance with respect to any legal matters related to the performance of the CSO mission.

B. Other Sources of Support. Provisions should be made to obtain Human Resource Office (HRO) services (e.g., recruitment, training, record keeping, etc.), Personnel Support Activity (PSA) services (e.g., pay, travel, etc.), and Navy Supply Center or Department support. In some cases the EFD/EFA may be able to provide or coordinate this support. In other instances, support services may more easily be obtained from

another Military Base. Arrangements for these services should be made prior to operational closure. A formal support agreement with a supporting Navy or other military command may be required. Reimbursement may be required. If reimbursement is required it should be included in the CSO budget.

Appendix A

DEFINITIONS OF TERMS

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Accountable/Non-Accountable Personal Property: The BRIM provides inventory guidance for personal property. Inventory of accountable personal property should be based on existing property records (i.e., Property Record Cards -DD Form 1342). There is flexibility in this guidance to inventory non-accountable property on a gross basis. NAVCOMPT Manual, Chapter 6 provides Navy guidance for inventory control of personal property. In general terms, class 3 and 4 plant property (i.e., personal property) with a value of \$5,000 or more will have a property record card. For BRAC purposes this should be considered accountable property. Property having a value of less than \$5,000 or greater than \$5,000 but with a useful life of less than 2 years is considered minor property. Minor property requires only that adequate internal controls be established. Minor property may be considered non-accountable for BRAC purposes.

Base Closure Law: (1) The provisions of Title II of the Defense Authorization Amendment and Base Closure and Realignment Act (Public Law 100-526); 10 U.S.C. 2687 as amended, or (2) The Defense Base Closure and Realignment Act of 1990 (Part A of Title XXIX of the Public Law 101-510; 10 U.S.C. 2687 note) as amended.

BRIM: DOD Instruction 4165.66-M, Base Reuse Implementation Manual. This manual implements 32 CFR 90 and 91, "Revitalizing Base Closure Communities" and "Revitalizing Base Closure Communities - Base Closure Community Assistance" respectively.

Caretaker Draw Down Plan: A plan that describes the reduction in size and focus of operations of a CSO over a period of time. The plan anticipates changing requirements including the final closing of the CSO.

Caretaker Maintenance: An element of caretaker management. The maintenance performed on laid away facilities to ensure continued weather tightness and security. Initial levels of care (defined below) are normally higher than that required for surplus Government property in the Federal Property Managers Guide (41 CFR § 101-47) which are the standards GSA applies to surplus property it maintains.

Caretaker Management: The actions and funding necessary to protect and maintain inactivated facilities. Protection consists of security and fire protection services, grounds maintenance, and maintenance actions necessary to limit deterioration of facilities that have been identified for reuse. Security services are intended to discourage and detect intrusion; fire protection services are intended to reduce the risk of fire and ensure an initial response to minimize fire damage; maintenance is limited to identifying critical deficiencies and taking minimum action necessary to arrest the deficient condition that, if not corrected, may cause structural damage.

Caretaker Site Office (CSO): A NAVFAC Engineering Field Division/Activity (EFD/EFA) detachment established at a base identified for closure under a base closure law to manage property in a caretaker status until disposal.

Claimancy Transfer: The action transferring custody and control and funding responsibility of all real and remaining personal property at an operationally closed activity to NAVFAC.

Conveyance: Transferring ownership of Government surplus real and personal property at a closing activity to another state or local government, LRA, or the private sector. The authority to convey property is delegated from GSA to DOD for BRAC. Conveyances are initiated by submission of a conveyance request by the recipient. (See disposal)

Core Positions: CSO positions responsible for performing governmental functions. Functions include approval of actions that obligate government funds; community relations; interpretation of Navy, DoD, and federal rules and regulations; acceptance of purchased services and validating invoices; approval of leases and sub-leases; and determination of the scope of caretaker services. Functions NOT included are fire and security, facility maintenance actions (i.e., facility inspection, work identification, and work performance).

Disposal: The transfer of Navy managed excess real and personal property at a closing activity to another DoD activity or federal agency. Authority for disposal of property is independent of BRAC. (See Conveyance)

Environmental Restoration: A comprehensive DoD program to identify and remediate existing hazardous waste sites on DoD installations.

Excess Property: Any property under the control of the Department of Defense that the Secretary of the Navy determines is not required for the needs and the discharge of the responsibilities of the Department.

Facilities: Class 2 property which comprises buildings, structures, and utilities.

Facility Layaway and Caretaker Maintenance Plan: The layaway and maintenance level for each closing facility will be made by the base Commanding Officer in consultation with the LRA. Plans should be incorporated into the Transfer Agreement.

Hazardous Material. Material that has the same properties as hazardous waste but is not classified as waste (i.e., it has use potential).

Hazardous Waste: Waste material (solid, liquid, and gaseous material) that cause or contribute to an increase in mortality or serious illness or may pose a present or potential hazard to human health or the environment when improperly managed.

Host Command: The Navy Command at the closing base that has the Class 1 property on its plant account. This Command is responsible for managing the closure of the base.

Host Major Claimant: The major claimant of the host command.

Initial Level of Care: The initial level of care is normally at a higher level than would otherwise be required by Federal Property Management guidance. This level is determined based on the LRA redevelopment plan and time of expected reuse. After the initial maintenance period has passed, level of care will revert to the minimal allowable.

Initial Maintenance Period: This period is defined in the BRIM as "Where continuing maintenance would foster likely redevelopment, the Military Departments normally will sustain the initial level of maintenance or other levels that support the likely reuse for the later of: One year after

operational closure of the base, or 180 days after the NEPA analysis and decision making for the relevant property (e.g., disposal ROD, post-FONSI disposal decision) has been approved by the Secretary of the Military Department, unless reuse has already been achieved."

Interim Leases: Leases of Navy-controlled real and related personal property to the LRA pending a disposal decision. Interim leases are normally for a duration of one year or less, with renewal option allowed, but total lease period not to exceed five years. These leases are normally used prior to approval of the Record of Decision (ROD) for property disposal.

