



Highlights of [GAO-03-146](#), a report to Congressman John D. Dingell, Ranking Minority Member, U.S. House of Representatives

Why GAO Did This Study

The U.S. Army Corps of Engineers (Corps) is in charge of addressing cleanup at the more than 9,000 U.S. properties that were formerly owned or controlled by the Department of Defense (DOD) and have been identified as potentially eligible for environmental cleanup. The Corps has determined that more than 4,000 of these properties have no hazards that require further Corps study or cleanup action. However, in recent years, hazards have surfaced at some of these properties, leading state and federal regulators to question whether the Corps has properly assessed and cleaned up these properties. In this context, Congress asked us to (1) analyze federal coordination requirements that apply to the cleanup of these properties, (2) assess recent DOD and Corps efforts to improve coordination, and (3) identify any issues regulators may have about coordination with the Corps.

What GAO Recommends

DOD and the Corps should (1) develop clear and specific coordination guidance that should explicitly include, among other things, preliminary assessment of eligibility and ordnance and explosive waste; (2) assess recent efforts to improve coordination at the national as well as district level and promote wider distribution of best practices; and (3) work with EPA to clarify their respective roles in the cleanup of former defense sites that are not on the list of the nation's worst hazardous sites.

www.gao.gov/cgi-bin/getrpt?GAO-03-146.

To view the full report, including the scope and methodology, click on the link above. For more information, contact (Ms.) Anu Mittal or Ed Zadjura on (202) 512-3841.

ENVIRONMENTAL CONTAMINATION

DOD Has Taken Steps to Improve Cleanup Coordination at Former Defense Sites but Clearer Guidance Is Needed to Ensure Consistency

What GAO Found

Federal law requires DOD and the Corps of Engineers to consult with state regulatory agencies and EPA during the process of cleaning up formerly used defense sites (FUDS). However, the law only provides specifics for the cleanup phase for hazardous substances. DOD's Management Guidance and the FUDS Program Manual do not provide clear direction or specific steps for involving regulators in the FUDS program. In addition, both the law and the guidance are silent on the subject of consultation or coordination with regulators during the preliminary assessment phase, when the Corps makes decisions on whether a former defense site is eligible for DOD cleanup and whether further investigation and/or cleanup are needed. DOD and Corps officials told GAO that they would revise their guidance to include specific, but as yet undetermined, instructions for coordination with regulators during such decisions.

DOD and the Corps have recently taken several steps to improve coordination. For example, they are working with the regulatory community to develop specific steps that Corps districts can take, such as providing states with updated lists of current and future FUDS program activities in their states and initiating a new pilot program in nine states that has the Corps working side by side with regulators in the cleanup of former defense sites. In addition, several Corps districts have independently taken steps to improve coordination with state regulators. DOD and the Corps will need to assess the effectiveness of these various initiatives to determine which are successful and should be included in program guidance to all districts.

Despite the improvements in coordination, regulators still raised two major issues about Corps coordination on the FUDS program. First, some states believe that they lack the information necessary to properly oversee cleanup work at former defense sites and to judge the validity of Corps decisions. For example, 15 of the 27 states GAO contacted believe they need to be involved in knowing what the Corps is doing during the preliminary assessment phase. Also, 9 of the 27 states believe they need to be involved in project closeouts, so that they can ensure that the Corps has met state cleanup standards. Second, EPA believes it should have a larger role in the cleanup of former defense sites. Although states are the primary regulator at the majority of former defense sites and EPA is the primary regulator for only the 21 former defense sites that are on the list of the nation's worst hazardous sites, EPA believes that its role even on the unlisted sites should be greater. The agency believes that this would improve the effectiveness of the cleanups and increase public confidence overall. The Corps disagrees, and the two agencies have been unable to establish an effective working relationship on the cleanup for former defense sites.

Commenting on a draft of this report, DOD stated that it generally agreed with the recommendations and was taking or planned to take steps that should, when completed, substantially correct the problems GAO cited.