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Civil Engineering



ENVIRONMENTAL INCIDENT INVESTIGATION BOARD (EIIB) PROCEDURES

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This instruction implements Air Force Policy Directive 32-70, *Environmental Quality* and AFI 10-2501, *Full Spectrum Threat Response (FSTR) Planning and Operations*. It identifies requirements for investigating current environmental incidents (on or off base) to determine cause and prevent recurrence. It applies to all AETC installations. This publication does not apply to the Air National Guard or the Air Force Reserve Command and their units. Maintain and dispose of records created as a result of processes prescribed in this publication according to AFMAN 37-139, *Records Disposition Schedule*. The use of the name or mark of any specific manufacturer, commercial product, commodity, or service in this publication does not imply endorsement by the Air Force. See Attachment 1 for a glossary of references and supporting information.

1. Objective. Minimize the frequency and severity of environmental incidents. Environmental incidents are evaluated to determine cause and to provide recommended corrective actions to prevent their recurrence. Through the use of the environmental Notice to Airmen (NOTAM), lessons learned are distributed throughout the Air Force to ensure bases take the necessary steps to prevent a similar incident at their installation.

2. Concept. The purpose of the Environmental Incident Investigation Board (EIIB) is to investigate the facts and circumstances that led to the occurrence of an environmental incident at an AETC installation. The wing/installation commander will assign an EIIB for all category 1, 2, and 3 incidents as defined in Figure 1, except as noted in paragraph 2.3.

2.1. Any one of the six conditions (fine, cost, petroleum, oils, and lubricants [POL], risk, inspection, or other) listed in Figure 1 will trigger the associated category. The wing/installation commander will decide if category 4 incidents warrant an EIIB. The category of incident will determine the level of investigation and reporting.

2.2. The incident should be investigated thoroughly to ascertain the cause of the incident, and provide positive feedback to the command to prevent recurrence. The EIIB prepares an incident report and draft NOTAM, and submits them through the wing/installation commander. The wing/installation commander ensures the incident report is forwarded to HQ AETC/CV. The EIIB chairman will brief category 1 incidents to HQ AETC/CV. HQ AETC/CE will issue an environmental NOTAM based on the findings of the EIIB. The NOTAM is sent to all applicable offices Air Force-wide, and will contain lessons learned and recommendations to prevent recurrence.

2.3. Natural disasters, or other acts of God which directly cause environmental incidents and/or releases, do not generally require investigation under EIIB procedures. However, if a response to an environmental incident caused by such a natural disaster is poorly managed, or systems fail to function as designed, or mitigation of the environmental release is not accomplished, then an EIIB may be required. Consult with HQ AETC/CEV for a decision on whether EIIB is required after a natural disaster caused incident and/or release.

Figure 1. Category Determinations.

	CATEGORY 1	CATEGORY 2	CATEGORY 3	CATEGORY 4
FINE	Receipt of enforcement action (EA) with a fine.	Receipt of EA without a fine.		
COST	Substance release costing over \$200,000 to mitigate.	Substance release costing between \$50,000 and \$199,999 to mitigate.	Substance release costing between \$5,000 and \$49,999 to mitigate.	Substance release costing under \$5,000 to mitigate.
POL	POL release of over 10,000 gallons.	POL release of at least 1,000 but less than 10,000 gallons.	POL release at least 100 but less than 1,000 gallons.	Any POL release less than 100 gallons.
RISK	Release above reportable quantity (RQ) damaging the environment.	Release above RQ that endangers the environment or poses a threat to public health, or safety.	Release above RQ that does not damage the environment nor endanger public health, or safety.	
INSPECTION	Receipt of a repeat EA from an inspection within 12 months. Receipt of an EA for a vulnerability identified by an external or internal ECAMP within 12 months.			
OZONE DEPLETING SUBSTANCE (ODS)	Any unplanned release of 10,000 pounds or more of any one Class I ODS during any single inadvertent release event.	Any unplanned release of between 2,000 and 9,999 pounds of any one Class I ODS during any single inadvertent release event.	Any unplanned release of between 200 and 1,999 pounds of any one Class I ODS during any single inadvertent release event.	Any unplanned release of between 20 and 199 pounds of any one Class I ODS during any single inadvertent release event.

