

APPENDIX 25—HAZARD MANAGEMENT AND RESOURCE RESTORATION PROGRAM

The Hazard Management and Resource Restoration (HMRR) program emphasizes management of hazards on public lands to reduce risks to visitors and employees, restore contaminated lands, and to carry out emergency response actions.

Implementation of Bureau of Land Management (BLM) activities and BLM-permitted activities is controlled through stipulations and monitoring so actions comply with applicable federal, state, and local laws, regulations, policies, guidance, and procedures for hazardous materials generation, use, storage, treatment, transportation, and disposal. Violations through accidental occurrences or noncompliance are possible; however, the stipulations require mitigation of releases in accordance with applicable laws and regulations. Although industrial operations are regulated to minimize potential spills, accidents cannot be eliminated. Monitoring, oversight, and review of authorized activities, coupled with effective management controls, reduce the severity of impacts from releases. The HMRR program will respond to contaminant releases (hazardous materials and petroleum) that pose imminent danger to human health and safety or to the environment. The Pinedale planning area maintains an Oil, Gas, and Hazardous Substances Spill Plan that outlines specific guidance for contaminant releases.

The objectives of the HMRR program are to—

- Identify and control imminent hazards or threats to human health and/or the environment from hazardous substance releases on public lands
- Promote working partnerships with states, counties, communities, other federal agencies, and the private sector to prevent pollution and minimize hazardous waste on public lands
- Provide hazardous materials management training to BLM employees and educate public land users concerning laws, rules, and standards
- Require potentially responsible parties to undertake response actions and pay their fair share or face cost recovery
- Encourage public collaboration in environmental decisionmaking
- Inventory, assess, and manage the cleanup of hazardous substance release sites on public lands that present a potential risk to human health and/or the environment and promote healthy ecosystems
- Ensure that solid and hazardous waste treatment, storage, and disposal facilities that might affect public lands are properly located, designed, and constructed, consistent with the law, and prohibit Resource Conservation and Recovery Act (RCRA) temporary storage facilities on public lands
- Reduce hazardous waste produced by BLM activities and from authorized uses of public lands through waste minimization programs that include recycling, reuse, substitution, and other innovative, safe, and cost-effective methods of pollution prevention
- Ensure that authorized activities on public lands comply with applicable federal, state, and local laws, regulations, policies, guidance, and procedures
- Ensure appropriate review of authorized activities and application of effective management controls to correct weaknesses.

MANDATES AND AUTHORITIES

The HMRR operates under the following specific mandates and authorities:

- Executive Order 13148—Greening of the Government Through Leadership in Environmental Management (2000)
- Federal Laws
 - Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended (42 United States Code [USC] 9601 et seq.)
 - Resource Conservation and Recovery Act of 1976, as amended (42 USC 6901 et seq.)
 - Emergency Planning and Community Right-to-Know Act of 1986
 - Federal Facilities Compliance Act of 1992
 - Oil Pollution Act of 1990
 - Occupational Safety and Health Act of 1970 (29 USC 651 et seq.)
 - Clean Water Act of 1972, as amended (33 USC 1251 et seq.)
 - Federal Land Policy and Management Act of 1976 (43 USC 1711-1712)
 - National Environmental Policy Act of 1972 (42 USC 4321)
 - Safe Drinking Water Act of 1974, as amended (42 USC 300 et. Seq.)
 - Recreational and Public Purposes Act of 1926, as amended in 1988 (43 USC 869).
- Manual Guidance
 - BLM Manual Section 1703—Hazardous Materials Management
 - BLM Manual Handbook H-1703-1—CERCLA Response Actions Handbook
 - BLM Manual Handbook H-2101-4—Pre-acquisition Environmental Site Assessments.
- Regulations
 - National Contingency Plan Regulations (40 Code of Federal Regulations (CFR) §300)
 - Natural Resource Damage Assessment Regulations (43 CFR).

CATEGORIES

The HMRR program responsibilities are divided into the following categories.

Hazardous Waste Management

Hazardous waste management involves oversight of BLM-authorized activities that generate, use, transport, store, or dispose of hazardous waste. Responsibilities under this category are as follows:

- Respond to and remediate contamination from unauthorized activities. Response actions for hazardous waste sites will be in accordance with the *National Contingency Plan (40 CFR §300)* and the *Comprehensive Environmental Response, Compensation, and Liability Act*. As appropriate, the BLM will coordinate with local Emergency Planning Committees, the State of Wyoming Department of Environmental Quality, and the U.S. Environmental Protection Agency.
- Minimize the generation or release of hazardous wastes and pollution on BLM-administered lands and facilities. The production of hazardous wastes from BLM activities will be reduced by waste minimization programs that include recycling, “green” product substitution, reuse, and other methods of pollution prevention. The BLM also encourages lessees and operators to practice waste minimization.

Under current BLM policy, no public land will be leased or permitted for storage, treatment, or disposal of hazardous waste, and public land will not be leased for sanitary landfills. However, land may be sold or exchanged for these purposes under an appropriate land action.

Hazard Management

Hazard management involves mitigating various physical and environmental hazards present on BLM lands. Illegal solid waste dumping continues to be a problem on BLM-administered lands. When located, these dumps are removed to reduce the attraction of additional dumping (which may include hazardous wastes) and minimize safety hazards. On abandoned mine sites, safety concerns include open adits, vertical shafts, abandoned equipment and structures, and explosives.

Emergency Response

Emergency response involves responding to contaminant releases (hazardous materials and petroleum) that pose imminent danger to human health and safety or the environment. The Pinedale Field Office (PFO) maintains an Oil, Gas, and Hazardous Substances Spill Plan that outlines specific response guidance for contaminant releases.

Liability and Risk Management

Liability and risk management involve the following:

- Limiting the liabilities to the government associated with hazardous material contamination on public lands
- Evaluating the risks to human health and safety and the environment associated with BLM programs that involve hazardous materials.

BLM policy requires identifying responsible individuals who are liable for hazardous substance releases on public lands. After identifying them, the BLM will ensure that the responsible individuals clean up the contamination or reimburse the BLM for incurred cleanup costs.

Program Support

Program support involves the following:

- Reviewing other BLM program plans or actions to ensure environmental and regulatory compliance. One of the highest potential sources for contaminant releases in the PFO is oil and gas development and associated transportation-related activities (pipelines, tanker trucks, service vehicles). Detailed management actions specific to hazardous materials usage are included as part of environmental analysis conducted for specific oil and gas field activities. In addition, to prevent or minimize environmental damage, the BLM attaches stipulations to permits. Oil and gas operations and associated transportation activities also must comply with various local, state, and federal regulations that reduce the potential for contaminant release and specifies responsibilities for cleanup activities.
- Providing specific technical and regulatory information on hazardous material issues.

- Conducting environmental site assessments in support of realty actions and land tenure adjustments per BLM Manual H-2101-4, *Pre-acquisition Environmental Site Assessments*, and H-2101-5, *Environmental Site Assessments of Disposal of Real Property*.

The HMRR program will manage and respond to foreseeable hazards on public lands in the same manner as existing management. The program will continue to emphasize protection of public health, safety, and the environment, and compliance with the related laws, regulations, and policies.

The HMRR program will continue to conduct environmental site assessments in support of realty actions and tenure adjustments per BLM Manual H-2101-4, *Pre-acquisition Environmental Site Assessments*.