

module, and the MRS priority will be assigned based on the modules (if any) for which sufficient data were available for a complete evaluation of the hazard. The Protocol will be reapplied to the MRS when data to complete evaluation of the remaining modules is obtained.

DoD Components will review each MRS priority at least annually and update the priority as necessary to reflect new information that has become available. The Protocol will be reapplied at a MRS under the following circumstances:

(1) Upon completion of a response action that could change the site conditions evaluated by the hazard evaluation modules at the MRS.

(2) To update or validate a previous module evaluation at an MRS when new information is available.

(3) To update or validate an MRS priority that was previously assigned based on evaluation of only one or two of the three hazard evaluation modules.

(4) Upon further delineation and characterization of an MRA into MRS.

(5) To categorize MRS previously classified as "evaluation pending."

DoD Components are directed to develop and maintain records on the application of the Protocol for each MRS. At a minimum, the records shall contain references to all information and documents used for the evaluation (e.g., field logs, data from preliminary assessments, site inspections, or remedial investigations/feasibility studies, risk assessments), evaluation documentation (e.g., worksheets), and database records. These records will be included in the Administrative Record for the MRS.

DoD Components will also report the MRS priority and the ratings for each hazard evaluation module to the Office of the Deputy Under Secretary of Defense (Installations & Environment) for inclusion in the DERP Annual Report to Congress.

IX. Schedule for Application of the Protocol and for Addressing MRS Assigned a Rating of "Evaluation Pending"

DoD intends that the Protocol be applied to any given MRS as soon as the information required to populate any of the modules is available. Where a DoD Component has some, but not all the data to apply any of the modules, DoD believes it appropriate to establish programmatic goals and specific milestones for applying the Protocol. For example, the Formerly Used Defense Sites (FUDS) program has most of the data required for application of the EHE and CHE modules at a significant number of FUDS. This is

known because FUDS have been evaluated using the risk assessment code, one of the two interim tools DoD adopted to prioritize munitions responses. There are also a much smaller number of sites that have been evaluated using the RRSE tool, the other interim tool DoD adopted in the Management Guidance to prioritize munitions responses. DoD also realizes that it does not have any of the data required to apply the Protocol at other MRS. These MRS will be initially assigned the rating of "evaluation pending."

DoD intends to establish specific milestones for applying the Protocol that differentiate among MRS that have undergone a RAC or RRSE evaluation, MRS with a status of "evaluation pending," and MRS identified after May 31, 2003. While DoD does not intend to include such goals and milestones in the final regulation, DoD believes that input from interested parties may prove valuable in determining an appropriate time frame for application of this Protocol to the MRS in the inventory, and suggests the following goals are appropriate:

- For each MRS in the inventory as of May 31, 2003, that has not been evaluated using the RAC or RRSE tools and which is assigned a status of "evaluation pending:"

- A priority will be assigned based on an evaluation using at least one hazard evaluation module by May 31, 2007.

- A priority will be assigned based on an evaluation using all hazard evaluation modules by May 31, 2012.

- For each MRA or MRS identified after May 31, 2003:

- A priority will be assigned based on an evaluation using at least one hazard module within 2 years of identification or by May 31, 2007, whichever is later.

- A priority will be assigned based on an evaluation using all hazard modules within 4 years of identification or by May 31, 2012, whichever is later.

X. Protocol Testing Methodology

In developing the Protocol, DoD conducted extensive testing of various alternative constructions. This testing helped DoD develop the numeric values for the data elements and factors, achieve consistent and repeatable results, ensure an appropriate spread of MRS across the priority outcomes, and ensure MRS were assigned appropriate outcomes based on site conditions.

A. Selection of Sites

During development of the Protocol, more than 70 MRS were tested using the Protocol. The majority of MRS selected for testing were FUDS because DoD had the most data for these MRS. Within FUDS, MRS ranging from a minimal hazard to the highest hazard were tested. In addition, DoD selected MRS known to contain multiple hazards (i.e., EHE, CHE, and/or RRSE) as a means to test the logic of the evaluation of each hazard module and the overall Protocol.

B. Testing Format

DoD tested the Protocol on numerous occasions. Testing was completed during presentations to stakeholders, during weekly internal working group meetings, and during several concentrated testing sessions with DoD personnel. Testing working groups typically consisted of a small group of DoD experts knowledgeable in munitions response and environmental restoration. The majority of testing was conducted by a core group of participants to promote consistency.

The group testing the model typically scored three to five MRS at a time, reviewing available data and documenting their findings in a worksheet developed specifically for the testing. Worksheets were developed specific to each module. Other personnel compiled the scores as the group testing the model completed each grouping of MRS. The compiled scores facilitated discussion held after every three to five MRS to give the group a chance to discuss any significant issues or problems encountered. As revisions were made to the Protocol, additional testing was performed to ensure the validity of the changes.

C. Testing Conclusions

After the final testing session, DoD performed a detailed data analysis on both the results received from hands-on testing, as well as extensive modeling analysis. Testing was completed to ensure that there was a logical spread across MRS, and that the scores themselves were logical for each MRS. Modeling was conducted as a final step to analyze the logic in the scorings and weightings. Upon completion of the analysis, the DoD work group discussed the results and made the necessary modifications.

DoD is confident that the testing conducted indicated the Protocol provides a useful tool for prioritizing MRS. The testing and the comments received from stakeholders were critical in assisting DoD with developing this proposal.