Land Use Control Implementation Plan
Ordnance and Explosives Site 2 of the Eastern Bypass
Fort McClellan, Alabama

1. Background

This Land Use Control Implementation Plan (LUCIP) documents land use controls (LUCs) placed upon the property described herein. The property is encumbered by LUCs as a component of the response actions for munitions and explosives of concern (MEC) and for lead in soils on the property.

This LUCIP complies with requirements of the Land Use Control Assurance Plan (LUCAP) (December 2000) signed by the U.S. Environmental Protection Agency (EPA), Alabama Department of Environmental Management (ADEM), U.S. Department of the Army for Fort McClellan, and the Anniston-Calhoun County Fort McClellan Development Joint Powers Authority (JPA).

2. Source and Decision Documents

a. Department of the Army, 2001, Action Memorandum, Eastern Bypass, Fort McClellan, Alabama, August.
b. US Army Corps of Engineers, 2007, Explanation of Significant Differences, Withdrawal of Requirement to Post Warning Signs along the Eastern Bypass Ordnance and Explosives Site 2, Fort McClellan, Alabama, October.
c. Foster Wheeler Environmental Corporation, 2006, Final Site Specific Final Report, Eastern Bypass OE Removal, Fort McClellan, Alabama, April.
d. Tetra Tech EC, Inc., 2006, Final Site Specific Final Report Addendum, Construction Debris Removal Area of the Eastern Bypass, Fort McClellan, Alabama, May.
e. U.S. Army Corps of Engineers, Engineering and Support Center, Huntsville, 2006, Statement of Clearance Ordnance and Explosives Site 2 of the Proposed Eastern Bypass at Fort McClellan, Alabama, June.
f. Shaw Environmental, Inc., 2008, Finding of Suitability to Transfer (FOST), Eastern Bypass-Eastern Portion of Tract No. 3, Fort McClellan, Calhoun County, Alabama, August.
g. Shaw Environmental, Inc., 2006, Decision Document, Portions of Iron Mountain Road Ranges on ALDOT Eastern Bypass Corridor Property, June.

3. Site Location and Description (see attached Figure 1)

a. The Alabama Department of Transportation (ALDOT) is constructing an Eastern Bypass route connecting Interstate 20 located south of Anniston, Alabama, with U.S. Highway 431 and Alabama Highway 21 north of Fort McClellan. The Bypass, of which approximately 5 ½ miles passes through former Fort McClellan property, will enter the former Fort at the southwestern corner and exit at the Summerall Gate area. ALDOT divided the road construction area on Fort McClellan into three sections designated Tracts 1, 2, and 3. Tract 1 is the southern portion of the Eastern Bypass on Fort McClellan. Tract 2 is the Summerall Gate Road relocation area. Tract 3

connects Tract 1 with U.S. Highway 431. The ALDOT intends to use the property to construct a limited access road.

b. The Corps of Engineers Engineering and Support Center, Huntsville, divided the road construction area that traverses Fort McClellan into three Ordnance and Explosives Sites (OESs) for purposes of characterizing MEC. The term MEC distinguishes specific categories of military munitions that may pose unique explosives safety risks and includes unexploded ordnance (UXO), discarded military munitions (DMM), and munitions constituents present in high enough concentrations to pose an explosive hazard. The Army issued an Action Memorandum to document the Army's recommended alternatives for each OES. LUCs were included as one of the recommended risk-reduction alternatives for OES 2 but not for OES 1 and 3. OES 2 includes a large part of ALDOT Tract 3. The recommended risk-reduction alternatives for OES 2 documented in the Action Memorandum were clearance of MEC for intended land use, construction worker education, signage, and construction support. The requirement for signage was removed with an Explanation of Significant Differences. Interim LUCs were placed on OES 2 in 2002 to reduce human health risks from potential exposure to UXO and other MEC and to support the Army's recommended alternatives.

c. OES 2 included a known impact area containing significant quantities of MEC. Historical records indicate this area was used as a 60 millimeter mortar range, a 2.36-inch rocket launcher range, and a tank range. The Army completed a removal to depth of MEC reasonably possible to detect, with the exception of 48 grids where construction debris was located, and issued a Statement of Clearance in April 2004.