Jurisdiction: The power and authority of the Federal Government to legislate and exercise executive judicial powers over a certain area of land. When the Federal Government possesses **exclusive** jurisdiction the State has no right to exercise any of its authority within the area except the right to serve civil and criminal process for activities which occurred outside of the area. In areas with exclusive jurisdiction the local government is not able to provide tenants protection under its police powers or provide fire protection services other than under mutual support agreements. Under **partial** jurisdiction the state cedes some jurisdiction rights to the Federal Government. The state retains all legislative and judicial authority not ceded to the Federal Government. **Concurrent** jurisdiction provides both the Federal Government and the State authority. **Proprietary** jurisdiction provides the State full legislative and judicial powers. Under concurrent and proprietary local governments have an obligation to provide police and fire protection services.

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 selected equipment, and ensuring weather tight facilities.

Leases in Furtherance of Conveyance. Leases used by the Navy to allow long term use of Navy controlled property by the anticipated recipient. Use of this type of lease requires that the ROD be approved and that the property is used in accordance with the reuse plan. Leases in furtherance of conveyance are normally used when a property cannot be conveyed because of environmental problems. They are structured so that the lease terminates and the property conveys upon completion of the environmental cleanup.

Local Redevelopment Authority (LRA): Any entity recognized by the Secretary of Defense as having responsibility for developing and implementing the redevelopment plan with respect to the installation.

Operational Closure: 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 has been completed. The Director, Naval Nuclear Propulsion, will determine the date for operational closure for bases where Naval nuclear propulsion work has been performed.

Parcels: A uniquely identifiable and separable collection of facilities, located on a contiguous piece of land. A single closure site may be comprised of several parcels.

Personal Property: Any property except land, fixed-in-place buildings, ships, and federal records.

Real Property: All land (Class 1 property) and facilities (Class 2 property).

Redevelopment Plan: A plan developed by the LRA that provides for the reuse or redevelopment of the real property of the installation. Commonly referred to as "Community Reuse Plan." This plan must be approved by HUD if there is interest expressed by homeless providers. The redevelopment plan is an integral element in conveyance requests and the NEPA record of determination (ROD)

Related Personal Property: Any personal property which 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 removal would significantly diminish the value of the real property. Any other personal property identified that the Secretary of Defense determines to be related to real property and anticipates will support the implementation of the redevelopment plan with respect to the installation.

APPENDIX B

KEY REFERENCE MATERIAL

KEY REFERENCE MATERIAL**Law:**

- (1) Public Law 104-106 National Defense Authorization Act for Fiscal Year 1996
Revision to Base Closure Law 03-421 Base Closure Community Redevelopment and Homeless Assistance Act of 1994
Established new requirements for homeless actions under BRAC
- (3) Title XXIX of Public Law 103-160, National Defense Authorization Act for Fiscal Year 1994
Revision to Base Closure Law - "Pryor" amendment.
- (4) Title XXIX of Public Law 101-510; 10 U.S.C. 2687 National Defense Authorization Act for Fiscal Year 1990 as amended
Law that implemented base closures rounds referred to as BRAC 91, BRAC 93 and BRAC 95 or as BRAC II, BRAC III, and BRAC IV.
- (5) Title II of Public Law 100-526; 10 U.S.C. 2687, National Defense Authorization Act for Fiscal Year 1988 as amended
Law initiated first round of base closures and is referred to as BRAC 88 or as BRAC I.

DOD:

- (1) 32 CFR Parts 90 and 91, Revitalizing Base Closure Communities and Community Assistance, July 20, 1995
Final rule implementing "Pryor Amendment" changes to the Base Closure Laws.
- (2) DOD Manual 4165.66, Base Reuse Implementation Manual, July 1995
Guidance for implementing the Base Closure Community Assistance Act of 1993 and the Base Closure Community Redevelopment and Homeless Assistance Act of 1994.

CNO:

- (1) CNO letter 11000 Ser N444B/4U594837 of 6 October 1994
Subj: BASE REALIGNMENT AND CLOSURE (BRAC) FACILITY LAYAWAY AND CARETAKER MAINTENANCE STANDARDS (Base Closure 032)
Letter transmitted Base Realignment and Closure Facility Layaway and Caretaker Maintenance Standards of September 1994.
- (2) CNO letter 11000 Ser N444B/4U594556 of 6 May 1994
Subj: BASE REALIGNMENT AND CLOSURE (BRAC) LAYAWAY AND CARETAKER MAINTENANCE LEVEL PLAN (Base Closure 028A)
Message provided guidance for development of layaway and caretaker plans. Plans to be developed not later than 12 months prior to operational closure.
- (3) CNO letter 11000 Ser N444/4U594317 of 4 February 1994
Subj: NAVY POLICY ON DISPOSITION OF PERSONAL PROPERTY ON CLOSING AND REALIGNING BASES (Base Closure 029)
Letter provided interim guidance for disposition of personal property . Was superseded by Deputy Secretary of Defense memo of 30 March 1994.

B-1

- (4) CNO Washington DC 042034Z January 1994
 Subj: BASE REALIGNMENT AND CLOSURE (BRAC) LAYAWAY AND MAINTENANCE RESPONSIBILITIES (Base Closure 028)
Message further defined "operational closure" and identified responsibilities for layaway and caretaker functions. Provided caretaker maintenance level guidance (i.e., six levels).
- (5) CNO Washington 11000 Ser N444B/3U584177 16 Mar 93
 Subj: MAJOR CLAIMANCY FOR NAVY BASE DISPOSAL
Letter to NAVFAC tasking the command with BRAC responsibilities identified in Ref (10). Requested corporate plan detailing how this new mission would be undertaken.
- (6) CNO Washington DC 162120Z Mar 93
 Subj: MAJOR CLAIMANCY FOR NAVY BASE DISPOSAL (Base Closure 020)
Message provides rationale for assigning NAVFAC base closure claimancy mission. Mission assigned NAVFAC, with respect to BRAC, and conditions of claimancy transfer outlined.
- (7) CNO Washington 11000 Ser N443/3U592353 1 Feb 93
 Subj: COMMERCIAL ACTIVITIES (CA) PROGRAM; WAIVER OF REQUIREMENTS AT BASE CLOSURE SITES (Base Closure 019)
Letter waived CA requirements at BRAC closing bases.
- (8) CNO Washington DC 140027Z SEP 91
 Subj: GUIDANCE FOR BASE CLOSURE AND REALIGNMENT IMPLEMENTATION (Base Closure 001)
Message provided initial guidance for the pending '91 base closure announcement - addressed budget requirements, community relations, and reliance on chain-of-command to manage program.

