



Formerly Used Defense Site Program

U.S. ARMY CORPS OF ENGINEERS

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Frequently Asked Questions

Introduction

The Department of Defense (DoD) is committed to protecting human health and the environment and improving public safety by cleaning up environmental contamination at former military properties.

The Formerly Used Defense Site (FUDS) Program cleans up, addresses military munitions and removes building/debris safety hazards caused by DoD on properties formerly owned, leased, possessed or used by the military services prior to October 1986. Through the FUDS Program, the Army, through the U.S. Army Corps of Engineers, responds to DoD-generated contamination that occurred before the property was transferred to private owners or to federal, state, tribal or local government entities.

The scope and magnitude of the FUDS Program are significant. There are more than 10,000 potential FUDS projects. FUDS properties range in size from less than one acre to half a million acres, and they are located throughout the United States and its territories.

Active communication, coordination, consultation and collaboration with property owners, state and federal regulators, tribal and local government, and local communities are critical in planning and carrying out cleanups. The USACE works hard to keep all interested parties informed and offers opportunities for dialogue throughout all cleanup phases.

Frequently Asked Questions

Here is a list of questions and answers about the FUDS program that project managers and public affairs specialists may find helpful when meeting with the public. It is not expected that anyone will use all of these Q's and A's or use the answers verbatim. This is just one more tool that can be used to help explain how the program works.

1) What is the FUDS program?

The FUDS Program cleans up environmental contamination at properties formerly owned, leased, possessed, or used by the military services (Army, Navy, Air Force, or other Defense agencies). The Army is the Department of Defense executive agent for FUDS and the U.S. Army Corps of Engineers (USACE) is responsible for carrying out the program.

2) Who runs the FUDS program?

The DoD is responsible for cleaning up DoD-generated contamination on FUDS properties. The Army oversees the program for DoD and the USACE manages the cleanup at these properties. Actual cleanup is accomplished by appropriate USACE geographic district. Cleanup is performed in consultation with the U.S. Environmental Protection Agency and state environmental and health offices.

3) How does it differ from the cleanup program on active installations?

Although the FUDS program is part of the Defense Environmental Restoration Program (DERP) and cleans up properties consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as amended and the National Oil and Hazardous Substances Contingency Plan (NCP), it differs from the environmental cleanup program at active military installations in several ways. The DoD no longer owns FUDS properties as it does at active installations, nor does it have a long-term presence. There is no installation commander per se at a FUDS property, although the commander of the USACE doing the cleanup work serves as a de factor installation commander. The Defense Department also doesn't control the land use of FUDS properties. The FUDS program cleans up only DoD-generated eligible contamination, which occurred before the transfer of the property to private owners or federal, state or local governments. The FUDS program also does not certify that the property is clean, particularly where contamination may be present as the result of actions of parties other than DoD.

The FUDS program is not part of the Base Realignment and Closure (BRAC) program, nor is it part of the DoD Installation Restoration Program or the Environmental Protection Agency's Superfund program. Each program is distinct from the FUDS program.

4) Are these only Army sites?

No, the program covers property that was once used by any military service prior to October 1986, when the program was established.

5) What is the current funding level for FUDS nationwide? And how much do you think it will cost to clean up these properties nationwide?

Under the defense budget continuing resolution, funding for the FUDS Program nationwide for fiscal year 2015 was approximately \$267 million. The current estimate for completing cleanup nationwide is \$17.9 billion.

6) How is FUDS funding set?

The USACE submits a FUDS budget recommendation to the Department of Army, which submits it to the DoD for consideration as part of the Defense Department's annual budget proposal presented by the President to Congress.

7) How many FUDS properties are there nationwide?

There are more than 10,000 potential FUDS properties across the country and its territories. As of September 2018, approximately 5,400 FUDS properties nationwide have been identified for investigation and cleanup with more added each year. Of these sites, cleanup has been completed at 3,650 sites, leaving 1,776 sites identified where cleanup actions still require a CERCLA response.

8) How is FUDS cleanup funding prioritized?

Using a risk management approach with those properties posing the highest prioritizes our cleanup work and most imminent risk to human health, safety and the environment addressed first. The DoD focuses on actions that reduce risks in the short-term and then addresses longer-term risk management actions.

For the Installation Restoration Program (IRP) that deals with hazardous waste sites, sites are categorized as High, Medium, or Low relative risk, based on the degree of contamination, whether the contamination is migrating, and whether a receptor is available.

For the Military Munitions Response Program (MMRP), DoD developed a Munitions Response Site Prioritization Protocol (MRSPP) in conjunction with the U.S. Environmental Protection Agency (USEPA), and many other stakeholders. Sites are scored based on the types of munitions or their munitions constituents (MC), receptors, and the likelihood that receptors will come in contact with MEC.

As funds become available to clean up IRP and MMRP sites, other factors may affect the sequence in which work is scheduled. Concerns by stakeholders are certainly factors that could influence a decision maker, moving one site ahead of another as DoD employs its risk management approach.

Remember, these properties are no longer controlled by the Department of Defense and range from privately owned businesses and private homes to national parks.

9) How long do you think it will take to clean up these properties?

At current annual funding levels, we expect that cleaning up all these properties could take until 2085 or beyond.

10) Why does it take so long?

The cost to complete the FUDS Program is estimated at about \$17.9 billion excluding inflation. With an annual funding of approximately \$267M, it would take a long time to get all properties cleaned up. Cleaning up these properties is a multi-step process that involves identification, investigation, clean up and in some cases, long-term maintenance, all of which takes time, is labor-intensive, and often costly.