d. The 48 grids, known as the Construction Debris Grids, contained many tons of concrete rubble and construction debris used to construct Iron Mountain Road in the 1950s. The removal of MEC in the right-of-way could not be completed until the debris was removed. Discussion among ALDOT, the Army, and ADEM resulted in ALDOT providing a final roadway design for this portion of the Eastern Bypass. The Army then performed a MEC removal for 18 grids where 4 feet or less of fill would be deposited above existing construction debris, for areas where drainage structures would be placed, and for a 10-foot buffer around areas meeting these criteria. MEC was not cleared in 30 full or partial grids shown in Figures 1 and 2 because the roadway design required placing more than 4 feet of fill over these grids. In June 2006, the Army revised the Statement of Clearance based on the additional clearance.

e. Portions of three of the Iron Mountain Road Ranges are located on this property and are contaminated with lead as a result of military activity. The parts of those ranges impacting OES 2 are noted on Figures 1, 3, 4, and 5. The ranges were used mainly for small-caliber weapons training and shotgun firing and were active until 1998. Lead levels are below the industrial cleanup level of 880 mg/kg in the portions of these ranges located in the Eastern Bypass right-of-way making this area suitable for construction purposes; however, the lead levels are above EPA levels allowed for residential use.

4. LUC Boundaries (see attached figures)

The boundaries for the LUCs on OES 2 are defined in the legal description included in the deed with the exception of the boundary for the northwestern section. Global Positioning System (GPS) coordinates are used to define that boundary as shown on Figure 1. The boundaries for the Construction Debris Grids where MEC was not removed are defined by GPS coordinates on Figure 2. GPS coordinates on Figures 3, 4, and 5 mark boundaries for the areas where lead levels exceed levels allowed for residential use.

5. LUC Objectives

The LUCs described in Section 6 below are intended to minimize risk to human health and the environment and to promote human safety. The objectives of the LUCs are to:

a. ensure there are no excavation activities in the Construction Debris Grids until a munitions clearance is conducted
b. prior to excavation activities throughout OES 2, ensure that site workers and construction personnel are made aware of the site's history and of the potential for MEC hazards and that all such personnel receive munitions familiarization training
c. ensure there is no residential use or residential development on the part of the property where military training on the Iron Mountain Road Ranges has resulted in lead levels in excess of residential use levels

6. LUCs (see attached figures)

Land Use Controls include any type of physical, legal, or administrative mechanism that restricts the use of, or limits access to, real property to prevent or reduce risks to human health and the environment. The LUCs described in this LUCIP are designed and intended to meet the objectives stated in Section 5 above.

a. Excavation activities (i.e., digging, drilling, or any other excavation or disturbance of the land surface or subsurface) are prohibited in the Construction Debris Grids because MEC was not removed. In the 30 full or partial grids where MEC was not removed, future on-site construction support and removal of MEC to depth will be provided prior to excavation activities in these grids. The Construction Debris Grids are shown on Figures 1 and 2.

b. Excavation activities throughout the entire OES 2 (Figure 1) shall be managed as provided below to ensure public and site worker safety because residual MEC may pose a potential explosive hazard.
    1) Prior to excavation activities in any area of OES 2, ALDOT will be responsible for ensuring that reasonable and prudent precautions be taken when conducting excavation activities (Figure 1). Such precautions are prudent because potential residual MEC may pose an explosive hazard. At a minimum, the ALDOT will take the following precautions for all workers and/or persons involved in excavation activities in OES 2:
        i. Site workers shall be notified of the military's use of the Property for live-fire and other training and of the potential for MEC to remain.
        ii. Munitions familiarization training shall be provided to persons involved in any excavation activities at the site. This training shall

include explosive hazards associated with MEC that may be present, particularly UXO, and the actions that should be taken (Recognize, Retreat, Report) if a UXO or suspected UXO item is encountered. Site access shall be granted only to those persons who have viewed the UXO safety video titled "Fort McClellan Community Outreach Program, Unexploded Ordnance (UXO) Awareness'.

iii. The ALDOT shall maintain the training records which shall include a list of persons who receive the training and the dates of training.

c. The property impacted by the Iron Mountain Road Ranges (Figures 1, 3, 4, and 5) may be used solely for commercial or industrial activities but not for residential purposes because lead levels exceed the EPA levels allowed for residential use. For purposes of this provision, residential use includes, but is not limited to, single family or multi-family residences; child care facilities; and nursing home or assisted living facilities; and any type of educational purpose for children/young adults in grades kindergarten through 12.