NAVFAC:

- (1) COMNAVFACENGCOM letter Ser 112/96-239 of 27 Aug 96
 Subj: POLICY GUIDANCE ON COOPERATIVE AGREEMENTS
Letter provides guidance for the use of cooperative agreements at BRAC closure sites. Standard "boiler plate" clauses for general provisions, sample format, and the implementing process with time line.
- (2) COMNAVFACENGCOM letter of 20 Dec 95
 Subj: CONTRACTING WITH LOCAL COMMUNITIES FOR FIRE AND POLICE SERVICES AT CLOSING BASES (82-95)
Letter provides implementing guidance for contracting with local communities for police and fire protection as authorized under the Pryor Amendment when jurisdiction issues may otherwise preclude such actions.
- (3) Replace COMNAVFACENGCOM letter 11000 Ser 63/078 of 9 Aug 94
 Subj: BASE CLOSURE AND REALIGNMENT (BRAC) DISESTABLISHMENT PROCEDURES FOR ENGINEERING FIELD DIVISIONS
Letter provides guidance for reassignment of established activity's real property records.
- (4) COMNAVFACENGCOM letter 11000 Ser 633/066 of 23 Jun 94
 Subj: CLAIMANCY TRANSFER OF OPERATIONALLY CLOSED BASES
Letter revised earlier guidance for executive memorandum of understandings, Transfer Agreements, and joint letters of transfer. Joint letter of transfer replaced by Letter of Property Transfer.

- (5) COMNAVFACENGCOM letter 11000 Ser 632/010 of 28 December 1993
Subj: CARETAKER SITE OFFICES (CSO) AT BASE CLOSURE SITES
Letter provides guidance for establishing CSOs. Tentative closure dates and staffing levels provided. Letter provided guidance as to how caretaker expenses are to be charged.

- (6) COMNAVFACENGCOM letter 63 of 07 September 1993
Subj: CLAIMANCY TRANSFER OF OPERATIONALLY CLOSED BASES
Discussed executive memorandum of understanding, Transfer Agreements and joint letter of transfers and provided proposed models of each. Superseded by COMNAVFACENGCOM letter 11000 Ser 633/066 of 23 June 1994.

- (7) Subj: ESTABLISHMENT OF CARETAKER SITE OFFICES AT BASE CLOSURE SITES
Letter authorizes EFDs/EFAs to increase civilian end strength for closure sites in fiscal year prior to claimancy transfer upon execution of the transition agreement.

- (8) NAVFAC letter 11000 622/Ser 035 of 16 March 1994
Subj: BASE CLOSURE PROGRAM INFORMATION MANAGEMENT (IM)
Letter transmitted guidance for using existing information systems for identifying and tracking BRAC funds.

- (9) COMNAVFACENGCOM letter of 30 April 1994
Subj: MAJOR CLAIMANCY FOR NAVY BASE DISPOSAL
Letter acknowledged BRAC tasking by CNO Washington 11000 Ser N444B/3U584177 16 March 1993 and provided by enclosure BRAC Program Execution Plan.

Appendix C

Program Requirements for CSOs *

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* This list is not all inclusive, EFD/EFA functional managers should be consulted as appropriate. Local determination must be made as to which requirements apply to any given site.

PROGRAM REQUIREMENTS FOR CARETAKER SITE OFFICES (CSO)

Definitions

Program: These are programs the working group determined may be applicable to a CSO

Priority: Rank in terms of importance: 1=Legally binding, 2=DoD/Navy guidance, 3=recommended, if applicable, 4=Follow EFD/EFA policy (This may determine whether a local instruction needs to be developed, what reports and records are required, and final disposition. CSO should complete their matrix for their specific site in consultation with their EFD/EFA.)

Implementation Regulation: This is the law or regulation that mandates program requirements.

Develop Supplemental Guidance: CSO develop site specific plan as appropriate. CSO may review/adopt/revise existing instructions.

Reports: This column lists whether a report is required, possibly required, or not required. See implementation regulation.

Records: Does documentation need to be maintained at CSO

Records Disposition: How long records need to be maintained on site or in archives. In cases of conflict, the longer retention time was used. Coordinate with the EFD/EFA to determine when and where records are sent for final disposition. LRA may require a copy.

This matrix is not a substitute for consulting implementation regulations.

TITLE	DISPROGRAM	PRIORITY	IMPLEMENTATION REG	DEVELOP L	RPTS	RECOR	RECORD DIS	REMARKS
ENVIRONMENTAL GUIDANCE								
AIR								
	AIR EMISSION SOURCE RECORDS	1	40 CFR 60 NATIONAL EMISSIONS STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAPS), 40 CFR 70, 5090.1B (5-6.5(i)), STATE	CHECK STATE REQ.	CHECK STATE REQ.	YES	3 YEARS	ACTIVITIES SHALL MAINTAIN CURRENT RECORDS OF PHYSICAL, OPERATIONAL, AND EMISSION CHARACTERISTICS OF AIR SOURCES. FILES MAINTAINED FOR ALL MEASUREMENTS (40 CFR 60). STATES OR PERMIT MAY REQUIRE LONGER RETENTION OF RECORDS.
	EMISSION REDUCTION CREDITS (ERC)	1	48 CFR CH. 1, 41 CFR SUBPART H, EO 12856, DoD DIRECTIVE 4170.10, 20 CFR 372, STATE, 5090.1B, (5-5.5)	NO	NO	YES	3 YEARS	FOR CLOSING BASES IN STATES WHERE A SYSTEM EXIST FOR ERCs, ERCs SHALL BE UTILIZED AND DISPOSED OF PER DoN AND DoD POLICY . STATES MAY REQUIRE LONGER RETENTION OF RECORDS.
	OZONE DEPLETING SUBSTANCES	1	40 CFR 82	YES	NO	YES	3 YEARS	HVAC&R EQUIP. MUST BE INSPECTED AND REPAIRED/REPLACED AS NECESSARY. ONLY EPA CERTIFIED TECH. MAY SERVICE HVAC&R EQUIP/APPLIANCES AND ONLY EPA APPROVED RECOVERY EQUIP. MAY BE USED. STATES MAY REQ. LONGER RETENTION OF RECORDS.
	OZONE DEPLETING SUBSTANCES	1	40 CFR 82.166	NO	NO	YES	3 YEARS	MAINTAIN REFRIGERANT RECORDS FOR REFRIGERATION EQUIP'T AND APPLIANCES THAT CONTAIN > 50 LBS OF REFRIGERANT.
	OZONE DEPLETING SUBSTANCES	1	40 CFR 82.156	NO	NO	YES	3 YEARS	ODS MUST BE REMOVED FROM APPLIANCES AND EQUIP. PRIOR TO DISPOSAL. COMMERCIAL OR INDUST. REFRIG. EQUIP. MUST BE REPAIRED WHEN LEAKAGE IS > 35% OF CHARGE OVER 12 MO. LEAKS IN APPLIANCES WITH > 50 LBS REFRIGERANT MUST BE REPAIRED WHEN LEEK IS >15% OF CHG.

