



DEPARTMENT OF THE NAVY
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29 November 2004

From: Commander, Naval Facilities Engineering Command

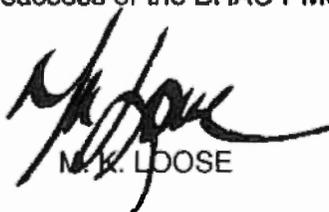
Subj: ASSIGNMENT OF RESPONSIBILITIES TO THE BASE REALIGNMENT AND
CLOSURE PROGRAM MANAGEMENT OFFICES AND DELEGATION OF
AUTHORITY TO EXECUTE THOSE RESPONSIBILITIES

Encl: (1) ASN(I&E) memo of 15 Nov 04

1. The Acting Assistant Secretary of the Navy (Installations and Environment) (ASN(I&E)) recently restructured the Department of the Navy (DON) team for disposing of property closed by the previous four rounds of base realignment and closure (BRAC). It is intended that this new team also handle the disposal of any DON bases closed in the planned 2005 base realignment and closure process. To effect this restructuring, signatory authority over various environmental matters has been shifted from COMNAVFACENGCOM to the Directors of the Base Realignment and Closure East and West Coast Program Management Offices (BRAC PMOs) through the attached delegation memorandum, enclosure (1). COMNAVFACENGCOM retains its environmental signatory authority over realigned BRAC property.

2. The vision underlying the newly restructured relationship vests the PMO Directors with decisional authority over real estate and environmental matters associated with disposing of BRAC property. The NAVFAC Facilities Engineering Commands (FECs) will support the PMO Directors by providing required technical services. At present, only the West Coast PMO exists. Until an East Coast PMO is established, all matters for signature arising from East Coast BRAC bases should be forwarded to ASN(I&E), where the appropriate signatory will be determined on a case-by-case basis. Further guidance from ASN(I&E) on this point is being prepared and should be released soon.

3. NAVFACENGCOM remains committed to providing the highest quality and level of technical support necessary in order to ensure the success of the BRAC PMO as it manages this vital DON program.



M. K. LOOSE

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NOV 15 2004

MEMORANDUM FOR THE DEPUTY ASSISTANT SECRETARY OF THE NAVY
(INSTALLATIONS AND FACILITIES)
DEPUTY ASSISTANT SECRETARY OF THE NAVY
(ENVIRONMENT)
CHIEF OF NAVAL OPERATIONS
COMMANDANT OF THE MARINE CORPS

Subj: ASSIGNMENT OF RESPONSIBILITIES TO THE BASE REALIGNMENT AND
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Ref: (a) ASN(I&E) 172141Z AUG 04
(b) ASN(I&E) 191305Z OCT 04
(c) Operating Agreement between the DASN(I&F) and COMNAVFACENGCOM
(d) ASN (I&E) memo of 25 Aug 94
(e) DASN (E&S) memo of 15 Sep 93

Encl: (1) Authorities Retained by ASN (I&E) under CERCLA

Background: A review of the process used to implement closures and property disposal from prior BRAC rounds made it apparent that DON needs to accelerate property cleanup and divestiture to enable affected communities to return former DON property to productive use and to more quickly achieve cost savings for DON. The goal for BRAC 05 is to complete closures and realignments within two to three years of final approval of those decisions and to complete the actions necessary for divestiture of the property within that same time frame. Establishment of a new organizational structure was necessary to accomplish those goals. SECNAV approved the new organizational structure that was announced in reference (a). This new organizational structure includes a BRAC Program Management Office to manage BRAC implementation.

