

HEADQUARTERS
UNITED STATES EUROPEAN COMMAND
UNIT 30400, BOX 1000
APO 09128

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23 August 1999

ENVIRONMENTAL SECURITY

Environmental Executive Agent Remediation Policy

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1. **Summary.** This document defines Environmental Executive Agent (EEA) consultation procedures and, as required by Reference 5.a., establishes country-specific remediation policy, provides procedures to define the extent of remediation at contaminated sites, and provides procedures for negotiating with, and furnishing documentation to, host nation authorities.
 2. **Applicability.** This procedure applies to remediation of environmental contamination by DoD components in the countries within the USEUCOM theater of operations which have DoD-designated Environmental Executive Agents. Environmental contamination includes leachate from landfills and releases from leaking underground storage tanks. This policy does not apply to cleanups of spills accomplished under the Final Governing Standards established under Reference 5.b., or the removal of contaminated material which is incidental to construction projects. This policy does not apply to remediation covered by requirements in environmental annexes to USEUCOM operational plans, DoD component operational plans, and similar operational directives.
 3. **Internal Control Systems.** This directive does not contain internal control provisions and is subject to the requirements of the internal management control programs of the individual components. For HQ USEUCOM and subordinate joint activities, the applicable internal control directive is ED 50-8, Internal Management Control Program.
 4. **Suggested Improvements.** The proponent of this Directive is the Environmental Function of the USEUCOM Engineering Office, Logistics and Security Assistance Directorate. Suggested improvements should be forwarded to HQ USEUCOM, ATTN: ECJ4-EN, Unit 30400, Box 1000, APO AE 09128.
 5. **References.**
 - a. DoD Instruction 4715.8, 2 February 1998, "Environmental Remediation for DoD Activities Overseas."

- b. DoD Instruction 4715.5, 22 April 1996, "DoD Policy for Management of Environmental Compliance at Overseas Installations."
- c. DoD Directive 5530.3, 11 June 1987, "International Agreements."
- d. DoD Directive 7000.14R, May 1996, "DoD Financial Management Regulation."

6. **Explanation of Terms.**

a. Contaminated Site. A specific area, polluted by petroleum, oil, and lubricants (POL) or hazardous substances.

b. DoD Medical Authority. A component's medical authority responsible for preventive medicine or bio-environmental engineering.

c. Remediation. Actions taken at a contaminated site to abate the effects of environmental contamination on human health and safety and operations.

d. Negotiating. Discussions with appropriate host nation authorities regarding the scope of required remedial measures. Those discussions will generally reflect a coordination of DoD component-selected remediation methods or standards with local-level host-nation authorities. The discussions may also reflect negotiations with national-level host-nation authorities leading to a formal agreement between the parties regarding required remedial measures. Such negotiations are governed by References 5.c. and 5.d.; care must be exercised to ensure compliance with the policy and procedures reflected therein.

e. Risk Assessment. Quantitatively or qualitatively evaluating the potential for harm to human health and safety from a contaminated site by examining all probable migration routes, contaminant concentrations, and human exposure potential.

f. Risk Management. Making an informed decision about the actions that must be taken at a contaminated site, using factors such as risk assessments, mission impacts, economics, political climate, host nation considerations, legal requirements, available remediation methods, and time constraints.

g. DoD Components. The military departments and DoD agencies as defined in Reference 5.a. operating within the EUCOM area of responsibility.

h. Spill. A spill is a release of petroleum, oil, and lubricants (POL) or hazardous substances to soil or water resulting from current operations.

i. Hazardous Substances. Any hazardous materials or hazardous wastes that can pose a substantial or potential threat to human health or the environment as defined by the applicable country-specific Final Governing Standard (FGS) established in accordance with Reference 5.b.

j. Environmental Executive Agent (EEA). The component designated by DoD under Reference 5.b as the Executive Agent for environmental matters for particular nations within the USEUCOM area of responsibility. For example, CG USAREUR is the EEA for Germany, Belgium, and the Netherlands. Reference a, para 4.2.3, specifies the responsibilities of each EEA regarding environmental remediation.