	TITLE V AIR OPERATING PERMITS	1	40 CFR 70, 77, 5090.1B (5-3.21), CNO TITLE V OPERATING PERMITS PROGRAM SUMMARY AND POLICY GUIDANCE OF 20 DEC 95	CHECK	YES	YES	3 YEARS	A FEDERAL ENFORCEABLE DOCUMENT ISSUED BY THE STATE TO SIGNIFICANT STATIONARY SOURCES OF AIR POLLUTION. STATES MAY REQUIRE LONGER RETENTION OF RECORDS.
ASBESTOS								
	ASBESTOS OPERATION & MAINTENANCE PLAN	2	OPNAVINST 5100.23	YES	YES	YES	INDEFINITE	RECORDS PER SECNAVINST 5212.10A.
	ASBESTOS SURVEY	2	5090.1B, CNO LTR 5090 N454/6U39573 OF 4 NOV 86	NO	YES*	YES	INDEFINITE	* SURVEY WILL BE USEFUL FOR DOCUMENTATION AND DISCLOSURE DURING PROPERTY TRANSFER PROCESS. RECORDS PER SECNAVINST 5212.10A.
	ASBESTOS WORK	1	40 CFR 61 (NESHAP)	NO	YES*	YES	INDEFINITE	* NOTIFICATION OF WORK TO COGNIZANT AGENCY IS REQUIRED.
EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA) & POLLUTION PREVENTION								
	EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA) REPORTING	1	40 CFR 355, EO 12856, 5090.1B, (4-5.1(a))	NO	YES	YES	3 YEARS	SUBMISSION OF INFORMATION ON CHEMICAL. IMMEDIATE NOTIFICATION OF RELEASES OF EXTREMELY HAZARDOUS SUBSTANCES AND HAZARDOUS SUBSTANCES DEFINED UNDER CERCLA (4-22). REPORTING IS A CLASS I PROPERTY OWNER RESPONSIBILITY).
	POLLUTION PREVENTION PLANS	2	5090.1B, (3-6.6(b), 3-5.4, 4-6.6(d))	YES	NO	YES	3 YEARS	FOR FACILITIES NOT SCHEDULED FOR OP CLOSED BY 31 DEC 97, DEVELOP AND IMPLEMENT A P2 PLAN. INCORPORATED IN THIS PLAN MAY BE THE HMC&M PLAN, HWMP, HW MINIMIZATION PLAN, STORMWATER POLLUTION PLAN, HWMP, ODS PHASEOUT PLAN.
	TOXIC RELEASE INVENTORY (TRI) REPORTING	1	EO 12856, CNO LTR N451C/5597614 OF 25 APR 95, 5090.1B, (4-5.1 (e)), (4-5.1(f))	NO	YES	YES	3 YEARS	FACILITIES NOT SCHED. FOR OP CLOSURE BY 31 DEC 97 SHALL DETERMINE IF THEY MEET THE REQUIREMENTS FOR TRI REPORTING. FACILITIES SCHEDULED FOR OPERATIONAL CLOSURE BY 31 DEC 97 SHALL BE REPORTED FOR TRI BY MAJOR CLAIMANT USING AN ESTIMATION TECHNIQUE.
HAZMAT & HAZWASTE								
	AUTHORIZE USE LIST	2	OPNAVINST 4110.2	YES	NO	YES	UNTIL PROPERTY TRANSFER	

	EMERGENCY RESPONSE PLAN FOR TSD (TREATMENT, STORAGE, DISPOSAL) FACILITY	1	29 CFR 1910.120	YES*	YES	YES	3 YEARS	*REQUIRED IF FACILITY TREATS OR STORES FOR MORE THAN 90 DAYS, OR DISPOSES WASTE.
	HAZARDOUS MATERIAL CONTROL AND MANAGEMENT (HMC&M) CSO SOP	2*	OPNAVINST 5100.23D /4110.2, EO 12856 & 40 CFR 300	YES	NO	YES	3 YEARS	* PORTIONS OF THIS PROGRAM ARE REQUIRED BY LAW. THOSE LEGAL REQUIREMENTS ARE MOSTLY SUMMARIZED IN OTHER PROGRAMS LINE ITEMS (HAZWASTE, OCCUPATIONAL SAFETY AND HEALTH. ETC...).
	HAZARDOUS WASTE REPORTS	1	40 CFR 262, 264, 265, 5090.1B, 12-6.7(e), 12-5.4 AND 12-4.1(g)	NO	YES	YES	3 YEARS	NAVY GENERATORS SHALL SUBMIT A HW ANNUAL REPORT TO NFESC BY 1 FEB AND BIENNIAL (OR ANNUAL DEPENDING ON STATE) TO THE STATE BY 1 MAR.
	HAZARDOUS WASTE MANAGEMENT PLAN (CSO SOP)	2	5090.1B, (12-6..7(A), 2-5.3)	YES*	YES	YES	3 YEARS	*GENERATORS OF HW SHALL DEVELOP A HWMP OR AN HW MANAGEMENT COMPONENT IN ITS POLLUTION PREVENTION (P2) PLAN. MAINTAIN INSPECTION LOG.
	HAZARDOUS WASTE MANIFEST	1	40 CFR 264.71, 5090.1B	NO	NO	YES	3 YEARS	
	HAZARDOUS WASTE MINIMIZATION PLAN	2	5090.1B, (3-5.4)	YES	NO	YES	3 YEARS	
	HAZARDOUS WASTE TRAINING RECORDS	1	40 CFR 265.16	NO	NO	YES	* 3 YEARS	HW TRAINING RECORDS OF CURRENT EMPLOYEES KEPT CURRENT AND ON FILE UNTIL CLOSURE. FORMER EMPLOYEE RECORDS MAINTAINED FOR AT LEAST THREE YEARS FROM THE DATE OF LAST EMPLOYMENT. * 3 YEARS FROM LAST DATE PERSON WORKED WITH HAZWASTE.
OIL & HAZARDOUS SUBSTANCES & OIL MANAGEMENT								
	OHS SPILL RESPONSE PLAN	1*	40 CFR 300.150, 5090.1B, (10-5.2.2)	YES	YES	YES	3 YEARS	PLANS SHOULD BE COORDINATED WITH NOSC AND STATE AND LOCAL AUTHORITIES. PLAN SHOULD BE KEPT CURRENT AND REVIEWED AND UPDATED ANNUALLY. *REQ. DEPENDS ON QTYS. STORED.
	SPILL PREVENTION CONTROL COUNTERMEASURE (SPCC) PLAN	1	40 CFR 112, 5090.1B, (9-6.4(a), 9-4.2)	YES*	YES	YES	3 YEARS	UPDATED ON A TRIENNIAL BASIS AND SIGNED BY A REGISTERED PE. *PLANS ARE NOT REQUIRED IF LESS THAN 1,320 GAL. STORED ABOVE GROUND PROVIDED EACH CONTAINER LESS THAN 660 GAL.

