

Department of the Army  
Headquarters, United States Army  
Army Training Center and Fort Jackson  
Fort Jackson, South Carolina 29207-5015

Fort Jackson Regulation 200-8

16 September 2019

Environmental Protection and Enhancement

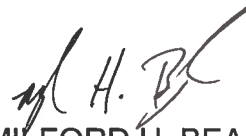
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OFFICIAL:



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**History.** This publication is a rapid action revision. The portions affected by this revision are listed in the summary of changes.

**Summary.** This regulation outlines specific environmental requirements to comply with all applicable federal, state, and local laws, and Department of Defense (DoD) and Army policies and goals for protecting the environment.

**Applicability.** This regulation is punitive in nature and applies to all persons present on Fort Jackson, and organizations and personnel performing functions and conducting operations on Fort Jackson. A violation of this regulation may provide the basis for criminal prosecution under the Uniform Code of Military Justice or applicable federal criminal statutes. Violations of this regulation also provide the basis for adverse administrative actions.

**Suggested Improvements.** The proponent of this regulation is the Environmental Division (ENV). Users are invited to send comments and suggested improvements through channels to Environmental Division, 2563 Essayons Way, Fort Jackson, SC 29207.

**Distribution.** This regulation is available on the Fort Jackson SharePoint site at <https://hq.tradoc.army.mil/sites/fjsc/SitePages/Fort%20Jackson%20Regulations.aspx>

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\* This regulation supersedes FJ Regulation 200-8, dated 1 June 2005.

# ***SUMMARY of CHANGE***

FJ Regulation 200-8  
Environmental Protection and Enhancement

This administrative revision, dated 16 September 2019--

- Changes the focus throughout the regulation to organizations whose processes and procedures impact the environment.
- Was streamlined to provide instructions to organizations on how to maintain environmental compliance while conducting their operations and accomplishing their missions. Intent is to provide guidance and parameters to follow and serve as a road map to maintain environmental compliance.
- Adds text by topic detailing environmental requirements that organizations must adhere to [paragraphs 4-18].
- Notifies organizations that penalties are possible for those that violate this regulation and federal, state environmental regulations. It also states that in the event a fine is issued by a federal or state regulator, it is paid by the organization that caused the violation [paragraph 19].

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**1. Purpose.** The purpose of this regulation is to outline requirements, assign responsibilities, provide guidance for operations on Fort Jackson (FJ) that may impact the environment, and protect the installation from federal and state environmental enforcement actions.

**2. Objectives.** To inform all persons present or working on FJ of the environmental requirements. The overall objective is that all organizations accomplish their missions while remaining in compliance with environmental laws and regulations at the federal, state, and local levels.

**3. Scope.**

a. All persons, organizations, tenants, and contractors shall comply with all federal, state, and local environmental and natural resource laws.

b. It is mandatory for all persons, organizations, tenants, and contractors to comply with this regulation.

#### **4. Responsibilities.**

a. The Senior Commander exercises overall responsibility for FJ's environmental programs in accordance with (IAW) Army Regulation (AR) 200-1, paragraph 1-23.

b. The Garrison Commander performs the responsibilities set forth in AR 200-1, paragraph 1-24, including, but not limited to:

(1) Serves as chairman of the Environmental Quality Control Committee (EQCC) meetings.

(2) Approves and signs required environmental permits, documents, plans, and reports as designated in this regulation.

(3) Signs all final findings of no significant impact.

c. All organizations and tenants on the installation that have the potential to negatively impact the environment [such as those that operate/use: motor pools, maintenance shops, paint booths, wash racks, parts washers, firing ranges, fueling stations, solid waste facilities, hazardous substances, etc. or generate wastes beyond typical office waste] shall:

(1) Appoint personnel from their organization to serve as environmental compliance officers (ECOs). Exceptions can be made by the ENV management on a case-by-case basis. ECO responsibilities and training requirements are found in paragraph 6 below.

(2) Have a supervisor, manager, or officer attend EQCC meetings or send a representative to speak on their behalf.

(3) Fund corrective actions for compliance agreements, consent orders, and environmental incidents (e.g., spills, penalties, or fines) that are the result of the organization's non-compliance or operations.

(4) Submit record of environmental consideration (REC) requests to ENV for all projects and federal actions that it is considering. For those projects/actions that are major in scope and, therefore, a categorical exclusion under 32 Code of Federal Regulations (CFR) Part 651 is not applicable, the proponent will fund an environmental assessment of the project/action and any mitigation measures as required [exception is mitigation for range construction projects - ENV will fund those]. See paragraph 8 below for more detail.