7. Right of Entry

The Army reserves the right to enter the transferred property to inspect the adequacy of the LUC enforcement. Additionally, this area is within the police jurisdiction of the Anniston Police Department.

8. Frequency of Monitoring and Reporting Requirements

a. The LUCAP requires an annual report reflecting the status and effectiveness of these LUCs be provided to the EPA Region 4 and ADEM in March of each year. The ALDOT shall prepare and provide this report to the regulatory agencies and to the Army at the addresses provided in Appendix D of the LUCAP which is included as an enclosure to the FOST.

b. The Army shall complete at least one recurring review of this site. This recurring review began in 2006. Future reviews may be scheduled pending the outcome of the initial review.

9. Responsibility for Monitoring, Maintaining, and Enforcing LUCs

The ALDOT is responsible for monitoring, maintaining, and enforcing the LUCs for the area shown on the attached figures. The ALDOT will be responsible for ensuring the land use controls and restrictions are not violated. Violations will be addressed and managed according to Section 10 below.

10. Enforcement Options Should a LUC Violation Occur

a. Should a third party violate the terms and intent of this LUCIP, the ALDOT will address the violation with the party. If the party does not take actions to correct the violation within 60 days, ALDOT will consider use of all options (e.g., civil action, criminal prosecution) available to correct the violation.

b. Should ALDOT violate the terms and intent of this LUCIP, the Army will address the violation with ALDOT. If ALDOT does not take action to correct the violation within 60 days, the Army will consider use of all options (e.g., civil action, criminal prosecution) available to correct the violation.

11. Reducing or Removing LUCs

a. This LUCIP replaces a previous LUCIP for OES 2 titled "Interim Land Use Control Implementation Plan, Eastern Bypass Ordnance and Explosive Site 2, Fort McClellan, Alabama", March 2002.

b. Revisions to this LUCIP and the LUCs must be approved by the Army, and submitted to ADEM and the EPA for review.

c. If a future MEC clearance action is performed in the remaining construction debris grids, this LUCIP may be revised; but the LUCs required for the entire OES 2 will remain in effect for the cleared area.

d. The LUCs for the Iron Mountain Road Range property are required because the lead levels are above those allowed for residential use. The restriction on residential use for this property shall remain in effect until:

    1) changes to applicable Federal and State risk-based cleanup standards occur which indicate site contaminants would no longer pose potential residential risk; or

    2) reduction in site contaminant concentrations to below Federal and State residential risk-based cleanup standards occurs.

12. Points of Contact

a. ALDOT – Division Engineer, Alabama Department of Transportation, 1545 U.S. Highway 431 N., Anniston, Alabama, telephone 256-820-3131.

b. Army – Site Manager, U.S. Army Garrison/Transition Force, 291 Jimmy Parks Blvd., Fort McClellan, Alabama 36205-5000, telephone 256-848-3847.

c. Anniston Police Department – 256-238-1800

13. Emergency Contacts

The deed will include a notice of the potential presence of MEC that provides information on notification requirements in the event a MEC item is encountered. If MEC is discovered on the property, the Anniston Police Department should be contacted immediately at 256-238-1800.

APPENDIX D

AGENCY POINTS OF CONTACT UPDATED 2008

U.S. Department of the Army
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U.S. Environmental Protection Agency
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U.S. Environmental Protection Agency, Region 4
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ADEM
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FAX: 334-279-3050
E-mail: SAC@adem.state.al.us