	USED OIL RECYCLING PROGRAM	2	DoD, 5090.1B, (906.4(d), 9-4.3, 9-5.3)	NO	NO	YES	3 YEARS	ACTIVITIES MUST MAXIMIZE THE SEGREGATION, RECYCLE AND REUSE OF USED OIL. OIL SHALL BE RECYCLED WITHIN NAVY WHENEVER TECHNICALLY AND ENVIRONMENTALLY FEASIBLE.
PESTICIDES								
	PEST MANAGEMENT	2*	5090.1B, (13-5.4), OPNAVINST 6250.4a, DoD DIR. 4150.7	YES	YES	YES	3 YEARS	INSTALLATIONS THAT CONDUCT PESTICIDE MANAGEMENT OPERATIONS WHETHER BY CONTRACT OR IN-HOUSE SHALL DEVELOP AND IMPLEMENT A WRITTEN COMPREHENSIVE PEST MANAGEMENT PLAN IF PEST. MGT. EFFORTS EXCEED 0.5 WORK YEAR. *CERTIFIED APPLICATORSS ARE REQ. BY LAW.
POLYCHLORINATED BIPHENYLS (PCB)								
	POLYCHLORINATED BIPHENYLS (PCB) ANNUAL REPORT	2*	5090.1B, (11-5.2, 11-6.5(g))	NO	YES	YES	3 YEARS	ACTIVITIES THAT GENERATE, USE, TREAT, STORE/DISPOSE OF PCBs SHALL ANNUALLY INVENTORY & VALIDATE ALL PCBs & PCB ITEMS. COPIES OF THE REPORT SHALL BE FORWARDED TO THE MAJOR CLAIMANT BY 31 JAN, WHO WILL FORWARD TO NFESC BY 28 FEB. *CK STATE FOR REPORT REQ.
	POLYCHLORINATED BIPHENYLS (PCB) ELIMINATION PLAN	2	5090.1B, (11-6.5 (i))	YES*	NO	YES	3 YEARS	*UPDATED ANNUALLY UNTIL ALL REGULATORY REQUIREMENTS AND NAVY GOALS CONCERNING THE ELIMINATION OF PCBs HAVE BEEN MET. BRAC CLEANUP PLAN WILL SUFFICE.
	POLYCHLORINATED BIPHENYLS (PCB) RECORDS	1	40 CFR 761, 5090.1B	NO	NO	YES	3 YEARS	
POTABLE WATER								
	BACKFLOW PREVENTION PROGRAM	2	5090.1B, (8-5.4, 8-6.4(m)), STATE	NO	NO	YES	10 YEARS	OWNERS & OPERATORS OF DRINKING WATER SUPPLY SHALL ENSURE CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION PROGRAM IS DEVELOPED AND IMPLEMENTED.
	LEAD AND COPPER	2	5090.1B, STATE	NO	YES	YES	10 YEARS	IF ACTION LEVEL IS EXCEEDED CORROSION CONTROL PROGRAM MAY NEED TO BE DEVELOPED.
	OPERATIONS & MAINTENANCE FOR DRINKING WATER SYSTEMS	2	5090.1B, (8-5.10); STATE AND LOCAL	YES	NO	YES	10 YEARS	OWNERS AND OPERATORS OF DRINKING WATER SYSTEMS SHALL DEVELOP AND IMPLEMENT AN O&M PROGRAM APPLICABLE TO THAT SYSTEM.

	POTABLE WATER RECORDS	1	40 CFR 141	YES	YES	YES	* VAR.	*SAMPLING RECORDS MAINT. FOR 10 YRS. RECORDS OF ACTION TO CORRECT DEFICIENCIES MAINT. FOR 3 YRS. REPORT SUMMARIES OR COMMUNICATION ON SANITARY SURVEYS OF THE SYSTEM MAINT. FOR 10 YRS. RECORDS OF GRANTED VARIANCES OR EXEMPT MAINT. FOR 5 YEARS.
REGULATORY ACTIONS & PROGRAM MANAGEMENT								
	A106 REPORT	2	5090.1B, (1-4.1.1); CNO LTR 5090 N457C/5U596090 OF 24 MAR 96	NO	YES	YES	EFD/A MAINTAIN	ALL ENVIRONMENTAL COST SHALL BE ENTERED INTO THE A-106 SYSTEM AND REPORTED SEMI-ANNUALLY TO MAJOR CLAIMANT ON 30 MAR AND 30 SEP, WHO IN TURN WILL REPORT TO CNO, WHO WILL THEN REPORT TO EPA.
	ENVIRONMENTAL COMPLIANCE EVALUATIONS (ECEs)	2	5090.1B, (20-6.4(a)(b)); NAVFACINST 11000.4	NO	NO	NO		ACTIVITIES ARE REQUIRED TO CONDUCT TIER I ANNUAL SELF-ECEs AND DEVELOP AND EXECUTE PLAN OF ACTION FOR ACHIEVING COMPLIANCE. TIER II ECEs WILL BE CONDUCTED EVERY 3 YEARS AND WILL BE AN INFORMAL SITE VISIT VICE AN IN-DEPTH AUDIT.
	REPORT OF RECEIPT OF NOTICES OF VIOLATION AND NONCOMPLIANCE (NOVs/NONs)	2	5090.1B, (1-2.9)	NO	YES	YES	EFD/A MAINTAIN	ACTIVITIES ARE REQUIRED TO NOTIFY CNO BY MESSAGE OF RECEIPT OF NOVs/NONs PER APPENDIX B OF 5090.1B
SOLID WASTE								
	SOLID WASTE MANAGEMENT PLAN (SWMP)	2	5090.1B, (14-5.2, 14-6.4(a)), (14--6.4(d))	YES	YES*	YES	2 YEARS	PLAN TO USE AS TOOL FOR DEVELOPING AND MAINTAINING A SW PROGRAM THAT IS IN COMPLIANCE WITH FEDERAL, STATE AND LOCAL LAWS AND REGULATIONS. *PROVIDE ANNUAL REPORT TO NFESC NLT 1 FEB IF >1 TON/DAY.
STORAGE TANKS								
	ABOVE GROUND STORAGE TANK MANAGEMENT	2*	5090.1B	NO	NO	NO		USE BEST MGT. PRACTICES. *MANAGEMENT AND CLOSURE PER STATE REQ. IF ANY.
	UNDERGROUND STORAGE TANK MANAGEMENT	1	40 CFR 280.33, 40 CFR 280.34, 5090.1B	YES*	YES*	YES	3-5 YEARS	*BCP MAY SUFFICE FOR MGT. PLAN. COORD. RELEASE AND CLOSURE REPORTS WITH EFD/A.
WATER								
	STORMWATER MANAGEMENT PLANS	2	5090.1B, 7-6.3(k). 7-5.4	YES*	YES*	YES*	20 YEARS	SEE SECTION OF MANUAL 5090.1B. * VERIFY IF MGT. PLAN REQUIRED BY NPDES PERMIT.