(5) Integrate environmentally sustainable practices into short and long term planning.

d. Personnel who write performance work statements (PWSs) or scopes of work (SOWs), such as contracting officer's representatives (CORs), project managers, and

project engineers, shall include a requirement in the PWS/SOW for the contractor to have a trained ECO when the contractor is expected to occupy or establish a building on FJ and meets the criteria stated in paragraph 4c above.

e. The ENV must:

(1) Annually check and audit FJ's environmental compliance posture with federal, state, and local laws [not needed in the year an external environmental performance assessment system (EPAS) is conducted]. Provide timely feedback to customers on their deficiencies and propose corrective actions to assist them in regaining compliance.

(2) Act as liaison between FJ and environmental regulatory agencies.

(3) Review and update FJ's environmental management plans and other guidance documents as needed.

(4) Advise senior leadership of instances where non-compliance could lead to a notice of violation (NOV), administrative penalties, criminal prosecution, or when mission halt is at risk.

**5. Environmental Quality Control Committee (EQCC).** The EQCC must follow the requirements set forth in AR 200-1, paragraph 15-2. The EQCC provides a forum for:

a. The command group to emphasize the importance of the environmental compliance and conservation programs and coordinate their activities.

b. Commanders and directors to express their point of view regarding environmental compliance and conservation issues.

c. The ENV to inform commanders and directors of new environmental requirements and programs, significant events within the environmental program, regulatory compliance inspections, etc.

**6. Environmental Compliance Officers (ECOs).**

a. Commanders, directors, and other persons in leadership or management positions shall appoint, in writing, a primary and alternate ECO to ensure compliance with this regulation and other environmental directives. ECOs serve two main roles: 1) ensure their organization is conducting their mission in a manner that maintains compliance with environmental laws/regulations, and 2) act as the liaison between their organization and ENV.

(1) All organizations and tenants as described in paragraph 4c above shall have appointed and trained ECOs. Contractors shall have appointed and trained ECOs if stated in their contract.

(2) All newly appointed ECOs shall have at least 12 months remaining in their organization at FJ at the time of their appointment. For military units, ECOs shall be appointed down to company level. The ECO shall be a commissioned officer at battalion and higher unit levels, or comparable rank at similarly sized civilian organizations. The ECO shall hold the rank of staff sergeant or higher at company levels or comparable rank at similarly sized civilian organizations.

(3) Organizations shall notify ENV, in writing or by email, each time a new ECO is appointed. Notification shall include the name, rank, unit (or staff section), and telephone number of the appointee(s).

b. All ECOs shall attend the Environmental Compliance Officer Course (ECOC) within 90 days of appointment.

(1) A 2-day ECOC is offered bi-monthly with additional ECOCs scheduled as needed. Attendees must contact ENV to register.

(2) A 1-day ECOC is offered bi-monthly for all shop/maintenance type operations, all warehouses, all medical/dental facilities, or any other workplace that procures/uses/stores a hazardous material (including petroleum, oils, and lubricants [POL] products) or generates a hazardous waste (HW) and does not perform duties outside of the cantonment area.

(3) An on-line ECOC is available for administrative organizations/personnel that do not perform duties outside of their office.

c. ECO responsibilities are listed in the Fort Jackson Environmental Guidebook provided by ENV during the ECOC. Additional copies are available from ENV.

## **7. Environmental Performance Assessment System (EPAS).**

a. FJ uses internal assessments in combination with regulatory inspections and external EPAS assessments as a means of attaining, sustaining, and monitoring compliance with applicable environmental legal requirements, ARs, and installation standards.

b. External Assessments:

(1) Federal, state, local, and DoD regulatory agency inspectors may inspect the installation at any time. Inspectors shall be afforded full and prompt access for their inspection, even without prior notice.

(2) Findings from regulatory inspections that result in a NOV or an administrative penalty shall be reported IAW AR 200-1 and established Headquarters, Department of the Army (HQDA) procedures. ENV will maintain a record of all enforcement actions, NOVs, and corrective actions.

(3) HQDA mandates that external EPAS assessments be conducted periodically by the U.S. Army Environmental Command with coordination through the Installation Management Command. The scope of external EPAS assessments include all operations and activities within the installation boundary and assess the overall environmental compliance posture of an installation.