7. **Responsibilities**

a. HQ USEUCOM: Maintains this document by collecting and issuing the general and country-specific remediation policies.

b. Environmental Executive Agents: Submit to HQ USEUCOM the remediation policy specific to each host nation where they have responsibility and provide updates to the policy, when necessary.

c. DoD Component: Comply with the procedures reflected in this document when performing remediation of a contaminated site.

8. **Policies and Procedures**

a. The host country Environmental Executive Agent (EEA) must be consulted when a DoD component anticipates a remediation action in that country. This consultation will include the DoD component's initial assessment of whether the remediation action is based on a known imminent and substantial endangerment (KISE) to human health and safety, necessary to maintain operations or protect human health and safety (MOHS), or is an obligation under an international agreement (IA).

(1) If the DoD component believes that the basis of remediation action may be a KISE, consultation with the EEA is conducted by the most appropriate and expeditious means available under the circumstances. An abbreviated version of the decision document described below, including the opinion of the DoD medical authority, will be prepared for the record by the DoD component.

(2) If the DoD component determines that the basis for the remediation action is necessary to MOHS or is an obligation under an IA, the DoD component prepares a decision document with a recommended course of action and submits it to the EEA for consultation. This document must address the following categories of information:

- (a) An assessment of the risk—including methodologies used.
- (b) Impacts to human health and safety or mission.
- (c) Proposed cleanup goals, and recommended remediation methods, with alternatives to remediation considered.
- (d) Host nation considerations (including any consultations with the host nation).
- (e) Risk Management considerations.
- (f) Time constraints.
- (g) Information management plans and risk communication proposals.
- (h) For remediation actions based on IA, a legal determination that the requirement is mandatory and arises from a binding international agreement that pertains to U.S. military operating rights in the host country.
- (i) Other pertinent information.

Within 60 days, the EEA will review the decision document, consult with the DoD component for clarifications, and provide a concurrence or non-concurrence with the proposed remediation. In the case of non-concurrence, the DoD component may appeal the EEA's determination to USEUCOM. The point of contact for the submission of appeals is the USEUCOM Engineer Office, Logistics and Security Assistance Directorate (ECJ4-EN).

b. In coordination with the EEA, the DoD component may furnish documentation on contaminated sites to host nation government officials upon request, or may authorize release of the documentation by the appropriate authority.

c. The DoD component will consult with the EEA prior to entering into negotiations with host nation government officials regarding the potential remediation of a contaminated site.

d. In addition to the above general policies and procedures, refer to the following country-specific appendices and Reference 5.a. for additional remediation policy and/or procedural requirements.

FOR THE COMMANDER IN CHIEF:

OFFICIAL:

MICHAEL A. CANAVAN
Lieutenant General, USA
Chief of Staff

DAVID R. ELLIS
LTC, USA
Adjutant General

APPENDIXES – Country-Specific Remediation Policy and Procedural Requirements:

- A – Belgium
- B – Germany
- C – Greece
- D – Italy
- E – Netherlands
- F – Spain
- G – Turkey
- H – United Kingdom

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PSC 802 Box 8
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HQ USAFE/CEVR
Unit 3050 Box 10
APO AE 09094

DRMS International
Unit 29263, Box 2000
APO AE 09096

Appendix A

Belgium

1. **General:** The information contained in this Appendix refers only to remediation procedures within the Kingdom of Belgium. The Environmental Executive Agent for Belgium is CG USAREUR. Issues regarding remediation at DoD installations in the Kingdom of Belgium should be directed to:

Headquarters, United States Army, Europe and Seventh Army
Office of the Deputy Chief of Staff, Engineer
ATTN: AEAEN-PW-ENV DSN: 370-7329/9073
Unit 29351 Commercial: 0049-6221-577329/9073
APO AE 09014 Fax: 370-8693/0049-6221-578693

Copy furnished to:

Northern Law Center Mons
HQ 21st Theater Support Center (TSC)
CMR 451 Box 5209
APO AE 09708

2. **Currently applicable and relevant international agreements:** The following international agreements should be carefully reviewed to determine the obligation of U.S. Forces to remediate contaminated sites.

a. *Agreement Between the Parties to the North Atlantic Treaty Regarding the Status of Forces*, 19 June 1951 (NATO SOFA).

b. *Agreement on the Status of the North Atlantic Treaty Organization, National Representatives and International Staff* (Ottawa 1951).

c. *Protocol on the Status of International Headquarters set up pursuant to the North Atlantic Treaty* (Paris 1952).