	WASTEWATER RECORDS	1	40 CFR 122	YES*	YES	YES	15 YEARS	WW MONITORING RECORDS MAINT. FOR 3 YRS. WW LAB EQUIP. CALIBRATION RECORDS MAINTAINED FOR 3 YRS. * RECORDS OF SLUDGE MONITORING MAINT. FOR 5 YRS. WW FACILITY LOGS MAINT. WW LAB QA RECORDS MAINT. WWTP O&M MANUAL MAINT.
GENERAL CSO GUIDANCE								
ADMINISTRATION								
	BUDGET AND COST ACCOUNTING	4	NAVCOMPT MANUAL	*	*	*	*	* PRIORITY 4 ITEMS NEED TO BE FILLED OUT IN CONSULTATION WITH EFD/EFA.
	CIVILIAN PERSONNEL REGULATIONS	4	FEDERAL PERSONNEL MANUAL	*	*	*	*	* PRIORITY 4 ITEMS NEED TO BE FILLED OUT IN CONSULTATION WITH EFD/EFA.
	FACILITY KEY CONTROL	3	NO INSTRUCTION	YES*	NO	YES*		*DEVELOP ONLY IF NECESSARY.
	MILITARY PERSONNEL REGULATIONS.	4	MILITARY PERSONNEL MANUAL	*	*	*	*	* PRIORITY 4 ITEMS NEED TO BE FILLED OUT IN CONSULTATION WITH EFD/EFA.
	PROCUREMENT AND ACQUISITION	4	FEDERAL ACQUISITION REGULATIONS (FAR)	*	*	*	*	* PRIORITY 4 ITEMS NEED TO BE FILLED OUT IN CONSULTATION WITH EFD/EFA.
	PUBLIC AFFAIRS	4	SECNAVINST 5720.44A	*	*	*	*	* PRIORITY 4 ITEMS NEED TO BE FILLED OUT IN CONSULTATION WITH EFD/EFA.
	RECORDS MANAGEMENT AND DISPOSITION	4	NAVFACINST 5212.9C	*	*	*	*	* PRIORITY 4 ITEMS NEED TO BE FILLED OUT IN CONSULTATION WITH EFD/EFA. CROSS CHECK FOR REQ. UNDER HARP.
	TRAINING AND EMPLOYEE DEVELOPMENT	4	FEDERAL PERSONNEL MANUAL	*	*	*	*	* PRIORITY 4 ITEMS NEED TO BE FILLED OUT IN CONSULTATION WITH EFD/EFA.
FACILITY MANAGEMENT & MAINTENANCE								
	BOILER AND PRESSURE VESSEL CERTIFICATIONS	2*	CNO LTR. OP44E/pac SER. 3457P44 OF 22 OCT. 1970?	NO	YES	YES	5 YEARS	*CHECK STATE REQ.
	COOPERATIVE AGREEMENT MANAGEMENT	1	OMB CIRC. A-87 AND A-102, DoD INST. 3210.6R	NO	YES	YES	3 YEARS	IF APPLICABLE.
	FACILITY RECORDS AND DRAWINGS MANAGEMENT	4	BASE REUSE IMPLEMENTATION MANUAL (BRIM), SECNAVINST 5212.5C	*	*	*	*	* PRIORITY 4 ITEMS NEED TO BE FILLED OUT IN CONSULTATION WITH EFD/EFA. VERIFY THERE ARE NO RECORDS/PLANS OF EXCEPTIONAL VALUE BASED ON THEIR OWN MERIT.