	CATEGORY 1	CATEGORY 2	CATEGORY 3	CATEGORY 4
OTHER	Incident is sensitive or serious enough to warrant full investigation.	The base is named as a party in a lawsuit based on environmental concerns.		

3. HQ AETC/CE Responsibilities:

- 3.1. Develop policy, procedures, and guidance for the EIIB process.
- 3.2. Distribute lessons learned and recommendations to prevent recurrence to applicable offices AF-wide.
- 3.3. Maintain a record of each environmental incident in accordance with AFMAN 37-139.
- 3.4. Review/approve requests for waivers or extensions to EIIB process.

4. Wing/Installation Commander Responsibilities (see Attachment 2 for checklist):

- 4.1. Determine the incident category in accordance with Figure 1.
- 4.2. Immediately notify AETC/CV for categories 1 and 2 environmental incidents. Followup immediate phone notification with a fax or e-mail (copy to HQ AETC/CE, CEV, and CEVQ) within two working days of the incident with all available information known at that time.
- 4.3. Ensure the wing staff judge advocate (SJA), public affairs (PA), safety (SE) and local detachment of the office of special investigations (OSI) are notified, and jointly clear the incident site and/or background data before any environmental investigation proceeds.
- 4.4. For Class I ODS unplanned release incidents, provide a fax or e-mail (copy to HQ AETC/LG-EMT for weapon systems or to HQ AETC/CEVQ for facilities) within two working days of the incident with all available information known at that time.
- 4.5. Appoint EIIB members for category 1, 2, and 3 incidents based on Figure 2.

Figure 2. Minimum EIIB Membership and Reporting Requirements.

Category	Chair	Other Representatives	Reporting Requirements
1	O-6 or GS-15 from uninvolved unit.	Environmental flight representative, representative from affected functional area, SG, SJA, and OSI.	Brief and report to AETC/CV; info copies to HQ AETC CE, SG, PA, JA, LG, SE; appropriate NAF office.
2	O-5 or GS-14 from uninvolved unit.	Environmental flight representative, representative from affected functional area, SG, SJA, and OSI.	Report to AETC/CV; info copies to HQ AETC/CE, SG, PA, JA, LG, SE; appropriate NAF office.
3	O-4 or GS-12/13 from uninvolved unit.	Others as required by installation commander.	Report to HQ AETC/CE; info copies to HQ AETC/SG, PA, JA, LG, and SE.

Category	Chair	Other Representatives	Reporting Requirements
4	Environmental flight.	Others as required by installation commander.	Report kept in HQ AETC CES/CEV in accordance with AFMAN 37-139.

4.6. Determine within 24 hours of notification if category 4 incidents warrant an EIIB; then appoint EIIB members as needed based on Figure 2.

4.7. Submit an incident report to AETC/CV (for category 3, HQ AETC/CE) and the appropriate Numbered Air Force within 14 days of a completed incident investigation. Submittal can be accomplished via fax followed by hard copy via regular mail.

4.8. Brief AETC/CV on category 1 incidents.

5. EIIB Responsibilities (see Attachment 2 for checklist):

5.1. Conduct an investigation to determine the chain of events leading to the incident and identify key processes that failed resulting in the incident. The EIIB has 14 days to investigate the incident.

5.1.1. Coordinate activities with the Safety Investigation Board and Accident Investigation Board as applicable. The Safety Investigation Board has priority over other investigations (in accordance with AFI 91-204).

5.1.2. Cease investigation pending the outcome of any OSI and SJA investigation, if data and/or information are discovered during the EIIB evaluation that may interfere with any ongoing or future OSI investigation.

