

**U.S. Environmental Protection Agency
Office of Pollution Prevention and Toxics**

**INTERPRETIVE GUIDANCE FOR THE FEDERAL PROGRAM
TSCA SECTIONS 402/403**

FINAL 4/7/04

**Q/A(13) Applicability to Military Outside the U.S.
“Scope and Applicability”**

Q13: Does TSCA section 402 apply to U.S. military bases, facilities, and installations located outside of the U.S.?

A13: No. EPA does not have authority to regulate environmental conditions in foreign countries. Environmental compliance by Department of Defense installations overseas is governed by a number of documents. For example, Executive Order 12088, dated October 13, 1978, requires that the heads of government agencies responsible for constructing or operating Federal facilities outside of the United States must ensure that the construction or operation of those facilities complies with the environmental laws of the host country or jurisdiction. This general requirement applies to all Department of Defense installations outside the United States, its territories and possessions. Military facilities also may be subject to treaties or other bilateral or multilateral agreements.