

approach for evaluating the relative risk to human health and the environment posed by chemical contamination present at an MRS (the *RRSE Primer* can be found in the publications section at <http://www.dtic.mil/envirodod>). The RRSE module shall be used for evaluating the potential hazards posed by munitions constituents (MC) and other chemical contaminants.

(2) Evaluation of three factors—contaminants present, environmental migration pathways, and receptors—applied to four media—soil, surface water, groundwater, and sediments—results in the placement of MRS into RRSE module ratings of “high,” “medium,” or “low.” (See Table 21 of Appendix A to this part.)

(3) The RRSE module rating shall be considered with the EHE and CHE module ratings to determine the MRS priority.

(4) There are also two other potential outcomes for the RRSE module:

(i) *Evaluation pending*. This category is used when there are known or suspected MC or chemical contaminants, but sufficient information is not available to determine the RRSE module rating.

(ii) *No longer required*. This category is reserved for MRS that no longer require an assigned MRS priority because DoD has conducted a response, all objectives set out in the decision document for the MRS have been achieved, and no further action, except for long-term management and recurring reviews, is required.

(iii) MRS lacking information sufficient for assessing an RRSE module rating shall be programmed for additional study and evaluated as soon as sufficient data are available. Until an RRSE module rating is assigned, MRS shall be classified as “evaluation pending” for the RRSE module.

(d) *Determining the MRS Priority*. (1) An MRS priority is determined based on the ratings from the EHE, CHE, and RRSE modules (see Appendix A to this part, Table 22). Until all three hazard evaluation modules have been evaluated, the MRS priority shall be based on the results of the modules completed.

(2) Each MRS is assigned to one of eight MRS priorities based on the ratings of the three hazard evaluation modules, where Priority 1 indicates the highest potential hazard and Priority 8 the lowest potential hazard. Under the Protocol, only MRS with CWM can be assigned to Priority 1 and no MRS with CWM can be assigned to Priority 8.

(3) Where there is insufficient information to assess any of the three hazard evaluation modules, MRS shall

receive an “evaluation pending” rating for that module. DoD shall develop program metrics focused on reducing the number of MRS with a status of “evaluating pending” for any of the three modules.

(4) A “prioritization not required” rating is used to indicate that a MRS no longer requires prioritization. This designation is used only when all three hazard evaluation modules are rated as “no longer required” or “no known or suspected explosive hazard” or “no known or suspected CWM hazard.”

§ 179.7 Sequencing.

(a) *Sequencing considerations*. The sequencing of MRS for action shall be based primarily on the MRS priority determined through applying the Protocol. Generally, MRS that present a greater relative hazard to human health, safety, or the environment will be addressed before MRS that present a lesser relative hazard. Other factors, however, may warrant consideration when determining the sequencing for specific MRS. In evaluating other factors in its sequencing decisions, DoD will consider a broad range of issues. These “risk-plus” or “other” factors do not influence or change the MRS priority but may influence the sequencing for action. Examples of factors that DoD may consider are:

(1) Concerns expressed by stakeholders

(2) Cultural and social factors

(3) Economic factors, including economic considerations pertaining to environmental justice issues, economies of scale, evaluation of total lifecycle costs, and estimated valuations of long-term liabilities

(4) The findings of health, safety, or ecological risk assessments or evaluations based on MRS-specific data

(5) The reasonably anticipated future land use, especially when planning response actions, conducting evaluations of response alternatives, or establishing specific response action objectives

(6) Community reuse requirements at BRAC installations

(7) Tribal trust lands, which are lands held in trust by the United States for the benefit of any Indian Tribe or individual. The United States holds the legal title to the land and the Tribe holds the beneficial interest.

(8) Implementation and execution considerations (e.g., funding availability; the availability of the necessary equipment and people to implement a particular action; examination of alternatives to responses that entail significant capital investments, a lengthy period of

operation, or costly maintenance; considering alternatives to removal or treatment of contamination when existing technology cannot achieve established standards (e.g., maximum contaminant levels)

(9) For responses to address UXO or DMM, the availability of technology to detect, discriminate, recover, and destroy the UXO or DMM

(10) Implementing standing commitments including those in formal agreements with regulatory agencies, requirements for continuation of remedial action operations until response objectives are met, other long-term management activities, and program administration

(11) Established program goals and initiatives

(12) Short-term and long-term ecological effects and environmental impacts in general, including injuries to natural resources.

(b) *Procedures and documentation for sequencing decisions*. (1) Each installation or FUDS is required to develop and maintain a MAP or its equivalent. Sequencing decisions, which will be documented in the MAP, at installations and FUDS shall be developed with input from stakeholders, such as the regulatory and community members of an installation's RAB or TRC. If the sequencing of an MRS is changed from the sequencing reflected in the current MAP, information documenting the reasons for the sequencing change will be provided for inclusion in the MAP. Notice of the change in the sequencing shall be provided to those stakeholders that provided input to the sequencing process.

(2) In addition to the information on prioritization, DoD Components shall ensure that information provided by stakeholders that may influence the sequencing of a MRS is included in the Administrative Record and the Information Repository.

(3) DoD Components shall report the results of sequencing to ODUSD (I&E) (or successor organizations). ODUSD (I&E) shall compile the sequencing results reported by each DoD Component and publish the sequencing in the *Defense Environmental Restoration Program Annual Report to Congress*. If sequencing decisions result in action at an MRS with a lower MRS priority ahead of MRS with a higher priority, specific justification shall be provided to ODUSD (I&E).