

## Department of the Army, DoD

## § 655.10

A category of actions that do not require an EA or an EIS because DA has determined that the actions do not have an individual or cumulative impact on the environment. (Refer to Subpart D for further discussion.)

### Closure of a majority installation

(Except where the only significant impacts are socioeconomic with no significant biophysical environmental impact). "Majority military installation" is defined in chapter 2 of "Department of Defense Base Structure Report" as "A contiguous parcel of land with facilities and improvements thereon having a command and control organization providing a full range of BASOPS (base operations) functions in support of assigned missions." Compare with the definition of a "minor installation," which is "under the command of and receives resources support from the commander of another installation which is geographically distant."

### Foreign government

A government regardless of recognition by the United States, political factions, and organizations that exercises governmental power outside the United States.

### Foreign nations

Any geographic area (land, water, and air-space) that is under the jurisdiction of one or more foreign governments. It also refers to any area under military occupation by the United States alone or jointly with any other foreign government. Includes any area that is the responsibility of an international organization of governments also includes contiguous zones and fisheries zones of foreign nations.

### Global commons

Geographical areas outside the jurisdiction of any nation. They include the oceans outside territorial limits and Antarctica. They do not include contiguous zones and fisheries zones of foreign nations.

### HQDA proponent

As the principal planner, implementer, and decision authority for a proposed action, the HQDA proponent is responsible for the substantive review of the environmental documentation and its thorough consideration in the decisionmaking process.

### Major Federal action

Reinforces, but does not have a meaning independent of, "significantly affecting the environment," and will be interpreted in that context. A Federal proposal with "significant effects" requires an environmental impact statement, whether it is "major" or not. Conversely, a "major federal action" without "significant effects" does not necessarily require an EIS.

### Preparers

Personnel from a variety of disciplines who write environmental documentation in clear and analytical prose. They are primarily responsible for the accuracy of the document.

### Proponent

Proponent identification is dependent on the nature and scope of a proposed action as follows:

(1) Any Army structure may be a proponent. For instance, the installation/activity Facility Engineer (FE)/Director of Engineering and Housing becomes the proponent of installation-wide Military Construction Army (MCA) and Operations and Maintenance (O&M) Activity; Commanding General, U.S. Army Training and Doctrine Command (TRADOC) becomes the proponent of a change in initial entry training. The proponent may or may not be the preparer.

(2) In general, the proponent is the lowest level decisionmaker. It is the unit, element, or organization that is responsible for initiating and/or carrying out the proposed action. The proponent has the responsibility to prepare and/or secure funding for preparation of the environmental documentation.

### Significantly affecting the environment

An action, program or project that would violate existing pollution standards; cause water, air, noise, soil or underground pollution; impair visibility for substantial periods of any day; cause interference with the reasonable peaceful enjoyment of property or use of property; create an interference with visual or auditory amenities; limit multiple use management programs for an area; cause danger to the health, safety, or welfare of human life; or cause irreparable harm to animal or plant life in an area. Significant beneficial effects also do occur and must be addressed if applicable. (See 40 CFR 1508.27.)

## PARTS 652-654—[RESERVED]

## PART 655—RADIATION SOURCES ON ARMY LAND

AUTHORITY: 10 U.S.C. 3012.

### **§655.10 Use of radiation sources by non-Army entities on Army land (AR 385-11).**

(a) Army radiation permits are required for use, storage, or possession of radiation sources by non-Army agencies (including civilian contractors) on an Army installation. Approval of the installation commander is required to obtain an Army radiation permit. For the purposes of this section, a radiation source is:

(1) Radioactive material used, stored, or possessed under the authority of a specific license issued by the Nuclear Regulatory Commission (NRC) or an Agreement State (10 CFR);

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(2) More than 0.1 microcurie (uCi) 3.7 kilobecquerels (kBq) of radium, except for electron tubes;

(3) More than 1 uCi (37 kBq) of any naturally occurring or accelerator produced radioactive material (NARM) other than radium, except for electron tubes;

(4) An electron tube containing more than 10 uCi (370 kBq) of any naturally occurring or accelerator produced NARM radioisotope; or

(5) A machine-produced ionizing-radiation source capable of producing an area, accessible to individuals, in which radiation levels could result in an individual receiving a dose equivalent in excess of 0.1 rem (1 mSv) in 1 hour at 30 centimeters from the radiation source or from any surface that the radiation penetrates.

(b) The non-Army applicant will apply by letter with supporting documentation (paragraph c of this section) through the appropriate tenant commander to the installation commander. Submit the letter so that the installation commander receives the application at least 30 calendar days before the requested start date of the permit.

(c) The Army radiation permit application will specify start and stop dates for the Army radiation permit and describe for what purposes the applicant needs the Army radiation permit. The installation commander will approve the application only if the applicant provides evidence to show that one of the following is true.

(1) The applicant possesses a valid NRC license or Department of Energy (DOE) radiological work permit that allow the applicant to use the source as specified in the Army radiation permit application;

(2) The applicant possesses a valid Agreement State license that allows the applicant to use radioactive material as specified in the Army radiation permit application, and the applicant has filed NRC Form-241, Report of Proposed Activities in Non-Agreement States, with the NRC in accordance with 10 CFR part 150, §150.20 (an Army radiation permit issued under provisions of this section will be valid for no more than 180 days in any calendar year);

(3) For NARM and machine-produced ionizing radiation sources, the applicant has an appropriate State authorization that allows the applicant to use the source as specified in the Army radiation permit application or has in place a radiation safety program that complies with Army regulations; or

(4) For overseas installations, the applicant has an appropriate host-nation authorization as necessary that allows the applicant to use the source as specified in the Army radiation permit application and has in place a radiation safety program that complies with Army regulations. (Applicants will comply with applicable status-of-forces agreements (SOFAs) and other international agreements.)

(d) All Army radiation permits will require applicants to remove all permitted sources from Army property by the end of the permitted time.

(e) Disposal of radioactive material by non-Army agencies on Army property is prohibited. However, the installation commander may authorize radioactive releases to the atmosphere or to the sanitary sewerage system that are in compliance with all applicable Federal, DoD, and Army regulations. (The installation commander also will give appropriate consideration to State or local restrictions on such releases.)

[63 FR 53810, Oct. 7, 1998]

**PART 656—INSTALLATIONS, USE OF OFF-ROAD VEHICLES ON ARMY LAND**

- Sec.
- 656.1 Purpose.
- 656.2 Applicability.
- 656.3 Definitions.
- 656.4 Objectives.
- 656.5 Policies.
- 656.6 Responsibilities.
- 656.7 Environmental considerations.
- 656.8 Guidelines and criteria for evaluation and utilization of Army lands for off-road vehicle use.

AUTHORITY: 10 U.S.C. 3012.

SOURCE: 42 FR 56326, Oct. 25, 1977, unless otherwise noted.

**§656.1 Purpose.**

The purpose of this regulation is to establish uniform policies, procedures, and criteria for controlling off-road