In most cases, some cleanup was done by the military before the property changed hands. However, that work was done according to the cleanup standards, methods and technology available at the time. Throughout the years, our cleanup standards, methods and technology have changed a great deal, and in many cases, what was once considered adequate is no longer fully protective of human health, safety and the environment.

11) Why are tax dollars being spent to clean up private property?

The Department of Defense is committed to and takes responsibility for correcting environmental damage caused by its activities.

12) Does FUDS include BRAC sites?

No, that is a separate program. The FUDS program only encompasses those properties that left DoD control prior to October 1986. The Base Realignment and Closure (BRAC) program encompasses military installations identified for closure or realignment in a series of special legislation since 1988.

13) How do you decide which sites get cleaned up first? And who makes that decision?

The USACE does its cleanup work at FUDS properties on a prioritized basis – the highest risk sites are cleaned first. The USACE uses ratings of relative risk to human health, human safety and the

environment for its projects, along with other management factors, such as stakeholder concerns, in prioritizing its projects. The Army makes the decision as to which sites are cleaned up first, considering input from regulators and other stakeholders. All USACE work is based on a Department of the Army-approved work plan developed at the beginning of each fiscal year.

14) How do you protect the public from hazards at sites where you are not currently doing work?

The FUDS program uses a number of methods to protect the public from hazards, including public awareness/education campaigns to warn the public about possible hazards and precautions they should take. The USACE also works with local communities, state, federal and tribal governments to determine how best to keep the public safe. Often there are land-use restrictions that were written into deeds when the property was transferred. The USACE also uses fencing and signage, where appropriate, to warn the public of possible hazards.

15) How can I find out where FUDS properties are located?

You can go to the FUDS Web site:

<http://www.usace.army.mil/Missions/Environmental/FormerlyUsedDefenseSites.aspx>

You can also contact your local USACE district office.

16) How can I find out if property was used or owned by the military?

Previous military ownership is usually identified in a title search. Other sources of information include the local library and government archives. One of the best sources of information are older residents who live in an area. You also can contact the closest USACE district office (Los Angeles District) to give them the location of your property, or you can also check out the USACE FUDS Web site for a listing of FUDS properties in your state and county:

<http://www.usace.army.mil/Missions/Environmental/FormerlyUsedDefenseSites.aspx>

17) Do you know where all the FUDS properties are?

The USACE has made extensive efforts to develop its current FUDS inventory based on historical records, military service, stakeholder and regulator input, and other sources. As additional cleanup projects occur, potential new FUDS properties are often identified. The USACE adds between 50 and 100 new properties each year to the FUDS inventory.

18) When you are finished, can you guarantee that the property is clean?

While tremendous progress in technologies and techniques addressing environmental contamination have been made over the years, there is, as yet, no method which will provide a 100 percent certainty that all environmental concerns are discovered and can be completely addressed.

The USACE does everything it can to ensure that when its work is complete, human health and the environment are protected. Independent regulatory agencies provide oversight to the USACE work, and the community is an important stakeholder in the process. It should be noted that the USACE will return to a site to investigate information which may indicate that its work there is not yet complete.

While there can be no guarantee, the USACE is committed to completing a protective professional response action with the highest confidence level that can reasonably be achieved.

19) Who oversees the USACE in this cleanup effort?

The USACE is responsible for cleaning up the sites under the direction of the Department of the Army and the DoD. There also are lead regulators for each FUDS property, either the state government or the USEPA. The USACE works with all parties, including the affected public, to ensure that the cleanups are being conducted in accordance with all applicable laws and regulations.

20) What should I do if I find something that I think is ordnance?

If you find any item suspected of being ordnance, notify local law enforcement officials immediately. Note the location of the suspicious item, but DO NOT touch or disturb the suspicious item. Ordnance can be dangerous no matter how old it is or may appear to be. Always report ordnance finds to local law enforcement officials and do not touch it. Practice the “3Rs”: **Recognize** that any suspicious objects found in the area should not be touched under any circumstances, **Retreat**, or carefully leave the area and, **Report** immediately what was found and its approximate location to the police.



Follow the 3Rs of Explosives Safety if you suspect you may have come across a military munition.

Recognize – when you may have come across a munition and that munitions are dangerous.

Retreat – do not approach, touch, move or disturb it, but carefully leave the area.

Report – call 911 and advise the police of what you saw and where you saw it.

21) I know someone who has ordnance in his garage. How can he get rid of it?

He should notify local law enforcement officials who will make the proper arrangements to dispose of the ordnance quickly and safely.

22) I have information about a site and its former use. Who should I contact?

Contact the nearest USACE district office, which will put you in touch with people in the FUDS program. Any information you may have about a former site will help the USACE in evaluating the site and the need for cleanup.

23) No one has been hurt on the FUDS property near me. Why should the government use my tax dollars to clean it? Why don't they just leave it alone?

The DoD takes seriously its responsibility to ensure that land it once owned, used or leased has been cleaned in such a way that is protective of human health, safety and the environment. The FUDS program is the vehicle to accomplish that mission.



US Army Corps
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For more information:

Contact the U.S. Army Corps of Engineers, Los Angeles District Public Affairs Office at 213-452-3921 or publicaffairs.spl@usace.army.mil.

To learn more about the FUDS Program, visit www.fuds.mil.

