



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Oregon State Office

P.O. Box 2965

Portland, Oregon 97208



In Reply Refer to:

1703/2000 (OR-936.1) P

June 13, 2008

EMS TRANSMISSION 06/18/2008

Information Bulletin No. OR-2008-078

To: DMs, DSDs, Staff and Branch Chiefs

From: Chief, Branch of Lands and Mineral Resources

Subject: National Training Center Course 2000-14 - Environmental
Site Assessments for Assistant Environmental Professionals

DD: 06/25/2008

Program Area: Lands and Realty, Hazard Management and Resource Restoration.

Purpose: The new Environmental Protection Agency (EPA) regulation, effective November 1, 2006, modified the way the BLM conducts Environmental Site Assessments (ESA) for all new land acquisitions and other land tenure adjustment actions. The purpose of this Instruction Memorandum (IM) is to offer training to lands, realty and other staff to become certified as Assistant Environmental Professionals (AEP) who will work under the supervision of an Environmental Professional (EP) to complete ESAs.

Policy/Action: As a result of the new regulation, the BLM staff (i.e., realty specialists) that conducted ESAs in the past is no longer qualified to conduct the environmental screening process for land tenure actions. The BLM (WO-360) maintains a list of BLM personnel qualified as EPs who meet the requirements of Title 40, Code of Federal Regulations (CFR) Part 312 (40 CFR 312) for conducting environmental screening for BLM purchases, disposals, leases, grants and other type of land acquisition in which the BLM gains a real property interest (reference Washington Office Instruction Memorandum No. 2007-204 (WO-IM-2007-204), dated 09/25/2007). Currently the BLM in Oregon and Washington, have four qualified EPs. Alternative sources such as contractors or employing externally qualified BLM personnel who meet the requirements as an EP are options to consider in conducting and approving the environmental assessments. Due to the limited number of EPs and their associated workloads in addition to the high costs of contacting out this service, it is highly appropriate to train and certify additional staff that can assist in completing the assessments.

To qualify as an AEP where no relevant experience is required, the BLM policy states an employee must complete the 8-hour First Responder Awareness Training and complete the subject National Training Center course to become certified as an AEP.

The National Training Center has authorized Staff in the Branch of Lands and Mineral Resources to serve as guest coordinator for this training scheduled September 15-19, 2006, in Portland, Oregon. Funds will be made available to assist with travel and per diem for the Instructors and participants from each district in Oregon and Washington.

Timeframe: Confirmation of attendance via email of district lands, realty and other staff must be received by Pamela Chappel (OR-936.1) by **June 25, 2008** and accompanied by supervisory approval.

Background: On November 1, 2005, the Environmental Protection Agency issued the final All Appropriate Inquiry (AAI) rule. The rule (40 CFR 312) was in effect as of November 1, 2006. To be eligible to claim one of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) liability defenses, land acquisitions conducted after November 1, 2006, must comply with this new regulation.

The most notable change to the BLM property acquisition process is that 40 CFR part 312 now requires all ESAs to be conducted by an EP or by an Assistant Environmental Professional who is under the responsible charge of an EP.

As a result this new regulation, BLM personnel currently conducting ESAs may not qualify as an Environmental Professional (EP) after November 1, 2006.

The Washington Office issued Information Bulletin (IB) Number 2006-117 to prepare the BLM personnel for changes that accompany this new EPA regulation.

Contact: Pamela Chappel, Land Law Examiner, Branch of Lands and Mineral Resources, at 503-808-6170.

Districts with Unions are reminded to notify their unions of this Instruction Memorandum and satisfy any bargaining obligations before implementation. Your servicing Human Resources Office or Labor Relations Specialist can provide you assistance in this matter.

Signed by
Fred O'Ferrall
Chief, Branch of Lands and Mineral Resources

Authenticated by
Paj Shua Cha
Records Section

Distribution

WO-350 (Room 1000 LS)

WO-360 (Room 850 LS)

TC-300