



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912**

May 10, 2023

Shawn Cody
Army National Guard Impact Area Groundwater Study Program
Building #1807
West Outer Road
Camp Edwards, MA 02542
Via e-mail to shawn.c.cody.civ@army.mil

Ms. Jodi Lyn Cutler
Army National Guard Impact Area Groundwater Study Program
Building #1807
West Outer Road
Camp Edwards, MA 02542
Via e-mail to jodi.lyn.cutler@gmail.com

Re: Five-Year Review Report
EPA Safe Drinking Water Act Administrative Order 2 (AO2),
2017 Decision to Modify Prohibition on Live Firing and Use of Pyrotechnics by the
Massachusetts Army National Guard
Joint Base Cape Cod, Barnstable County, Massachusetts

Dear Mr. Cody and Ms. Cutler:

On May 15, 2017, in response to a request by the Massachusetts National Guard (MANG) and the National Guard Bureau, the United States Environmental Protection Agency (EPA) issued a modification to the Scope of Work to Administrative Order SDWA I-97-1030 (AO2) issued pursuant to Section 1431(a) of the Safe Drinking Water Act with respect to Joint Base Cape Cod (JBCC). This modification allowed for firing of lead ammunition or other "live" ammunition at J, K and T Ranges and at other small arms ranges at or near the Training Range and Impact Area, and use of certain pyrotechnics at or near the Training Range and Impact Area, to the extent the MANG received continued approval and oversight from the Environmental Management Commission in accordance with approved Environmental Performance Standards.

EPA's 2017 decision to modify AO2 included a review of the continued appropriateness of this decision in providing adequate protection of human health no less often than every five years. The scope of the review would include, but not be limited to the following questions: "...are the ranges operating as designed (i.e., monitoring or maintenance); have any of the cleanup

standards changed since this decision; and is there any new information that would warrant modifying or withdrawing this decision.”

Attached is EPA’s first Five-Year Review of this decision. Our review concludes that the 2017 Decision to modify the AO2 prohibition on live firing and use of pyrotechnics at certain ranges is providing adequate protection of public health for the ranges evaluated in this review. This determination does not extend to any other range, ammunition, time period or type of training and is expressly limited to the facts and circumstances associated with the training activity authorized by the 2017 Decision during the review period.

Separate and distinct from this review of the 2017 Decision, EPA has issued on April 27, 2023, a Sole Source Aquifer (SSA) project review draft determination for the MANG’s proposal to construct a Multi-purpose Machine Gun (MPMG) Range at JBCC. Driven by a number of factors including that the “proposed activity is on a much larger scale than the activity in the First Five-Year 2023 Report” (p. 10), the SSA draft determination concludes that the MPMG may contaminate the aquifer so as to create a public health hazard. The proposed MPMG Range would be constructed at the KD (East and West) Range at JBCC, which were not subject to this review of the 2017 Decision. Our findings do not extend to the draft determination, which involved the application of a different standard of review under the Safe Drinking Water Act. This standard differs in material respects from that guiding the Five-Year Review, including that it is precautionary in nature. Section 4.3.2 of the SSA draft determination provides further details on the distinctions between this review of the 2017 Decision and the SSA draft determination.

I look forward to our continued work together to ensure protection of human health and the environment at JBCC. Please feel free to contact me at 617-918-1201 or Jane Dolan of my staff at 617-918-1272 if you have any questions.

Sincerely,

Bryan Olson, Director
Superfund & Emergency Management Division

cc: Jane Dolan, EPA RPM
Ken Moraff, EPA Director of Water Division
David Peterson, EPA Senior Enforcement Counsel
Leonard Pinaud, Environmental Management Commission
Mike Ciaranca, JBCC Environmental and Readiness Center