(4) Findings from external EPAS assessments are recorded in the Army approved database and tracked to correction. Resources shall be prioritized and secured for correction from any applicable/eligible funding source.

c. Internal Assessments:

(1) ENV conducts internal assessments and may or may not give advance notice. This provides a real-time snap shot of the organization's compliance status.

(2) ENV shall complete an internal EPAS report documenting a visit to a customer's worksite that identifies assessment results. The report may be signed by the ENV Chief or the Directorate of Public Works (DPW) Director and routed through the Garrison Commander (as deemed appropriate).

(3) ENV shall establish a schedule to assess high risk areas and selected organizations and environmental program areas.

d. Organizational Level Self-Assessments:

(1) ECOs shall conduct monthly assessments of their facilities and operations using the monthly environmental checklist provided by ENV.

(2) Organizations shall implement corrective actions as soon as possible and contact ENV if assistance is needed.

**8. National Environmental Policy Act (NEPA).**

a. FJ shall evaluate the environmental consequences of proposed federal projects/actions using the NEPA process. NEPA requires all federal agencies to consider and document all potential environmental impacts of proposed federal actions/projects prior to implementation.

b. The federal/Army organization taking the action (i.e., a project, training event, or operational activity) is the proponent and initiates the NEPA process. This is usually done by submitting a REC request form to ENV. The REC request shall include a detailed description of the proposed project/action and, if needed, maps and other applicable documentation. REC request forms should be submitted to ENV at least 21 days prior to an action/project beginning. The request form can be found online or by contacting ENV.

c. ENV shall review the REC request to determine if there are impacts to the environment. The completed REC outlines the requirements the proponent shall follow to comply with environmental regulations and minimize environmental impacts.

d. Proponents, CORs, and project managers shall provide the applicable compliance requirements from a signed REC to the contracting office such that these conditions become a part of any solicitation and contract. A copy of the completed REC shall be provided to the contractor and contract inspectors shall ensure all requirements are executed.

e. Major projects/actions often require a higher level of NEPA analysis using an Environmental Assessment or Environmental Impact Statement. ENV shall make that determination.

f. Emergency Actions:

(1) In the event of an emergency where time does not permit approval from higher authority, the Senior Commander and the Garrison Commander have "Immediate Response Authority" IAW DoD Directive 3025.18 to respond and take immediate actions necessary to promote national defense or security, or to protect life or property. These emergency actions may have environmental impacts. During and after an emergency response, FJ shall follow the instructions of 32 CFR Part 651.11(b) for NEPA compliance.

(2) The Army must not delay an emergency action necessary for the national defense or security, or for the preservation of human life or property, to comply with NEPA requirements.

(3) This emergency procedure applies only to actions necessary to control immediate effects of the emergency. Follow-up actions remain subject to NEPA requirements.

g. Although the NEPA contains no criminal sanctions for violations, the failure to comply can result in a federal court enjoining the action. Failure to conduct an environmental review could also result in a failure to identify environmental requirements that have criminal or administrative penalties.

## **9. Hazardous Substance Management.**

a. Management of the hazardous substance (HS) program is outlined in the Hazardous Substance Management Plan (HSMP). Additional guidance on requesting, approving, and further managing hazardous materials (HM) is outlined in the Hazardous Materials Management Program (HMMP) Plan.

b. All persons and organizations shall comply with all applicable federal, state, and local HW, universal waste (UW), controlled waste (CW), non-hazardous waste (non-



HW), and HM regulations and shall manage these wastes and materials IAW the HSMP, HMMP Plan, and Fort Jackson Environmental Guidebook.

c. Personnel who manage HW or CW, or have a high potential for HW generation or HS violations, shall attend HS management training annually. This training is provided by ENV.

d. HM Requirements:

(1) Organizations shall procure and track HM IAW the HSMP and HMMP Plan, including utilization of the Enterprise Environmental, Safety, and Occupational Health Management Information System.

(2) Organizations shall continuously analyze and identify opportunities to reduce the acquisition and use of HM through centralized inventory control, pollution prevention actions, improved procurement practices, and enhanced shelf-management.

e. Regulated Waste Requirements:

(1) Organizations shall manage waste storage areas and containers IAW the HSMP. No organization shall accept HW that originated off-post to include e-cigarette components.

(2) Organizations shall minimize the toxicity and quantity of HW, UW, CW, and non-HW generation through pollution prevention actions including source reduction, material substitution, and recycling or reuse.