	HAZARDOUS WEATHER AND DISASTER PREPAREDNESS	2	NAVFACINST 11000.4	YES	NO	NO		
	INSPECTION AND REPAIR RECORDS	2	BASE REUSE IMPLEMENTATION MANUAL (BRIM), AND BRAC GRAM 32	NO	NO	YES	MAINTAIN UNTIL TRANSFER	
	MAINTAIN AT APPROPRIATE MAINT. LEVEL	2	BASE REUSE IMPLEMENTATION MANUAL (BRIM), AND BRAC GRAM 32	NO	NO	YES	MAINTAIN UNTIL TRANSFER	
	RAIL CERTIFICATIONS	3	NAVFACINST 11230.1C	NO	YES	YES	2 YEARS	ONLY IF RAIL IS IN USE. LESSEE WILL NEED TO BE RESPONSIBLE.
FIRE, POLICE & SECURITY								
	FIRE PREVENTION REGULATIONS	2*	NAVFACINST 11000.4, IV,1.a.(3); NFPA AND LOCAL CODES AS APPLICABLE	NO	NO	NO		*CHECK LOCAL CODES.
	PHYSICAL SECURITY AND LOSS PREVENTION	2	NAVFACINST 11000.4, IV,1.a.(1): OPNAVINST 5530.14	YES	NO	NO		
	POLICE AND WEAPONS	2	NAVFACINST 11000.4, IV,1.a.(2): OPNAVINST 5530.13	YES	*	*		* IF DoD POLICE ARE PRESENT, REPORTS AND RECORDS WILL BE NECESSARY.
HISTORIC & ARCHEOLOGICAL RESOURCES PROTECTION (HARP)								
	ARCHEOLOGY SURVEY	1	NATIONAL HISTORIC PRESERVATION ACT (NHPA), 5090.1B, CH. 23	NO	YES*	YES	PERM.	CSO MAINTAINS OPERATIONAL COPY UNTIL TRANSFER. *SEE/CHECK PROGRAMMATIC AGREEMENT REPORTING REQUIREMENTS.
	HISTORIC AND ARCHEOLOGICAL RESOURCES PROTECTION PLAN (HARP)	1	NATIONAL HISTORIC PRESERVATION ACT (NHPA), 5090.1B, CH. 23	NO	YES*	YES	PERM.	CSO MAINTAINS OPERATIONAL COPY UNTIL TRANSFER. *SEE/CHECK PROGRAMMATIC AGREEMENT REPORTING REQUIREMENTS.
	INVENTORY OF HISTORICAL BUILDINGS AND STRUCTURES	1	NATIONAL HISTORIC PRESERVATION ACT (NHPA), 5090.1B, CH. 23	NO	YES*	YES	PERM.	CSO MAINTAINS OPERATIONAL COPY UNTIL TRANSFER. *SEE/CHECK PROGRAMMATIC AGREEMENT REPORTING REQUIREMENTS.

	NATIVE AMERICAN GRAVES PROTECTION & REPATRIATION (NAGPRA) STATUS	1	NATIONAL HISTORIC PRESERVATION ACT (NHPA), 5090.1B, CH. 23, NAGPRA	NO	YES*	YES	PERM.	CSO MAINTAINS OPERATIONAL COPY UNTIL TRANSFER. *SEE/CHECK PROGRAMMATIC AGREEMENT REPORTING REQUIREMENTS.
	OTHER CULTURAL RESOURCES	4	NATIONAL HISTORIC PRESERVATION ACT (NHPA), 5090.1B	NO	YES*	YES	PERM.	DEVELOP AS NEEDED. CSO MAINTAINS OPERATIONAL COPY UNTIL TRANSFER. *SEE/CHECK PROGRAMMATIC AGREEMENT REPORTING REQUIREMENTS.
	TRADITIONAL CULTURAL PROPERTY SURVEY (TCP)	1	NATIONAL HISTORIC PRESERVATION ACT (NHPA), 5090.1B, CH. 23	NO	YES*	YES	PERM.	CSO MAINTAINS OPERATIONAL COPY UNTIL TRANSFER. *SEE/CHECK PROGRAMMATIC AGREEMENT REPORTING REQUIREMENTS.
LEASING								
	JOINT FACILITY INSPECTIONS	2	BASE REUSE IMPLEMENTATION MANUAL (BRIM), (DoD 4165.66-M)	NO	NO	YES	HELD UNTIL TRANSFER	
	LEASE REVIEW	2	BASE REUSE IMPLEMENTATION MANUAL (BRIM), (DoD 4165.66-M)	NO	NO	NO		
	RECURRING LEASE ENFORCEMENT INSPECTIONS	2	BASE REUSE IMPLEMENTATION MANUAL (BRIM), (DoD 4165.66-M)	NO	NO	YES	HELD UNTIL TRANSFER	INCLUDING ENVIRONMENTAL COMPLIANCE.
	REVIEW FACILITY ALTERATIONS	4	BASE REUSE IMPLEMENTATION MANUAL (BRIM), (DoD 4165.66-M)	*	*	*	*	IF HISTORIC STRUCTURE OBTAIN SHPO CONCURRENCE. * PRIORITY 4 ITEMS NEED TO BE FILLED OUT IN CONSULTATION WITH EFD/EFA.
	UTILITY COLLECTIONS	4	BASE REUSE IMPLEMENTATION MANUAL (BRIM), (DoD 4165.66-M)	*	*	*	*	* PRIORITY 4 ITEMS NEED TO BE FILLED OUT IN CONSULTATION WITH EFD/EFA.
OCCUPATIONAL SAFETY & HEALTH								
	ASBESTOS	1	29 CFR 1910.1001, OPNAVINST 5100.23D	NO	NO	YES	INDEF.	RECORDS INCLUDE INVENTORIES, INSPECTION RECORDS, SAMPLING, ETC.

	CONFINED SPACE PROGRAM	1	29 CFR 1910.146, OPNAVINST 5100.23D	YES*	NO	YES	VAR *	*FOLLOW EFD/EFA PROGRAM RQMTS. SITE SPECIFIC PROCEDURES & DOCUMENTATION RQMTS MUST BE DEVELOPED AND MAINTAINED LOCALLY AS REQUIRED BY THE EFD/EFA OSH MANAGER.
	CSO SAFETY STANDARD OPERATING PROCEDURES (SOP)	2	OPNAVINST 5100.23D, NAVFACINST 5100.11J	YES*	YES*	YES	5 YRS	*FOLLOW EFD/EFA PROGRAM RQMTS. SITE SPECIFIC PROCEDURES & DOCUMENTATION RQMTS MUST BE DEVELOPED AND MAINTAINED LOCALLY AS REQUIRED BY THE EFD/EFA OSH MANAGER.
	HAZWOPER AND HAZWASTE	1	29 CFR 1910.120	NO	NO	YES	5 YEARS	FOLLOW EFD/EFA PROGRAM REQUIREMENTS
	MISHAP REPORTING (GOVERNMENT EMPLOYESS)	1	29 CFR 1960.29, OPNAVINST 5100.23D	NO	YES	YES	5 YEARS	
	MISHAP REPORTING (NON-GOVERNMENT EMPLOYESS)	2	5100.23D, NAVFAC LTR. SER. 1573/40K1 OF 25 MARCH 1996	NO	YES	YES	5 YEARS	
	RESPIRATORY PROTECTION	1	5100.23D	NO	NO	YES	5 YEARS	
	SAFETY INSPECTIONS AND ABATEMENT (GOVERNMENT OCCUPIED SPACES)	1	29 CFR 1960.26, OPNAVINST 5100.23D	YES*	YES	YES	5 YRS	*FOLLOW EFD/EFA PROGRAM RQMTS. SITE SPECIFIC PROCEDURES & DOCUMENTATION RQMTS MUST BE DEVELOPED AND MAINTAINED LOCALLY AS REQUIRED BY THE EFD/EFA OSH MANAGER FOR NAVY OCCUPIED FACILITIES. OTHER FACILITIES DOCUMENT PER LAYAWAY STANDARD RQMTS.
	SAFETY INSPECTIONS AND ABATEMENT (NON-GOVERNMENT OCCUPIED SPACES)	2	OPNAVINST 5100.23D	YES*	YES	YES	5 YRS	*FOLLOW EFD/EFA PROGRAM RQMTS. SITE SPECIFIC PROCEDURES & DOCUMENTATION RQMTS MUST BE DEVELOPED AND MAINTAINED LOCALLY AS REQUIRED BY THE EFD/EFA OSH MANAGER FOR NAVY OCCUPIED FACILITIES. OTHER FACILITIES DOCUMENT PER LAYAWAY STANDARD RQMTS.
	SCREENING AND MEDICAL SURVEILLANCE	1	5100.23D	NO	NO	YES	50 YEARS	
	WRITTEN HAZARDOUS COMMUNICATION PROGRAM	1	29 CFR 1910.12001, OPNAVINST 4110.2 7.B, 5100.23D	YES	NO	YES	5 YEARS	ACTIVITY TO DEVELOP WRITTEN HAZCOM PROGRAM.
ORDNANCE								