3. **Defining the appropriate level of remediation:** The appropriate level of remediation is dependent on site specific circumstances. Considerations in determining the appropriate level of remediation include associated risks to protect receptors, projected future use of the site, operational requirements, and available funding. An essential part of a site's assessment is the review of different remediation alternatives in the context of the above considerations. Consultation with the Environmental Executive Agent is required before any commitment is made regarding the extent of remediation to be performed at a contaminated site.

4. **Negotiating with the host nation:** Shall be consistent with policy and procedures for negotiating and concluding international agreements in DoD Directive 5530.3 and DoD 7000.14-R and shall be conducted by the Environmental Executive Agent in coordination with the Commander, 80th Area Support Group (NSSG), the Office of Defense Cooperation BELUX (at the American Embassy, Brussels), and the American Embassy in Brussels.

5. **Furnishing documentation to the host nation:** Initial contacts with the Belgium Ministry of Defense and/or other appropriate Belgian authorities will be accomplished from the appropriate DoD Component's

staff element through the Environmental Executive Agent and after consultation with the Northern Legal Center (21st TAACOM) to the American Embassy in Brussels. Contacts between units under a DoD Component Commander and local authorities shall be accomplished with the knowledge of the Environmental Executive Agent or his designated representative and after informing the Northern Legal Center (21st TAACOM). HQUSAFE is a designated representative of the EEA with respect to Air Force units.

6. **Information regarding closing installations:** Information on contaminated sites caused by DoD operations shall be maintained within the Command by the servicing Environmental Management Office. Prior to the expiration of the five-year records retirement requirement, the U.S. Army Claims Service, Europe and the Northern Legal Center (21st TAACOM) should be notified of the unit's intent to retire or destroy records pertaining to contaminated sites and these records shall be made available to the U.S. Army Claims Service, Europe and the Northern Legal Center at their request.

Appendix B

Germany

1. **General:** The information contained in this Appendix refers only to remediation procedures within the Federal Republic of Germany and its states (*Länder*). The Environmental Executive Agent for the Federal Republic of Germany is CG USAREUR. Issues regarding remediation at DoD installations in the Federal Republic of Germany should be directed to:

Headquarters, United States Army, Europe and Seventh Army
 Office of the Deputy Chief of Staff, Engineer
 ATTN: AEAEN-PW-ENV DSN: 370-7329/9073
 Unit 29351 Commercial: 0049-6221-577329/9073
 APO AE 09014 Fax: 370-8693/0049-6221-578693

2. **Currently applicable and relevant international agreements:** The revised Supplementary Agreement to the NATO SOFA (promulgated in the German Federal Law Gazette [BGB1 1994 II S.2594 ff.] on 12 October 1994) became effective on 29 March 1998. Article 53, para. 1 of the Supplementary Agreement states: "German law shall apply to the use of such accommodation except as provided in the present Agreement and other international agreements, and as regards the organization, internal functioning and management of the force and its civilian component, the members thereof and their dependents, and other internal matters which have no foreseeable effect on the rights of third parties or on adjoining communities or the general public."

3. **Defining the appropriate level of remediation:** Shall be guided by the following major German Federal and *Länder* (state) laws which serve as a framework for soil and groundwater remediation in German states containing U.S. Forces installations:

a. Federal Republic:

(1) *Strafgesetzbuch* (German Criminal Code), para. 324, "*Gewässerverunreinigung*" (Pollution of Waters) and para. 324a, "*Bodenverunreinigung*" (Pollution of the Ground);

(2) *Wasserhaushaltsgesetz* (Water Management Law), para. 22 (Liability for Changing the Quality of Waters) (12 Nov 96);

(3) *Kreislaufwirtschafts – und Abfallgesetz* (Waste Avoidance, Recovery and Disposal Law) (27 Sep 94);

(4) *Bundesbodenschutzgesetz* (Federal Soil Protection Law) (17 Mar 98);

(5) *Bundesimmissionsschutzgesetz* (Federal Emission Protection Law) (14 May 90).

b. State:

(1) Baden-Wuerttemberg: *Bodenschutzgesetz* (Soil Protection Law) (24 Jun 91);

(2) Bayern: *Bayerisches Abfallwirtschafts – und Altlastengesetz* (Bavarian Waste Management and Contaminated Sites Law) (9 Aug 96);

(3) Hessen: *Hessisches Altlastengesetz* (Hessian Contaminated Sites Law) (20 Dec 94);

(4) Rheinland-Pfalz: *Landesabfallwirtschafts – und Altlastengesetz* (State Waste Management and Contaminated Sites Law) (5 Apr 95).