(3) HW, UW, CW, and non-HW manifests and other documents requiring a generator signature shall only be signed by those individuals who have been appropriately trained and are authorized in writing by the garrison commander.

(4) HW, UW, CW, and non-HW generated during the execution of service or construction contracts shall be disposed by the contractor at the contractor's expense, unless otherwise stated in the contract. FJ remains the generator of the waste and documents requiring a generator's signature shall be signed by the primary or secondary ENV HS program manager. The documentation shall be provided to the HS program manager at least one week prior to shipment.

f. Disposal Costs:

(1) Generally, ENV will pay for regulated waste disposal. Exceptions include tenants or organizations that have a memorandum of agreement, memorandum of understanding, or inter-service support agreement that states that hazardous/regulated waste is reimbursable. Disposal costs include all Defense Logistics Agency or other contractor costs directly related to these functions and offsite shipment of the wastes.

(2) For funding purposes ENV shall be considered the generator of orphan wastes found on the installation.

(3) HW, UW, CW, and non-HW generated under service, facility, maintenance, or construction contracts shall be funded as part of the original contract.

## **10. Spill Response.**

a. It is the responsibility of each organization to maintain and provide site-specific spill response plans, spill response kits, and safety data sheet files and display these items prominently near all HS storage and handling areas. These items shall be far enough away from the HS storage and handling areas such that they can be accessed in the event of a spill. *See the HSMP for a sample spill response plan.*

b. Organizations that have HS storage and handling areas shall have personnel trained in spill response. Training shall include spill response procedures and how to use the equipment.

c. Spill response supplies or kits shall be sufficient to handle the volume of the largest container and shall be readily available in any area where HS, including POL, are stored or handled. Spill supplies may vary depending on the type and quantity of HS stored or handled. A "spill kit" sign shall be posted above the spill kit or directly on the kit.

d. All spills greater than 5 gallons, or spills of any size that cannot be safely contained and cleaned up by organization personnel, shall be immediately reported to the Fire Department at 911 (751-9111 if calling from a cell phone). Spills that are 5 gallons or less shall be reported if the spill enters a storm drain, creek, lake, or other body of water, or if not immediately cleaned up.

e. The Installation Spill Contingency Plan (ISCP) establishes procedures and identifies resources for the control and cleanup of HS spills. After receiving notification of a spill, the fire department shall implement the ISCP. A copy of the ISCP shall be located near each <90-day container storage area, but is not required at other HS storage areas.

## **11. Toxics.**

a. Army policy is to manage in place asbestos containing materials, lead-based paint (LBP) in facilities and structures, and polychlorinated biphenyls (PCBs) containing items as long as it's safe and practical. The exception is residences, medical facilities, and facilities used by children, where any exposed material that may present a hazard should be removed.

b. No action shall be taken that may cause the release of asbestos fibers, LBP dust and debris, or PCB contaminated leakage or fumes. Asbestos is commonly found in many building materials, such as floor and ceiling tiles. PCBs are found in electrical

equipment, such as light ballasts and transformers. Handling and disposal guidance is provided in the Fort Jackson Environmental Guidebook.

c. Work activities that involve cutting, sawing, drilling, sanding, scraping, or otherwise disturbing materials/surfaces containing asbestos, LBP, or PCBs can release harmful fibers, dust and debris, or toxic fumes into the air. To ensure toxic materials disturbance is done IAW U.S. Environmental Protection Agency (EPA) and Occupational Safety and Health Administration regulatory standards, a REC request shall be submitted IAW paragraph 8 above by the proponent for all projects. Proponents, project managers, and contractors shall abide by the requirements in the signed REC response. Asbestos activities require permits and licensing through the South Carolina Department of Health and Environmental Control (SCDHEC) prior to commencing work.

d. Any self-help project that requires flooring replacement is prohibited.

## **12. Air Quality.**

a. All organizations, tenants, and contractors shall comply with federal (40 CFR Chapter I Subchapter C – Air Programs), state (SC Regulation 61-62.5 through 62.99), and air permit (1900-0016) requirements.

b. All new sources of air emissions shall be evaluated by ENV for compliance prior to purchase, construction, activation, or alteration. If required, the project proponent shall submit the construction permit application and air dispersion modeling analysis to SCDHEC and obtain a construction permit prior to beginning construction. A copy of the construction permit application and operating permit shall be sent to ENV.

c. Personnel that drive or operate government owned vehicles or machinery shall not allow the engine to idle when not in use, not being driven, or there are no people inside.

d. Stratospheric Ozone Protection:

(1) No person shall release to the atmosphere any halons, chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), methyl chloroform, or carbon tetrachloride in the course of maintaining, servicing, repairing, or disposing of an appliance or industrial process refrigeration device. Refrigerant shall be stored or disposed as required by federal and state regulations.