5.2. Recommend corrective actions that may prevent recurrence of similar incidents at other installations.

5.3. Prepare and submit an incident report for the wing/installation commander's signature.

5.4. Draft an environmental NOTAM containing lessons learned and recommendations to prevent recurrence, and submit with final report.

5.5. Chairperson requests waivers or extensions through HQ AETC/CE.

5.6. Chairperson briefs EIIB findings to the base Environmental Protection Committee (EPC)/Environment, Safety, and Occupational Health Committee.

5.7. Chairperson briefs AETC/CV on category 1 incidents.

6. Environmental Flight Responsibilities (see Attachment 2 for checklist):

6.1. Notify HQ AETC/CEVQ immediately after an environmental incident occurs. Followup immediate phone notification with a fax or e-mail within two working days of the incident with all available information known at that time. Continue to provide HQ AETC/CEVQ information as more comes to light or until an EIIB begins its investigation.

6.2. Act as a facilitator in forming the EIIB.

6.3. Provide HQ AETC/CEV with EIIB chairman's grade, DSN phone number, fax number, and e-mail information.

6.4. Advise EIIB on environmental issues as needed.

6.5. Chair category 4 incident EIIB in accordance with Figure 2.

6.6. Hold category 4 incident EIIB findings/reports in accordance with AFMAN 37-139.

7. SJA and OSI Responsibilities:

7.1. Jointly clear an incident site and/or background data before any EIIB proceeds. Determine there will be no conflict between the EIIB investigation and any separate investigation. As needed, conduct OSI investigation separate and distinct from an EIIB evaluation; however, both investigations may be conducted simultaneously so long as coordination with EIIB ensures proper sequencing of investigative objectives.

7.1.1. JA shall review the initial facts and circumstances of the incident to determine potential liability, and the appropriateness of conducting an investigation under EIIB procedures.

7.1.2. Notify the EIIB members they are cleared to proceed once OSI and JA provide clearance and/or legal restrictions have been identified.

7.2. Brief all EIIB members prior to beginning the EIIB evaluation with basic training on investigation techniques. JA shall inform EIIB members that the EIIB is not a criminal or legal investigation, but an investigation to determine the factors leading to an environmental incident to prevent its recurrence, and to improve response procedures to reduce the impact of incidents that may occur in the future. As such, it is generally unnecessary to inform interviewees of their rights under Article 31 of the Uniform Code of Military Justice or the Fifth Amendment to the United States Constitution.

8. PA Responsibilities:

8.1. Evaluate need for public release of incident, and prepare questions and answers for potential media queries. Coordinate responses to anticipated questions with appropriate agencies/directorates before EIIB releases any findings.

8.2. Publicize investigation findings through base newspapers, topics for commander's call, and Armed Forces Radio and Television Services to educate personnel on preventing future occurrences.

9. Bioenvironmental Engineer Responsibilities:

9.1. Provide sampling, analysis, and monitoring support to EIIB on request.

9.2. Advise the EIIB on human health and environmental exposure hazards.

10. Wing Safety Responsibilities:

10.1. Investigate reportable mishaps in accordance with AFI 91-204.

10.2. Assist the EIIB on safety issues as needed.

10.3. Clear the incident site before the EIIB proceeds to prevent impact on the Safety Investigation Board and ensure safety of the EIIB.

11. Logistics Responsibilities. Accomplish POL mishap reporting in accordance with AFI 23-201, *Fuels Management*, and Fuels Policy Document 97-02. Fuels management will report spills, 100 gallons or greater, by telephone to HQ AETC/LGSF and the appropriate Numbered Air Force, as soon as possible according to local procedures. A message detailing the incident will follow within 24 hours of verbal notification.

12. Category Determinations:

12.1. For purposes of the EIIB, POL release means the total quantity of POL released from the confines of the equipment or structure designed to hold the product. The category of the spill is based on the total quantity released--not the final quantity lost to the environment.