JPA
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FAX: 256-236-2020
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U.S. Department of Interior - Fish and Wildlife Service (not a co-signing agency for the LUCAP)
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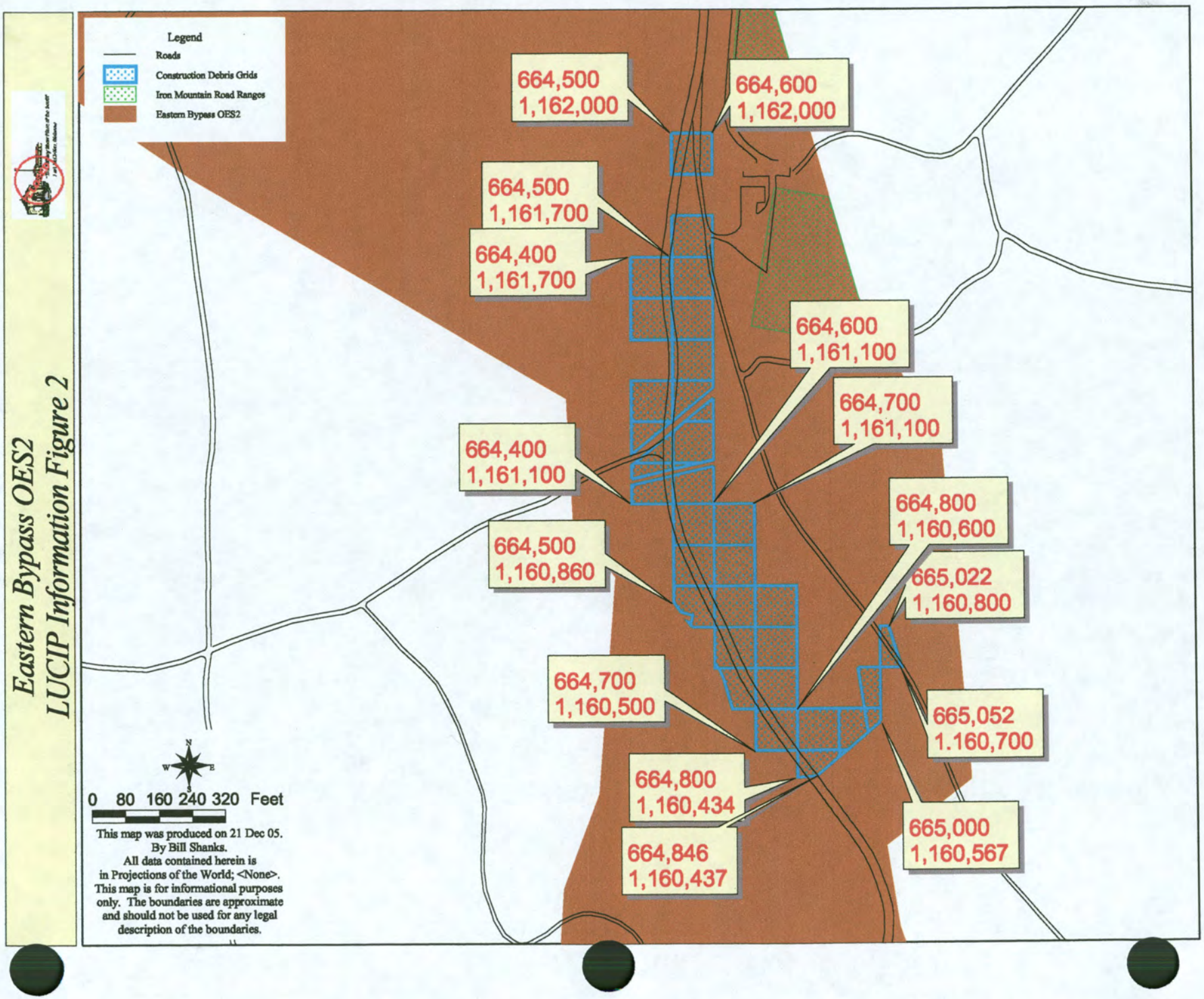
Telephone: 256-848-7085
FAX: 256-847-9089
E-mail: Stephen_A_Miller@fws.gov