(2) No person shall perform service on a motor vehicle air conditioner without using EPA approved refrigerant recycling equipment and without being trained and certified by an EPA approved trainer in use of such equipment.

(3) Restricted CFC, HCFCs, and halogenated solvents shall be replaced with a safe substitute whenever possible.

(4) Class I and Class II refrigerants (R-11, R-12, R-22) that are recovered and can no longer be used at the installation shall be turned in to ENV for shipment to the DoD Ozone Depleting Substance Reserve IAW DoD and Army requirements.

e. Open burning is prohibited on FJ. Fire training simulations shall be approved on a case-by-case basis by ENV.

f. Stationary generators are regulated by 40 CFR Part 60 Subpart IIII, JJJJ or 40 CFR Part 63 Subpart ZZZZ. Organizations, tenants, and contractors using stationary generators shall abide by the notification, maintenance, recordkeeping and reporting requirements of the above regulations. New generators shall be approved by ENV through the REC process described in paragraph 8 above.

### **13. Solid Waste Management.**

a. Depositing litter or any other form of solid waste anywhere on FJ except in designated disposal/recycling containers is prohibited. Disposal and recycling guidance is provided in the Fort Jackson Environmental Guidebook and FJ Regulation 200-9.

b. FJ is required to divert (through source reduction, reuse, recycling, and composting efforts) its municipal solid waste and construction and demolition waste from landfills. These goals are set by HQDA and Common Levels of Support metric 403B and 403C. The proponent for executing and tracking such goals is the DPW.

c. Yard waste and land-clearing debris cannot be placed in a trash container, it shall be (1) chipped on-site, or (2) delivered to a composting and/or wood chipping facility permitted by SCDHEC, or (3) taken to the FJ Mulch Site [located near Golden Arrow Rd., telephone 751-1924] during their operating hours. If the volume of debris is less than 5 cubic yards, it may be taken to the Mulch Site without prior written approval.

### **14. Storage Tanks.**

a. All organizations, tenants, and contractors shall obtain approval from ENV by submitting a REC request IAW paragraph 8 above prior to installing any new underground storage tanks (USTs) or aboveground storage tanks (ASTs).

b. ENV shall be notified of newly discovered UST locations. No tank shall be buried or unearthed without prior approval from DPW.

c. USTs shall not be used to store HW.

d. Organizations with regulated USTs shall:

(1) Maintain accurate inventory, leak detection and dispensing records to meet regulatory requirements and to enhance detection of leaks.

(2) Notify ENV if a tank is suspected to be leaking.

e. ASTs shall have their contents clearly labeled. All ASTs shall be double-walled unless an exemption has been granted by ENV. All organizations that have tanks shall have spill response supplies to contain/ clean-up typical spills and stored in close proximity and readily available for immediate use.

## **15. Stormwater.**

a. All persons and organizations shall comply with applicable federal and state stormwater regulations through execution of required storm water permits. FJ operates under the State of South Carolina National Pollutant Discharge and Elimination System (NPDES) General Permit for Stormwater Discharges from Regulated Small Municipal Separate Storm Sewer Systems, which requires FJ to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants to the maximum extent practicable to protect water quality.

b. All installation staff, tenants, activities, and contractors shall comply with all the requirements outlined in: 1) FJ's Stormwater Management Plan, 2) Industrial Stormwater Pollution Prevention Plan (SWPPP), 3) paragraph 15 of this regulation, and 4) Fort Jackson Land Disturbance Handbook. Failure to comply with these requirements will result in appropriate remedial and/or disciplinary actions as identified in Paragraph 19 below, being taken against violator(s) as appropriate. ENV shall have the authority to order a Work Stoppage when a project/action is found to be non-compliant with any of the 4 items listed above. Work Stoppage as a result of violations shall not be a basis for an equitable adjustment.

c. Land Disturbing Activities: All projects, regardless of proponent, that involve land disturbance one acre or greater shall adhere to the South Carolina NPDES General Permit for Stormwater Discharges from Construction Activities and the Fort Jackson Land Disturbance Handbook. SWPPPs shall be submitted to ENV for review and approval prior to project initiation. Projects less than one acre must submit a sediment and erosion control plan prior to project initiation, when requested by ENV.

