

22 April 1997

Re: NEPA Call-In Technical Inquiry 0070 - Firing Range Construction Requirements

Dear NEPA Call-In User:

This letter is in response to your April 10, 1997 request for the documents referenced in NEPA Call-In Technical Inquiry (TI) 0019, "Firing Range Requirements." You are involved in the construction of a firing range and have downloaded TI 0019 from the NEPA Call-In web site, but would like the supporting documents. You would also like to know if Michigan has any additional requirements for firing range construction, or requirements pertaining to periodic lead removal associated with firing range maintenance.

NEPA Call-In is enclosing the documents referenced in TI 0019 which include the following:

1. "U.S. EPA Region VIII RCRA Program Policy for Remediation of Rifle and/or Pistol Ranges," undated. This policy discusses range remediation in Region VIII. EPA Region VIII requires site remediation when a small arms range is closed and strongly encourages owners/operators to consider periodic remediation of operating ranges;
2. Resource Conservation and Recovery Act (RCRA), Section 7002, "Citizen Suits," and Section 7003, "Imminent Hazard." RCRA regulates hazardous waste to include lead. Sections 7002 and 7003 provide remedial authority for Federal and non-federal entities where an imminent and substantial endangerment to health or the environment may exist; and
3. PRO-ACT Information Packet, "Firing Ranges." This packet provides information on firing range design and remediation, lead-free ammunition, and lead recyclers.

NEPA Call-In contacted Mr. Brad Benning, On Scene Coordinator, Superfund Division, Environmental Protection Agency (EPA), Region V, (312) 353-2208, to determine if they have adopted the "Region VIII RCRA Program Policy for Remediation of Rifle and/or Pistol Ranges." EPA Region V includes Michigan. Mr. Benning stated Region V has not adopted the Region VIII policy. Further, Mr. Benning stated, to his knowledge, Region V does not have policies or requirements for construction or remediation of firing ranges.

We then contacted Ms. JoAnn Merrick, Chief, Enforcement Section, Department of Natural Resources Waste Management Division, Lansing, Michigan, (517) 373-2730, to determine if Michigan has any construction or remediation requirements. Ms. Merrick stated Michigan has no construction requirements for firing ranges. She also stated Michigan follows the RCRA regulations and has no additional requirements for remediation.

The materials in this TI have been prepared for use by GSA employees and contractors and are made available at this site only to permit the general public to learn more about NEPA. The information is not intended to constitute legal advice or substitute for obtaining legal advice from an attorney licensed in your state and may or may not reflect the most current legal developments. Readers should also be aware that this response is based

upon laws, regulations, and policies in place at the time it was prepared and that this response will not be updated to reflect changes to those laws, regulations and policies.

Sincerely,

(Original Signed)

NEPA Call-In Researcher