	MAGAZINES	1	OPNAVINST OP-5	NO	NO	* YES	UNTIL PROPERTY TRANSFER	VERIFY MAGAZINES ARE EMPTY, CLEAN OF ALL EXPLOSIVE/HAZARDOUS MATERIAL, VOID OF ALL ORDNANCE MARKINGS, NOTICES AND EXPLOSIVE LIMITS, AND HAS BEEN FINAL INSPECTED BY THE APPROPRIATE DEPARTING ACTIVITY PERSONNEL. *MAINTAIN A COPY OF THE FINAL INSPECTION.
	ORDNANCE RANGES	1	OPNAVINST OP-5, CH. 2	NO	NO	* YES	UNTIL PROPERTY TRANSFER	VERIFY RANGES ARE CLEAN OF EXPLOSIVE/HAZARDOUS MATERIAL, VOID OF ORDNANCE MARKINGS, NOTICES AND EXPLOSIVE LIMITS, AND HAS BEEN FINAL INSPECTED IN ACCORDANCE WITH THE REMEDIATION PLAN APPROVED BY DDESB. *MAINTAIN A COPY OF THE FINAL INSPECTION.
PROPERTY MANAGEMENT								
	ACCOUNTING AND REPORTING OF CLASS 1 AND 2 PROPERTY	4	NAVFAC E-1 (SOFTWARE)	*	*	*	*	* PRIORITY 4 ITEMS NEED TO BE FILLED OUT IN CONSULTATION WITH EFD/EFA.
	CIVIL ENGINEERING SUPPORT EQUIP. (CESE)	3	LANTDIV TRANSPORTATION EQUIPMENT MANAGEMENT CENTER (TEMC)-BRAC POLICY	NO	NO	YES	TRANSFER WITH PROPERTY	MAJORITY OF CESE SHOULD BE DISPOSED OF PRIOR TO CLAIMANCE TRANSFER. FINAL DISPOSITION OF REMAINING CESE SHOULD BE COORDINATED WITH TEMC.
	MANAGEMENT OF CLASS 3, 4 AND MINOR PROPERTY	2	BASE REUSE IMPLEMENTATION MANUAL (BRIM), NAVFACINST 11000.4	NO	NO	YES	TRANSFER WITH PROPERTY	APPLICABLE TO PROPERTY TRANSFER TO LRA. MAINTAIN RECORDS UNTIL TURNOVER TO LRA.
	MATERIALS HANDLING EQUIP (MHE)	3	NAVY INVENTORY CONTROL POINT (NICP) POLICY	NO	YES	YES	TRANSFER WITH PROPERTY	MAJORITY OF MHE SHOULD BE DISPOSED OF PRIOR TO CLAIMANCE TRANSFER. FINAL DISPOSITION OF REMAINING MHE SHOULD BE COORDINATED WITH NICP.
	RECURRING MAINTENANCE OF CLASS 1, 2, 3, 4, AND MINOR PROPERTY	3	BASE REUSE IMPLEMENTATION MANUAL (BRIM), NAVFACINST 11000.4	NO	NO	YES	TRANSFER WITH PROPERTY	APPLICABLE TO PROPERTY TRANSFER TO LRA. MAINTAIN RECORDS UNTIL TURNOVER TO LRA.
REUSE PLANNING								

	COMMUNITY RELATIONS	4	BASE REUSE IMPLEMENTATION MANUAL (BRIM)	*	*	*	*	* PRIORITY 4 ITEMS NEED TO BE FILLED OUT IN CONSULTATION WITH EFD/EFA.
	PROPERTY TRANSFER DOCUMENTATION	4	BASE REUSE IMPLEMENTATION MANUAL (BRIM)	*	*	*	*	* PRIORITY 4 ITEMS NEED TO BE FILLED OUT IN CONSULTATION WITH EFD/EFA.
	SUPPORT BCT AND/OR PROJECT TEAM	4	BASE REUSE IMPLEMENTATION MANUAL (BRIM)	*	*	*	*	* PRIORITY 4 ITEMS NEED TO BE FILLED OUT IN CONSULTATION WITH EFD/EFA.
	SUPPORT EFD/EFA REAL ESTATE	4	BASE REUSE IMPLEMENTATION MANUAL (BRIM)	*	*	*	*	* PRIORITY 4 ITEMS NEED TO BE FILLED OUT IN CONSULTATION WITH EFD/EFA.
	SUPPORT LOCAL REDEVELOPMENT AUTHORITY (LRA)	4	BASE REUSE IMPLEMENTATION MANUAL (BRIM)	*	*	*	*	* PRIORITY 4 ITEMS NEED TO BE FILLED OUT IN CONSULTATION WITH EFD/EFA.
	SUPPORT RAB	4	BASE REUSE IMPLEMENTATION MANUAL (BRIM)	*	*	*	*	* PRIORITY 4 ITEMS NEED TO BE FILLED OUT IN CONSULTATION WITH EFD/EFA.