d. Discharge Prohibitions: No person shall throw, drain, or otherwise discharge, cause, or allow others under their control to throw, drain, or otherwise discharge on FJ any pollutants or waters containing any pollutants into a storm drain, pipe or other conveyance system. This includes all types of wash waters, process waters, industrial waters, etc. (see also the Waste Water paragraph below). Any person observing an illicit (i.e. unlawful) discharge shall immediately report it to ENV.

e. Illicit Connections: The construction, use, maintenance, or continued existence of illicit connections to the storm drain system is prohibited. Improper connections in violation of this regulation must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of DPW.

f. Right of Entry - Inspection and Sampling: ENV shall be permitted to enter and inspect facilities subject to storm water regulations as often as may be deemed necessary to determine compliance with applicable permits. ENV may also, at their discretion, set up on any permitted facilities premises such devices as are necessary to conduct monitoring and/or sampling of the facility's stormwater discharge.

## **16. Wastewater.**

a. No person or organization shall discharge any non-domestic waste into the sanitary sewer system without an applicable permit. IAW 40 CFR Part 403.5 and the City of Columbia's Sewer Use Ordinance, items/liquids that can cause pass through, or clog the system, or interfere with the waste treatment process shall not be put into the sewer system. This includes, but is not limited to, the following:

- (1) Fats, oils, and greases or POL products
- (2) Bath/body/baby/toilet wipes
- (3) HSs, such as paint, gasoline, or diesel fuel
- (4) Any garbage or waste not small enough to pass through a ½ inch screen
- (5) Waste with a pH <6 or >9
- (6) Any waste, liquid, or vapor having a temperature >150° F
- (7) Chlorine waste
- (8) Blow-down or bleed water from cooling towers or other evaporative coolers exceeding 1/3 of the makeup water
- (9) Any waste that may precipitate, solidify or become viscous between 50 - 100°F
- (10) Rainwater/stormwater
- (11) Rags, lint, glass, wood chips/dust, metals, tar, plastics or related
- (12) Ammunition [any size, live or blank, spent, expended, etc.]
- (13) Radioactive fluids or wastes
- (14) Non-permitted industrial or process waters
- (15) Steam condensate

b. Vehicles may only be washed in designated areas. Privately-owned vehicles may only be washed at the MWR Carwash, Building 5672. Government-owned vehicles may only be washed in designated wash racks. Government wash racks are located at buildings 1701, 2097, 2607, 2610, 9408, 13100 and D6275. If used, soaps or detergents for washing vehicles must be non-emulsifying, self de-emulsifying, "quick break", or otherwise designated compatible for oil-water separators.

## **17. Cultural Resources.**

a. ENV is responsible for administering laws and regulations related to the management of cultural resources (historic properties) on FJ. Historic properties are defined as any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places.

### **b. Archaeological Sites and Artifacts:**

(1) Federal law prohibits the removal of artifacts from federal property. No person may excavate, remove, damage, or otherwise alter or deface any archaeological resources located on FJ unless such activity is pursuant to a permit issued under the Archaeological Resources Protection Act. The use of metal detectors for other than official purposes is prohibited. Individuals finding artifacts (arrowheads, bones, etc.) during approved excavations (ex. fighting positions, utility excavations, construction, etc.) should immediately contact range operations or ENV.

(2) Known archaeological sites are to be avoided during military training and other land disturbing activities. Archaeological sites are off-limits to fixed training, such as bivouacking, digging, and surface-disturbing vehicular traffic. Archaeological sites are marked with white aluminum signs with red lettering stating "RESTRICTED AREA." Small black lettering on the same sign states, "Any digging, excavating, removing, altering, or otherwise disturbing or damaging the area within a 50 meter radius of this sign is illegal." Information concerning the nature and location of any archaeological sites shall not be released to the public without prior approval from ENV.

c. Commanders, directors, supervisors, lessees, licensees, and tenants shall ensure their personnel are aware that no alteration or disturbance of any type is to be made to any historic property without first contacting ENV. This is accomplished by submitting a REC request to the ENV [see paragraph 8 above]. This includes all military projects or actions such as new bivouacking sites, new ranges, or other ground disturbing activities.

