

# WHY WE SHOULD CARE ABOUT INSTITUTIONAL ANALYSES

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The objectives of an institutional analysis are to (1) illustrate the opportunities that exist to implement a land use control (LUC) program at a munitions response site (MRS), (2) identify government agencies having jurisdiction over an MRS, and (3) assess the appropriateness, capability and willingness of government agencies to assert their control over an MRS regarding LUC implementation. The institutional analysis is an essential element of the feasibility study (FS) for an MRS because it helps to identify the LUCs that are viable, both with respect to effectiveness, implementability, and stakeholder support. This facilitates and streamlines the process of selecting remedy components for remedial alternatives. The institutional analysis process also provides opportunities for stakeholder communication and interaction that can support elements of the remedial investigation (RI), such as collecting land use data to support baseline risk assessment.

However, experience has shown the institutional analysis is commonly an afterthought during the RI/FS process and often focuses mainly on identifying government agencies having jurisdiction over an MRS, with the other objectives being minimized or even excluded. Generally, this is because the process is not well understood. Inadequate institutional analyses can result in remedial alternatives being designed with LUCs that are infeasible or that will likely be ineffective at an MRS.

The remedial alternatives for an MRS should reflect the framework of the local institutions and the needs of the community, so these stakeholders will influence the development of remedial alternatives involving LUCs. This is why identifying government agencies having jurisdiction over, and other stakeholders within, an MRS is a critical part of the institutional analysis. Having determined these entities, communicating with them to assess their capability and willingness to participate in LUC implementation allows the project team to both identify potential options for LUCs and establish the roles those entities are willing to undertake in implementing the remedy. Many LUCs require at least some level of participation from local stakeholders, which makes this step essential for evaluating the effectiveness and implementability of the proposed controls. LUCs that are unsupported will be ineffective or infeasible. Performing both of these steps will produce a list of potential LUCs that can be implemented at the MRS, which will support the development of viable remedial alternatives for the FS. In addition to helping the institutional analyses, the stakeholder interactions can also be used as opportunities to gather land use data and information on site activities that contribute towards the baseline risk assessments.

This presentation will present case studies from prior institutional analyses, review what the institutional analysis should involve, and explain why it is a critical element of the FS. It will also use some lessons learned to show how it can be integrated easily into the RI/FS process.