The appropriate level of remediation is dependent on site circumstances. Considerations in determining the appropriate level of remediation include associated risks to protect receptors, projected future use of the site, operational requirements, and available funding. An essential part of a site's assessment is the review of different remediation alternatives in the context of the above considerations. Consultation with the Environmental Executive Agent is required before any commitment is made regarding the extent of remediation to be performed at a contaminated site.

4. **Negotiating with the host nation:** Shall be consistent with policy and procedures for negotiating and concluding international agreements in DoD Directive 5530.3 and DoD 7000.14-R and shall be conducted by the Environmental Executive Agent in coordination with, and with the approval of, the CGUSAREUR Liaison Office and the American Embassy in Berlin.

5. **Furnishing documentation to the host nation:** Shall be accomplished in accordance with USAREUR Regulation 550-140 when contacts are being made between the U.S. Forces and *Länder* governments and German federal agencies operating at *Länder* level. Initial contacts with German federal agencies will be accomplished from the appropriate DoD Component's staff element through the Environmental Executive Agent to the CGUSAREUR Liaison Office at the American Embassy in Berlin. Contacts between units under a DoD Component Commander and local authorities shall be accomplished with the knowledge of the Environmental Executive Agent or his designated representative. HQ USAFE is a designated representative of the EEA with respect to Air Force units.

6. **Information regarding closing installations:** Information on contaminated sites caused by DoD operations shall be maintained within the Command by the servicing Environmental Management Office. Prior to the expiration of the five-year records retirement requirement, the U.S. Army Claims Service, Europe should be notified of the unit's intent to retire or destroy records pertaining to contaminated sites and these records shall be made available to the U.S. Army Claims Service, Europe at the latter's request.

Appendix C

Greece

1. **General:** The Environmental Executive Agent for Greece is CINCUSNAVEUR. Issues regarding remediation at DoD installations in Greece should be directed to:

CINCUSNAVEUR C/N76 DSN: 235-4653
PSC 802 Box 8 Commercial: 44-171-514-4653
FPO AE 09499 Fax: 44-171-514-4585

2. **Currently applicable and relevant international agreements:** The following international agreements should be carefully reviewed to determine the obligation of U.S. Forces to remediate contaminated sites.

a. *Agreement Between the Parties to the North Atlantic Treaty Regarding the Status of Forces*, 19 June 1951 (NATO SOFA).

b. *Mutual Defense Cooperation Agreement Between the Government of the United States of America and the Government of the Hellenic Republic*, 8 July 1990.

3. **Defining the appropriate level of remediation:** The appropriate level of remediation is dependent on site-specific circumstances. Primary considerations in determining the appropriate level of remediation are either known imminent and substantial endangerment's (KISE) to human health and safety, or maintaining operations or protecting human health and safety (MOHS). Consultation with the Environmental Executive Agent is required before any commitment is made regarding the extent of remediation to be performed at a contaminated site.

4. **Negotiating with the host nation:** Negotiations with Greek authorities regarding remediation of contaminated sites will be conducted by the appropriate U.S. military authority at Major Command (Army and Air Force) or Regional Environmental Coordinator (Navy), after consultation with the Environmental Executive Agent. All negotiations with Greek authorities will be conducted under the cognizance or involvement of the installation's Greek Commander. The Greek Commander is the formal representative of the installation and serves as the liaison with national authorities and the contact with local authorities and local external military and civil entities.

5. **Furnishing documentation to the host nation:** Requests for documentation from host nation authorities should be referred to the installation's Greek Commander. Upon request by the Greek Commander, service components will coordinate with the Environmental Executive Agent to provide documentation regarding contamination on or emanating from DoD installations.

6. **Information regarding closing installations:** Information relating to environmental contamination at closing bases is maintained by the appropriate authority at Major Command (Army and Air Force) or Regional Environmental Coordinator (Navy), in coordination with the Environmental Executive Agent, until the location is returned to the host nation and all claims or other issues relating to contamination are finally resolved.