### **d. Cemeteries:**

(1) Cemeteries, shall be preserved and maintained. Preservation includes protecting cemeteries from damages caused by land management activities, construction, military training, etc. Cemeteries are off-limits to military training activities, unless specifically authorized by the ENV Cultural Resources Manager. Prior to any



proposed action or other disturbance, the proponent shall submit a REC request to ENV as stated in paragraph 8 above such that a review for potential impacts is performed.

(2) Maintenance of cemeteries involves the mowing and clearing of vegetation, repair of fences and signs, and the removal of obvious refuse. The ENV Cultural Resources Manager shall be consulted prior to any maintenance actions being performed.

## **18. Natural Resources.**

a. Endangered Species: Endangered species sites are restricted or off-limit areas. Federal penalties are severe for violations of regulations associated with the protection of these species.

(1) FJ has two federally listed endangered plant species. They are the rough-leaved loosestrife (located only in the East Impact Area) and the smooth coneflower (located in Training Area 29-B, adjacent to Statue of Liberty Road in the South Carolina Army National Guard License Area). These two areas are off-limits to military training and all other activities not approved by the ENV. Maps of their known locations can be obtained from the ENV Wildlife Branch and Directorate of Plans Training Mobilization and Security (DPTMS)-Range Operations.

(2) The only known federally endangered animal found on FJ is the red-cockaded woodpecker (RCW). RCWs are sensitive to certain disturbances. Certain activities are limited or prohibited within RCW sites (area within 200 feet of RCW cavity trees). Updated maps of known RCW sites can be obtained from the ENV and range operations.

(a) RCW sites are identifiable by the following means:

1. Trees at the edge of the 200-foot buffer zone are marked with a white or yellow diamond shaped sign indicating that the area within is an endangered species site. Tampering with these signs is prohibited.

2. Active cavity trees are marked with two white bands at approximately breast height. Cavity trees encountered within buffer zones shall be protected from any form of damage, disturbance or cutting.

3. Inactive relict cavity trees are marked with two light green painted bands at approximately breast height. There are no training restrictions associated with green banded trees, but the trees themselves shall be protected from damage, disturbance or cutting.

(b) Activities prohibited within RCW clusters/sites on FJ are listed in FJ Regulation 350-14, (Post Range Regulation), 15 Mar 13, paragraph 7-8.



(c) No trees are to be damaged, disturbed or cut in any way without prior approval from ENV.

b. To minimize the danger of wildfire during adverse weather such as high wind and drought, range operations shall impose restrictions on the type of ammunition, training devices, pyrotechnics, and demolitions that can be used, based on recommendations from the Forestry Branch.

c. Open fires are prohibited on FJ. Report all fires to range operations or call the FJ Fire Department at 751-9111.

d. Soil excavation, digging, or earth moving operations in support of training, such as excavating fighting positions, requires prior approval from ENV and range operations. Areas where approved earth moving operations, to include the digging of fighting positions, that have taken place shall be restored to original or better condition after the operation is completed. See FJ Regulation 350-14 for further guidance. Proponents shall submit a REC request to ENV as described in paragraph 8 above and gain approval prior to any soil excavation regardless of purpose.

e. Any deviation from the normal military training activity requires prior approval by ENV by following the REC/NEPA review process in paragraph 8 above.

f. Forging of streams by vehicles is not allowed. Existing culverts and bridged crossings shall be used.

g. Areas showing signs of erosion shall be reported to range operations.

h. Ranges and training areas shall be thoroughly policed after each use. Do not leave trash, debris, ammunition, expended casings, wire, inoperable vehicles etc in forested or training areas. To minimize soil erosion, raking of leaves and pine straw is prohibited on ranges except in areas that have established grass or around ammunition points and firing lines.

i. Trees shall not be cut or damaged in any area of the installation without authorization from the ENV. To cut trees for training use, submit a REC request form IAW paragraph 8 above. The only type of foliage approved for use as camouflage is scrub oak.

j. Wetlands areas are off-limits to vehicle maneuver training. Washing vehicles at any location that is not a wash rack is prohibited. No fill material (dirt, rock, etc) shall be placed in wetlands, streams, swamps, or creeks without authorization from ENV.

k. Tracked vehicles are prohibited from travel on hard surface roads and road shoulders. Tracked vehicles shall limit their movement to known established tank trails and firebreak roads. See FJ Regulation 350-14 for further guidance.

l. The ENV shall:

(1) Manage natural resources through the implementation of the Integrated Natural Resources Management Plan.

