

## DOE EM CLEANUP AND COMPLIANCE AGREEMENT FACT SHEET

### SUMMARY

Data Element	Data
Site	South Valley
Agreement Name	South Valley Superfund Site Interagency Agreement
State	New Mexico
Agreement Type	Compliance Agreement
Legal Driver(s)	CERCLA
Scope Summary	Interagency Agreement with the U.S. Air Force for payment of costs associated with the remediation of two operable units (the facility and San Jose 6) at the South Valley Superfund Site.
Parties	DOE; U.S. Air Force
Date	9/26/1990

### SCOPE

- Set forth the actions required of the USAF and DOE to fulfill their respective responsibilities pursuant to the Settlement Agreement between DOE, USAF, and General Electric Company (8/29/1990).
- Establish mechanism by which DOE will transfer, to a fund managed by the USAF, its share of the costs set forth in the Settlement Agreement.
- Set forth each party's responsibilities and respective share of costs.

### ESTABLISHING MILESTONES

- GE will submit to DOE and the USAF an annual cost proposal in accordance with the Settlement Agreement.
- USAF will review the monthly invoices submitted by GE and make payments in accordance with the Settlement Agreement and the Financial Annex.

## **FUNDING**

- USAF and DOE will approve the annual cost estimate.
- DOE will advance 43.2% of incurred costs to the USAF.
- USAF will then issue on behalf of the USG a check to GE for 91% of the incurred costs.

## **PENALTIES**

- Disputes between USAF and DOE shall be resolved according to the terms specified in the Interagency Agreement.
- If funds are not available for USAF to pay the full USG's share (91%), no payment will be made and USAF will notify DOE and GE in writing of why payment is not being made.
- This Interagency Agreement may be amended or modified only by the concurrence of both the USAF and DOE.
- USAF and DOE may exercise the right to audit and inspect GE's records to verify invoices submitted to the USAF for payment.