Eastern Bypass OES2
LUCIP Information Figure 1


Eastern Bypass OES2
LUCIP Information Figure 2
Legend
Roads
Construction Debris Grids
Iron Mountain Road Ranges
Eastern Bypass OES2
664,500
1,162,000
664,600
1,162,000
664,500
1,161,700
664,400
1,161,700
664,600
1,161,100
664,700
1,161,100
664,400
1,161,100
664,800
1,160,600
664,500
1,160,860
665,022
1,160,800
664,700
1,160,500
665,052
1.160,700
664,800
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664,846
1,160,437
665,000
1,160,567
N
W
E
S
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This map was produced on 21 Dec 05.
By Bill Shanks.
All data contained herein is
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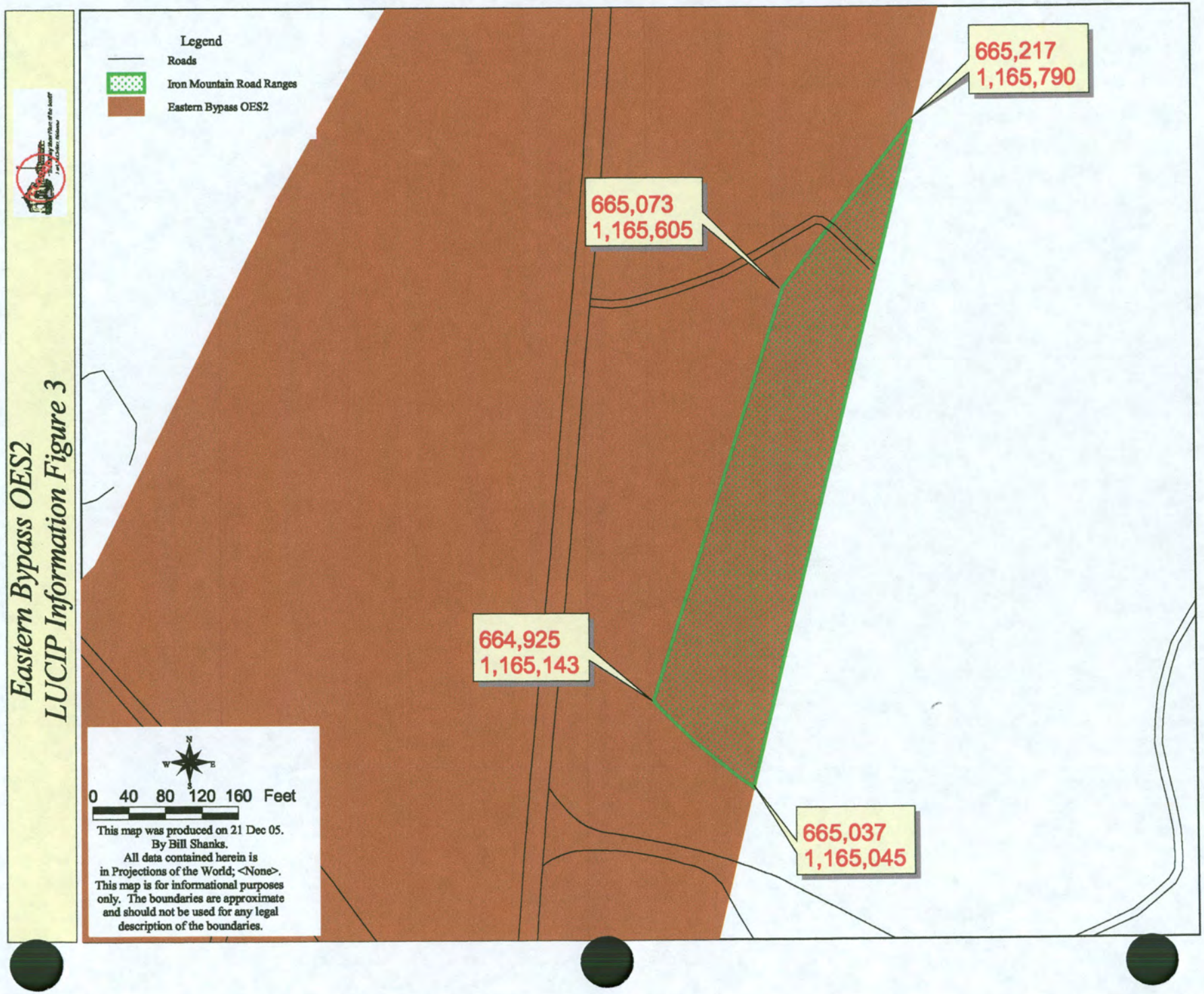
This map is for informational purposes
only. The boundaries are approximate
and should not be used for any legal
description of the boundaries.