Appendix D

Italy

1. **General:** The Environmental Executive Agent for Italy is CINCUSNAVEUR. Issues regarding remediation at DoD installations in Italy should be directed to:

| | |
|--------------------|-----------------------------|
| CINCUSNAVEUR C/N76 | DSN: 235-4653 |
| PSC 802 Box 8 | Commercial: 44-171-514-4653 |
| FPO AE 09499 | Fax: 44-171-514-4585 |

2. **Currently applicable and relevant international agreements:** The following international agreements should be carefully reviewed to determine the obligation of U.S. Forces to remediate contaminated sites.

a. *Agreement Between the Parties to the North Atlantic Treaty Regarding the Status of Forces*, 19 June 1951 (NATO SOFA).

b. *Agreement Between the United States of America and the Italian Republic Regarding Bilateral Infrastructure in Implementation of Article III of the North Atlantic Treaty*, 20 October 1954 (CLASSIFIED)

c. *Technical Arrangement for each U.S. Military Installation negotiated pursuant to the Memorandum of Understanding Between the Ministry of Defense of the Republic of Italy and the Department of Defense of the United States of America Concerning Use of Installations/Infrastructure by U.S. Forces in Italy ("Shell Agreement")*, 2 February 1995.

3. **Defining the appropriate level of remediation:** The appropriate level of remediation is dependent on site-specific circumstances. Primary considerations in determining the appropriate level of remediation are either known imminent and substantial endangerment's (KISE) to human health and safety, or maintaining operations or protecting human health and safety (MOHS). Consultation with the Environmental Executive Agent is required before any commitment is made regarding the extent of remediation to be performed at a contaminated site.

4. **Negotiating with the host nation:** Negotiations with Italy authorities regarding remediation of contaminated sites will be conducted by the appropriate U.S. military authority at Major Command (Army and Air Force) or Regional Environmental Coordinator (Navy), after consultation with the Environmental Executive Agent. All negotiations with Italian authorities will be conducted under the cognizance or involvement of the appropriate Italian Commander for the installation. The Italian Commander is the formal representative of the installation and serves as the liaison with national authorities and the contact with local authorities and local external military and civil entities.

5. **Furnishing documentation to the host nation:** Requests for documentation from host nation authorities should be referred to the appropriate Italian Commander for the installation. Upon request by the Italian Commander, service components will coordinate with the Environmental Executive Agent to provide documentation regarding contamination on or emanating from DoD installations.

6. **Information regarding closing installations:** Information relating to environmental contamination at closing bases is maintained by the appropriate authority at Major Command (Army and Air Force) or Regional Environmental Coordinator (Navy), in coordination with the Environmental Executive Agent,

until the location is returned to the host nation and all claims or other issues relating to contamination are finally resolved.

Appendix E

The Netherlands

1. **General:** The information contained in this Appendix refers only to remediation procedures within the Kingdom of the Netherlands. The Environmental Executive Agent for the Netherlands is CG USAREUR. Issues regarding remediation at DoD installations in the Kingdom of the Netherlands should be directed to:

Headquarters, United States Army, Europe and Seventh Army
Office of the Deputy Chief of Staff, Engineer
ATTN: AEAEN-PW-ENV DSN: 370-7329/9073
Unit 29351 Commercial: 0049-6221-577329/9073
APO AE 09014 Fax: 370-8693/0049-6221-578693

2. **Currently applicable and relevant international agreements:** The following international agreements should be carefully reviewed to determine the obligation of U.S. Forces to remediate contaminated sites.

a. *Agreement Between the Parties to the North Atlantic Treaty Regarding the Status of Forces*, 19 June 1951 (NATO SOFA).

b. *The United States-Netherlands Exchange of Notes and Annex concerning implementation in The Netherlands of the Agreement signed in London on Jun 19, 1951, Between the Parties to the North Atlantic Treaty Regarding the Status of Their Forces*, dated August 13, 1954.

3. **Defining the appropriate level of remediation:** The appropriate level of remediation is dependent on site-specific circumstances. Considerations in determining the appropriate level of remediation include associated risks to protect receptors, projected future use of the site, operational requirements, and available funding. An essential part of a site's assessment is the review of different remediation alternatives in the context of the above considerations. Consultation with the Environmental Executive Agent is required before any commitment is made regarding the extent of remediation to be performed at a contaminated site.