12.2. Reportable quantity references (individual chemicals) are listed on the Extremely Hazardous Substance list in 40 CFR 355.40, Appendixes A and B, and the Comprehensive Environmental Response, Compensation, and Liability Act list in 40 CFR 302.4.

12.3. Wing/installation commander or designee will determine the category of an incident based on Figure 1. Some incidents may fit multiple columns. Check each column and select worst-case category rating (category 1 being worst).

13. Report Preparation. Incident reports will contain the following information:

13.1. Narrative description of the incident, including photographs and sketches, when appropriate.

13.2. Date and time of incident. Discuss method of activating emergency response plans. Include time of incident notification to national, regional, state, and local officials if applicable. Include copies of local news media reports resulting from the incident.

13.3. Location of the incident, nature of terrain, weather conditions during response, and estimate of affected area. Include actual damage and/or potential threat to human life, property, plant, or animal life.

13.4. Type an estimated amount of release to include Material Safety Data Sheets.

13.5. Cause of the incident and recommendations to prevent recurrence.

13.6. Actions taken to eliminate pollution source and removal of any pollutant.

13.7. Emergency response lessons. List specific issues that were key to the success or any deficiency noted during the response operation. Address problems encountered during implementation of the emergency response plan, and how the plan should be modified to prevent recurrence. Include the need for special equipment or training.

13.8. Cost and estimated completion date of remedial actions.

13.9. Proposed environmental NOTAM containing lessons learned and recommendations to prevent recurrence. Submit electronically with final report, using Microsoft Word. Example of NOTAMs can be found on website: <https://www.aetc.af.mil/ce/cev/index.htm>.

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Attachments

1. Glossary of References and Supporting Information
2. EEIB Process Management Checklist

Attachment 1

GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

References

Air Force PD 32-70, *Environmental Quality* and AFI 10-2501, *Full Spectrum Threat Response (FSTR) Planning and Operations*

AFI 10-2501, *Full Spectrum Threat Response (FSTR) Planning and Operations*

AFI 23-201, *Fuels Management*

AFI 91-204, *Safety Investigations and Reports*

AFMAN 37-139, *Records Disposition Schedule*

40 CFR 302.4, Comprehensive Environmental Response, Compensation, and Liability Act

40 CFR 355.40, Appendixes A and B

Fuels Policy Document 97-02

Abbreviations and Acronyms

EEIB—Environmental Incident Investigation Board

EPC—Environmental Protection Committee

NOTAM—Notice to Airmen

OSI—office of special investigations

ODS—ozone depleting substance

POL—petroleum, oils, and lubricants

RQ—reportable quantity

Attachment 2**EEIB PROCESS MANAGEMENT CHECKLIST**

A2.1. Use the following checklist after an environmental incident occurs:

TASK	SUSPENSE
Report the incident to the wing/installation commander, Environmental Flight, SJA, OSI, PA, and HQ AETC/CEVQ	Immediately.
For categories 1 and 2 environmental incidents, notify HQ AETC/CV.	Immediately.
Report the incident to the appropriate Numbered Air Force	Immediately.
For POL spill of 100 gallons or greater, fuels management will report by telephone to HQ AETC/LGRPF.	As soon as possible.
Wing/installation commander determines category level and need for EIIB.	24 hours after incident.
Followup category 1 and 2 environmental incidents with a fax or e-mail to HQ AETC/CE, CEV, and CEVQ with all available information known at that time.	2 working days after the incident.
Followup all Class 1 ODS release incidents with a fax or e-mail to HQ AETC/LG-EMT for weapon systems or to HQ AETC/CEVQ for facilities with all available information known at that time.	2 working days after the incident.
Obtain joint legal/OSI clearance.	48 hours after incident.
Wing/installation commander appoints EIIB and initiates investigation.	3 days after incident.
EIIB completes investigation.	14 days after appointment.
Wing/installation commander forwards final report to AETC/CV and info copy to appropriate Numbered Air Force.	14 days after investigation is complete.