Eastern Bypass OES2
LUCIP Information Figure 3
Legend
Roads
Iron Mountain Road Ranges
Eastern Bypass OES2
665,217
1,165,790
665,073
1,165,605
664,925
1,165,143
665,037
1,165,045
N
W
E
S
0 40 80 120 160 Feet
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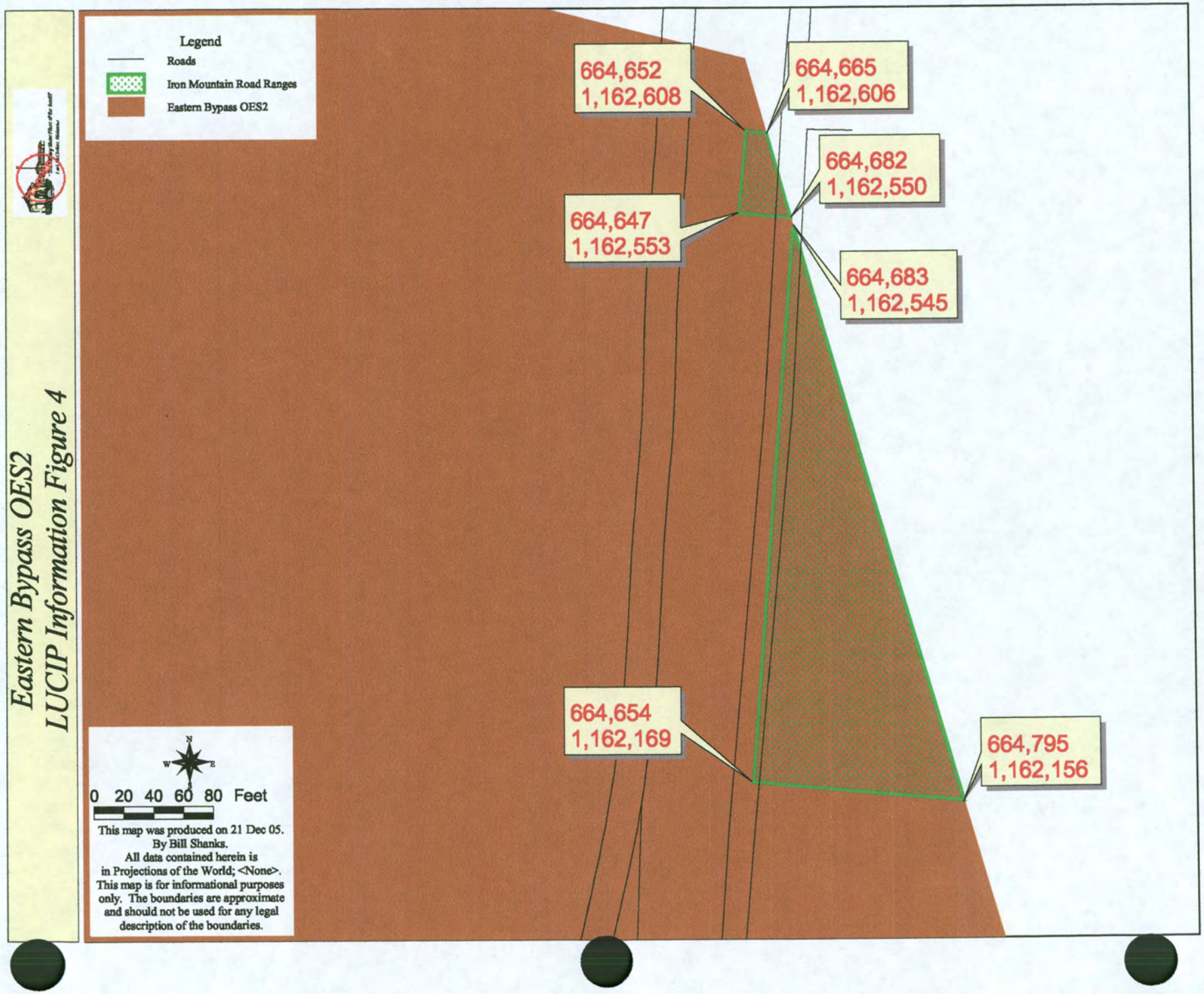
Eastern Bypass OES2
LUCIP Information Figure 4
Legend
Roads
Iron Mountain Road Ranges
Eastern Bypass OES2
664,652
1,162,608
664,665
1,162,606
664,682