4. **Negotiating with the host nation:** Shall be consistent with policy and procedures for negotiating and concluding international agreements in DoD Directive 5530.3 and DoD 7000.14-R and shall be conducted by the Environmental Executive Agent in coordination with the local Commander, DoD Component (the Netherlands) and the American Embassy in the Hague.

5. **Furnishing documentation to the host nation:** Initial contacts with the Netherlands Central Government will be accomplished from the appropriate DoD Component's staff element through the Environmental Executive Agent to the American Embassy in the Hague. Contacts between units under a DoD Component Commander and local authorities shall be accomplished with the knowledge of the Environmental Executive Agent or his designated representative. HQUSAFE is a designated representative of the EEA with respect to Air Force units.

6. **Information regarding closing installations:** Information on contaminated sites caused by DoD operations shall be maintained within the Command by the servicing Environmental Management Office. Prior to the expiration of the five-year records retirement requirement, the U.S. Army Claims Service, Europe should be notified of the unit's intent to retire or destroy records pertaining to contaminated sites and these records shall be made available to the U.S. Army Claims Service, Europe at the latter's request.

Appendix F

Spain

1. **General:** The Environmental Executive Agent for Spain is CINCUSNAVEUR. Issues regarding remediation at DoD installations in Spain should be directed to:

| | |
|--------------------|-----------------------------|
| CINCUSNAVEUR C/N76 | DSN: 235-4653 |
| PSC 802 Box 8 | Commercial: 44-171-514-4653 |
| FPO AE 09499 | Fax: 44-171-514-4585 |

2. **Currently applicable and relevant international agreements:** The following international agreements should be carefully reviewed to determine the obligation of U.S. Forces to remediate contaminated sites.

a. *Agreement Between the Parties to the North Atlantic Treaty Regarding the Status of Forces*, 19 June 1951 (NATO SOFA).

b. *Agreement of Defense Cooperation between United States of America and Kingdom of Spain*, 1 December 1988.

3. **Defining the appropriate level of remediation:** The appropriate level of remediation is dependent on site-specific circumstances. Primary considerations in determining the appropriate level of remediation are either known imminent and substantial endangerment's (KISE) to human health and safety, or maintaining operations or protecting human health and safety (MOHS). Consultation with the Environmental Executive Agent is required before any commitment is made regarding the extent of remediation to be performed at a contaminated site.

4. **Negotiating with the host nation:** Negotiations with Spanish authorities regarding remediation of contaminated sites will be conducted by the appropriate U.S. military authority at Major Command (Army and Air Force) or Regional Environmental Coordinator (Navy), after consultation with the Environmental Executive Agent. All negotiations with Spanish authorities will be conducted under the cognizance or involvement of the installation's Spanish Commander. The Spanish Commander is the formal representative of the installation and serves as the liaison with national authorities and the contact with local authorities and local external military and civil entities.

5. **Furnishing documentation to the host nation:** Requests for documentation from host nation authorities should be referred to the installation's Spanish Commander. Upon request by the Spanish Commander, service components will coordinate with the Environmental Executive Agent to provide documentation regarding contamination on or emanating from DoD installations.

6. **Information regarding closing installations:** Information relating to environmental contamination at closing bases is maintained by the appropriate authority at Major Command (Army and Air Force) or Regional Environmental Coordinator (Navy), in coordination with the Environmental Executive Agent, until the location is returned to the host nation and all claims or other issues relating to contamination are finally resolved.

Appendix G

Republic of Turkey

1. **General:** The Environmental Executive Agent for the Republic of Turkey has been delegated from COMUSAFE to HQ USAFE/CV. Issues regarding remediation at DoD installations in the Republic of Turkey should be directed to:

| | |
|-------------------|------------------------------------|
| HQ USAFE/CEVR | DSN: 480-6382/6482 |
| Unit 3050, Box 10 | Commercial: 0049-6371-47-6382/6482 |
| APO AE 09094 | Fax: 480-9528/0049-6371-47-9528 |

2. **Currently applicable and relevant international agreements:** The following international agreements should be carefully reviewed to determine the obligation of U.S. Forces to remediate contaminated sites.

a. *Agreement Between the Parties to the North Atlantic Treaty Regarding the Status of Forces*, 19 June 1951 (NATO SOFA).

b. *Agreement for Cooperation on Defense and Economy Between the Governments of the United States of America and of the Republic of Turkey in Accordance With Articles II and III or the North Atlantic Treaty*, 29 Mar 1980, and *Supplementary Agreement Number 3*, 29 Mar 1980.