Responsibilities: Reference (b) formally established a BRAC Program Management Office. The BRAC PMO will consist of a Headquarters Support element and field offices. The Director of each BRAC Field PMO is responsible for community liaison, environmental planning, environmental restoration, real estate, and other matters associated with the closure and disposal of DON facilities under BRAC. These responsibilities include excess property and surplus property determinations for property at each installation selected for closure, establishment of a BRAC Cleanup Program for each installation selected for closure, appointment of a BRAC Environmental Coordinator for each installation selected for closure, a determination of the environmental condition of the property at each facility selected for closure, and completion of analyses and consultations required under NEPA, NHPA, ESA and other pertinent environmental statutes for each facility selected for closure. DASN (I&F) will set the geographic areas of responsibility for BRAC PMO Field Offices. Directors of BRAC Field PMOs shall coordinate with DASN (I&F), and with DASN (E) where environmental issues are raised, on Congressional inquiries, politically sensitive documents, and controversial or sensitive

matters, prior to signing or releasing correspondence or other documents, Directors of BRAC Field PMOs shall obtain support from the Naval Facilities Engineering Command, per the operating agreement set out in reference (c), and coordinate with the Commander, Naval Installations, and the Deputy Commandant, Installations and Logistics, on issues regarding the closure of installations.

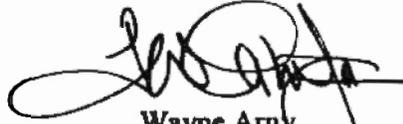
Authorities and Delegations: In executing their responsibilities, the Directors of the BRAC Field PMOs shall have the authority to sign correspondence and other documents related to base closure and disposal that fall within each Director's area of responsibility, including approval of transfers of excess property to other federal agencies, approval of transfers of surplus property to homeless assistance providers, approval of public benefit conveyances, and approval of public sales, unless good judgment calls for signature of a higher official. Documents that establish policy or are required by law or regulation to remain within the authority of DASN (I&F) are considered to be outside the Directors' areas of responsibility.

Reference (d) delegated Presidential cleanup authorities under CERCLA to CNO and CMC. Delegations of authority set out in reference (d) concerning CERCLA approvals and decisions at BRAC closure facilities designated for disposal are hereby rescinded. All environmental response actions at BRAC closure facilities designated for disposal taken by CNO and CMC under authority of reference (d) prior to the date of this memorandum are hereby ratified. Installation Restoration program management authority for non-BRAC closure facilities is not affected by this memorandum.

Except for the authorities listed in enclosure (1), the approval and decision authorities under CERCLA delegated by the President to the Secretary of Defense through Executive Order 12580, the approval and decision authorities conferred on the Secretary of Defense under the Defense Environmental Restoration program, 10 U.S.C. Section 2701, et seq., and such other approval and decision authorities necessary to execute the Defense Environmental Restoration Program that were delegated to ASN (I&E) by the Secretary of the Navy memorandum dated 17 August 1992 are hereby delegated to the Directors of BRAC Field PMOs for all Navy and Marine Corps installations undergoing closure and subsequent disposal and for all future Navy and Marine Corps installations slated for closure and subsequent disposal for which they have responsibility as governed by the Base Closure and Realignment Act of 1988 (P.L. 100-526) and the Defense Base Closure and Realignment Act of 1990 (P.L. 101-510), 10 U.S.C. Section 2687 note, as amended. Directors of BRAC Field PMOs shall follow all environmental policies issued by OSD, DON, OPNAV, or HQMC. Any exceptions needed for efficient execution of the BRAC program will be granted by DASN(E).

Reference (e) established procedures for identification of uncontaminated property and cleanup of contaminated property at closing installations. Pending revision of reference (e), the responsibilities and authorities assigned to the Directors of the BRAC Field PMOs in this memorandum replace the responsibilities and authorities assigned to installation commanders and NAVFACENCOM by reference (e) only regarding identification and clean up of property designated for disposal at closing installations.

Authority to sign records of decision under CERCLA, decision documents for corrective action under RCRA, reports required by CERFA, Environmental Assessments/Findings of No Significant Impact under NEPA, and Memoranda of Agreement under the NHPA is hereby delegated to the Directors of BRAC Field PMOs. Authority to approve Findings of Suitability to Transfer (FOST), Finding of Suitability to Lease (FOSL) and Finding of Suitability for Early Transfer (FOSET) also is hereby delegated to the Directors of BRAC Field PMOs. Directors of BRAC Field PMOs may further delegate the authority to sign a FOST, FOSL, or FOSET and decision documents under CERCLA and RCRA. Delegations regarding FOSTs, FOSLs, and FOSETs may not be delegated below the GS-15 level.



Wayne Army
Acting Assistant Secretary of the Navy
(Installations and Environment)