1,162,550
664,647
1,162,553
664,683
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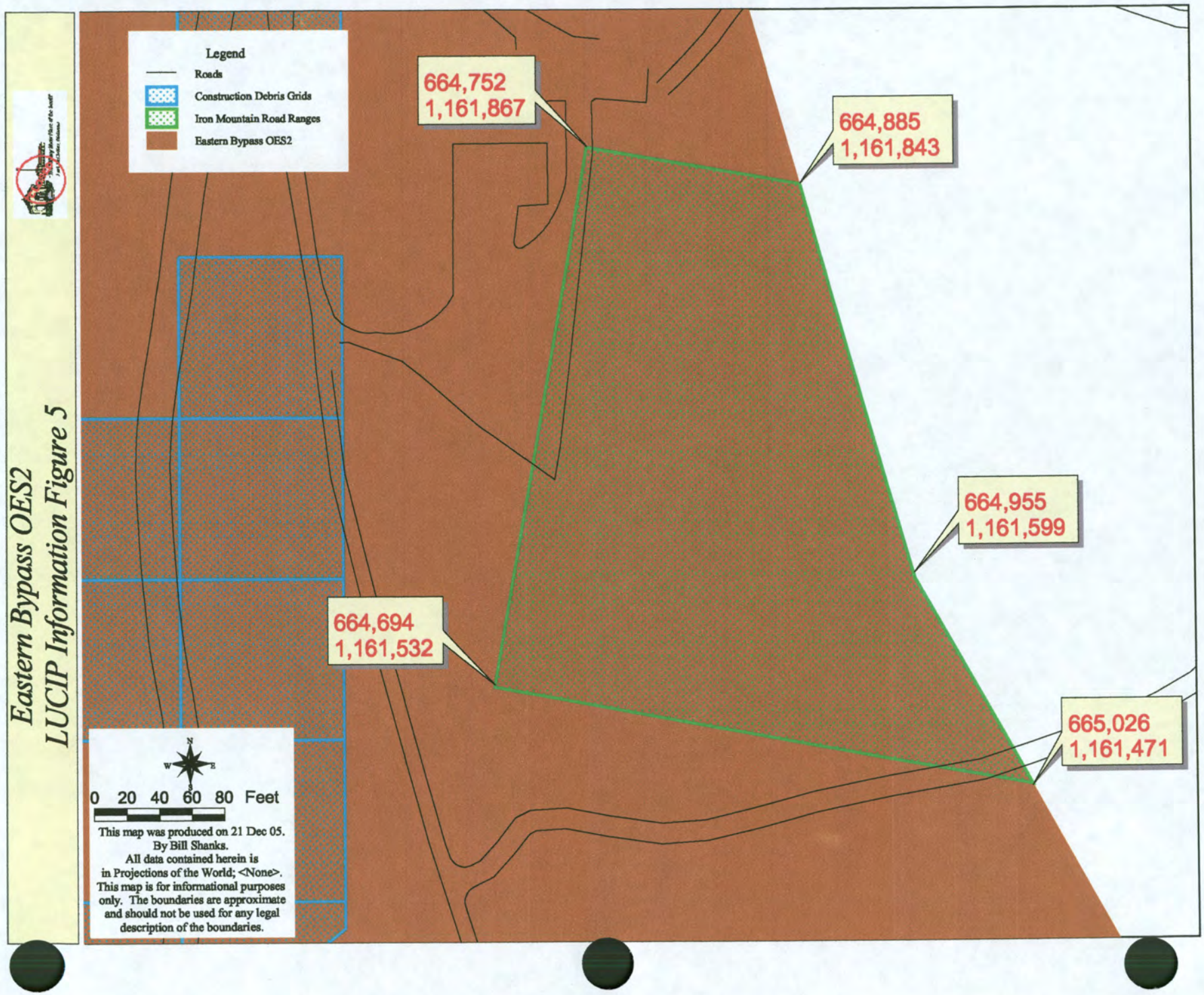
Eastern Bypass OES2
LUCIP Information Figure 5
Legend
Roads
Construction Debris Grids
Iron Mountain Road Ranges
Eastern Bypass OES2
664,752
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664,885
1,161,843
664,955
1,161,599
664,694
1,161,532
665,026
1,161,471
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