3. **Defining the appropriate level of remediation:** The appropriate level of remediation is dependent on site-specific circumstances. Considerations in determining the appropriate level of remediation include associated risks to protected receptors, projected future use of the site, operational requirements, and available funding. An essential part of a site's assessment is the review of different remediation alternatives in the context of the above considerations. Consultation with the Environmental Executive Agent is required before any commitment is made regarding the extent of remediation to be performed at a contaminated site.

4. **Negotiating with the host nation:** Negotiations with the host nation regarding remediation of contaminated sites will be conducted by the appropriate authority at Major Command (Army and Air Force) or Regional Environmental Coordinator (Navy) level, after consultation with the Environmental Executive Agent.

5. **Furnishing documentation to the host nation:** When requested by the host nation, documentation regarding contamination on or emanating from DoD installations is provided by the appropriate authority at Major Command (Army and Air Force) or Regional Environmental Coordinator level (Navy), after coordination with the Environmental Executive Agent.

6. **Information regarding closing installations:** Information relating to environmental contamination at closing bases is maintained by the appropriate authority at Major Command (Army and Air Force) or Regional Environmental Coordinator (Navy) level in coordination with the Environmental Executive Agent, until the location is returned to the host nation and all claims or other issues relating to contamination are finally resolved.

Appendix H

United Kingdom

1. **General:** The Environmental Executive Agent for the United Kingdom has been delegated from COMUSAFE to HQ USAFE/CV. Issues regarding remediation at DoD installations in the United Kingdom should be directed to:

| | |
|-------------------|------------------------------------|
| HQ USAFE/CEVR | DSN: 480-6382/6482 |
| Unit 3050, Box 10 | Commercial: 0049-6371-47-6382/6482 |
| APO AE 09094 | Fax: 480-9528/0049-6371-47-9528 |

2. **Currently applicable and relevant international agreements:** The following international agreements should be carefully reviewed to determine the obligations of U.S. Forces to remediate contaminated sites.

a. *Agreement Between the Parties to the North Atlantic Treaty Regarding the Status of Forces*, 19 June 1951 (NATO SOFA).

b. *U.S./U.K Cost-Sharing Arrangement*, dated 1972 (c).

c. *Exchange of Notes Between the U.S. Embassy (Note No. 11 (c)) and the U.K. Ministry of Foreign Affairs (Note nos. AMU 10.1 and 14 (c))*, dated 4 April 1973, regarding the *U.S./U.K. Cost-Sharing Arrangement*, dated 1972 (c).

3. **Defining the appropriate level of remediation:** The appropriate level of remediation is dependent on site-specific circumstances. Considerations in determining the appropriate level of remediation include associated risks to protected receptors, projected future use of the site, operational requirements, and available funding. An essential part of a site's assessment is the review of different remediation alternatives in the context of the above considerations. Consultation with the Environmental Executive Agent is required before any commitment is made regarding the extent of remediation to be performed at a contaminated site.

4. **Negotiating with the host nation:** Negotiations with the host nation regarding remediation of contaminated sites will be conducted by the appropriate authority at Major Command (Army and Air Force) and Regional Environmental Coordinator (Navy), through Defence Estates, after consultation with the Environmental Executive Agent.

5. **Furnishing documentation to the host nation:** When requested by the host nation, documentation regarding contamination on or emanating from DoD installations is provided by the appropriate authority at Major Command (Army and Air Force) and Regional Environmental Coordinator (Navy), through Defence Estates, after coordination with the Environmental Executive Agent.

6. **Information regarding closing installations:** Information relating to environmental contamination at closing bases is maintained by the appropriate authority at Major Command (Army and Air Force) and Regional Environmental Coordinator (Navy), in coordination with the Environmental Executive Agent, until the location is returned to the host nation and all claims or other issues relating to contamination are finally resolved.