(2) Implement provisions of the Endangered Species Act, the Clean Water Act (as it relates to wetlands, floodplains, soil erosion, and non-point source water pollution), NEPA, the Sikes Act, and other appropriate federal and state environmental laws and regulations pertaining to natural resources management.

m. The DPTMS shall provide ENV personnel and their contractors access to ranges and training areas to accomplish the natural and cultural resources management mission.

n. Commanders, directors, supervisors, licensees, and tenants shall:

(1) Ensure the appropriate environmental review of all projects and actions is completed in the planning stages by submitting REC requests to the ENV.

(2) Ensure their personnel are aware that no actions shall be implemented which have the potential to adversely impact wildlife, wetlands, trees and other vegetation, soils, and water quality without first contacting ENV.

## **19. Environmental Violations and Enforcement Procedures.**

a. Federal facilities, like FJ, are subject to penalties for violations of both federal and applicable state environmental statutes and regulations. A commander, supervisor, or employee who knowingly violates or is aware of a violation of environmental law or regulation and does not act promptly to report, prevent, or correct the violation, may also be subject to adverse action or criminal prosecution. Any organization that receives a monetary penalty from the EPA or SCDHEC shall pay the fine from their budget. FJ has no funds set aside for environmental violations.

b. All persons who violate environmental laws are potentially personally liable for violations as set forth in the applicable statute. Violation of law is not within the scope of employment.

c. Potential sanctions for contractor violations may include, but are not limited to:

(1) Enforcement actions by federal regulators and law enforcement agencies.

(2) Contract payment withholding, liquidated damages, setoff, or equitable adjustment.

(3) Indemnification of government costs due to administrative enforcement and litigation.

(4) Contract termination.

(5) Consideration of past performance evaluations in award of future contracts.

(6) Suspension or debarment from bidding or working on future contracts.

(7) Stop-work orders may be issued for the entire project until violations have been rectified to the satisfaction of the U.S. Government.

d. AR 200-1 identifies the legal authorities for the environmental and natural resource requirements and violations. Army legal counsel should be consulted on the applicability of all laws, regulations, initiatives, and executive orders. Similarly, all permits, agreements, notices of violations, enforcement actions, especially reports of potential liability under AR 200-1, paragraph 16-4, require early and close coordination with Army legal counsel that is responsible for direct support to the command or activity. As necessary, legal counsel at FJ is required to coordinate issues and positions that may affect other Army organizations with the appropriate Army legal chain.

## **Appendix A**

### **References**

- a. AR 200-1, Environmental Protection and Enhancement, 13 Dec 2007. Legal Drivers are identified in this regulation.
- b. AR 420-1, Army Facilities Management, 24 Aug 2012.
- c. Executive Order 13693, Planning For Federal Sustainability in the Next Decade 25 March 2015.
- d. Executive Order 13514, "Federal Leadership in Environmental, Energy, and Economic Performance.
- e. South Carolina Department of Health and Environmental Control Regulation 61-79.260-273.

## **Glossary**

### **Abbreviations**

**AR**

Army Regulation

**AST**

aboveground storage tank

**CFCs**

chlorofluorocarbons

**CFR**

Code of Federal Regulations

**COR**

contracting officer's representative

**CW**

controlled waste

**DoD**

Department of Defense

**DPTMS**

Directorate of Plans Training Mobilization and Security

**DPW**

Directorate of Public Works

**ECO**

environmental compliance officer

**ECOC**

Environmental Compliance Officer Course

**ENV**

Environmental Division

**EPAS**

environmental performance assessment system

**EPA**

Environmental Protection Agency

EQCC  
Environmental Quality Control Committee

FJ  
Fort Jackson

HCFCs  
hydrochlorofluorocarbons

HM  
hazardous material

HMMP  
Hazardous Material Management Program

HQDA  
Headquarters Department of the Army

HS  
hazardous substance

HSMP  
Hazardous Substance Management Plan

HW  
hazardous waste

IAW  
In accordance with

ISCP  
Installation Spill Contingency Plan

LBP  
lead-based paint

NEPA  
National Environmental Policy Act

NOV  
notice of violation

NPDES  
National Pollutant Discharge and Elimination System

PCB  
polychlorinated biphenyl

POL  
petroleum, oils, and lubricants

PWS  
performance work statement

RCW  
red-cockaded woodpecker

REC  
record of environmental consideration

SCDHEC  
South Carolina Department of Health and Environmental Control

SOW  
scope of work

SWPPP  
Stormwater Pollution Prevention Plan

UST  
underground storage tank

UW  
universal waste

