



**US Army Corps
of Engineers®**

ENGINEERING AND CONSTRUCTION BULLETIN

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Subject: Waivers from DoD Facility Technical Design Requirements --
Renewal of ECB 2010-18

Applicability: Directive

1. Technical Design Criteria. Technical design requirements for DoD facilities are given in Unified Facilities Criteria (UFC) publications. Much of the content of these UFCs is guidance; it represents standard practice for the Army and the rest of DoD and reflects lessons learned through previous design/construction projects. Though guidance is not mandatory, it should be followed unless there are specific reasons to deviate. However, some of the content in UFCs is mandatory. When various provisions are mandatory, they are preceded by directive words such as must and shall. Designers are required to comply with all mandatory requirements unless these requirements are waived by the appropriate authority.

2. Waiver Authority. Waiver authority for mandatory requirements resides with the signature authority for the office that originated those requirements. For the Army, this authority resides with the U.S. Army Corps of Engineers, Chief of Engineering and Construction, HQUSACE. For criteria and waivers, the Chief represents the entire Army facilities community and coordinates with other appropriate Army components before exercising this authority.

3. Technical Waivers. For Army projects, all requests for waivers to UFC mandatory requirements must be by letter or e-mail from the USACE Project Manager, endorsed by the district Chief of Engineering (or equivalent), and submitted to the Standards and Criteria Program (SCP) Manager in HQUSACE. The SCP Manager will forward the request to the appropriate technical proponent. The proponent will perform necessary coordination within USACE and with other Army components and will recommend approval/disapproval to the headquarters Chief of Engineering and Construction. Once a decision is made, the proponent will notify the SCP Manager and the Project Manager who submitted the request. Waiver requests should include the following information:

- Contact information for the requesting project manager and engineering chief (or equivalent).
- Project name and location.
- The specific provision to be waived.
- Reasons for the waiver, including possible alternatives or mitigating measures, and impacts if the waiver is approved or disapproved. (Be complete; do not just say the funding is not adequate. Would a requirement be partially implemented? Would another method be used to achieve the same performance objective?)
- Opinions of the customer's representative.
- Deadlines for action to be taken.

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4. Other Types of Waivers.

a. Army Standards and Standard Designs. The Army also issues criteria as part of the Army Facility Standards and Installation Design Standards. Approval authority for waivers from these criteria resides with the Army Facility Standardization Committee, chaired by the Assistant Chief of Staff for Installation Management. Waiver requests dealing with these criteria must follow the processes defined at the following URL:

<http://mrsi.usace.army.mil/rfp/WaiverProcess/Index.html>.

b. Explosive Safety. The above process for technical waivers does not apply to explosive safety requirements. Requests for waivers or exemptions related to explosive safety must follow the process requirements in AR 385-64. (For Air Force or Navy projects, the applicable process requirements are defined in AFMAN 91-201 or OPNAVINST 8020.14.)

c. Airfield Criteria. The above process for technical waivers does not apply to airfield criteria. Requests for waivers or exemptions related to Army airfield criteria will be sent to the U.S. Army Aeronautical Service Agency (USAASA) for action. Requests for waivers or exemptions will be processed in accordance with the process set forth in UFC 3-260-01 Design: Airfield and Heliport Planning and Design.

d. Antiterrorism. UFC 4-010-01 sets minimum antiterrorism standards for most DoD facilities. These requirements currently have much more visibility, at higher levels, than most other facility design requirements. There is no approved process to waive of any of the requirements of this UFC. When it is not possible to strictly follow the requirements of this UFC, a deviation request should be submitted to the Standards and Criteria Program (SCP) Manager in HQUSACE. Any deviation request must indicate measures planned to mitigate the effects of non-compliance. Since security requirements are not solely a facilities issue, deviation requests should also include the recommendations of the customer's security representative.

e. Non-Army Projects. When a technical waiver request is for a Navy or Air Force project that is being designed by USACE, the request shall follow waiver procedures defined by the Navy or Air Force. For projects for other DoD components, which might not have appropriate technical staff to rule on waivers, technical waiver requests should follow the same procedures as for Army projects.

5. Point of Contact. The HQUSACE point of contact for this bulletin and SCP Program Manager is Zenovia D. Wilcox, R.A, CECW-CE, 202-761-4829.

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