

# INTERAGENCY AGREEMENTS, DSMOA, ATSDR, AND COOPERATIVE AGREEMENTS

This appendix fulfills specific statutory reporting requirements and provides information on key Department of Defense (DoD) partnership programs with federal and state agencies that further the goals of the Defense Environmental Restoration Program.

## Interagency Agreements

Federal facilities are required to enter into an interagency agreement (IAG) or a Federal facility agreement (FFA) within 180 days of completion of the remedial investigation and feasibility study (RI/FS) at a National Priorities List (NPL) installation, per the Superfund Amendments and Reauthorization Act provisions codified as Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) §120(e)(2). The IAG outlines the responsibilities of the Military Component(s), the U.S. Environmental Protection Agency (EPA), and, frequently, the state in the cleanup process. It allows EPA and states to assume regulatory oversight over environmental restoration activities at DoD installations. CERCLA §120(e)(5) requires that the number of IAGs and FFAs signed and in negotiation; the costs associated

with IAGs; public comments; and IAG and FFA developments within the previous fiscal year be reported in the Annual Report to Congress. The information provided in this appendix is for fiscal year 2002 (FY02).

DoD had 14 IAGs under negotiation in FY02 (Table D-1), and has signed 117 IAGs as of September 30, 2002. Table D-2 lists all installations that conducted negotiations in FY02 and provides additional information regarding the status of these negotiations.

**Table D-1  
IAG/FFA Status Summary**

Component	IAGs/FFAs Signed in FY02	IAGs/FFAs in Negotiation in FY02
<b>Army</b>	<b>0</b>	<b>4</b>
<b>Navy</b>	<b>0</b>	<b>5</b>
<b>Air Force</b>	<b>0</b>	<b>5</b>
<b>DLA</b>	<b>0</b>	<b>0</b>
<b>FUDS</b>	<b>0</b>	<b>0</b>
<b>Total</b>	<b>0</b>	<b>14</b>

**Table D-2  
Installations That Conducted Negotiations Toward, or Signed, IAGs or FFAs in FY02**

<b>Installation Name</b>	<b>IAG/FFA Status (signed or negotiated)</b>	<b>Description of Cases in Which Negotiations Are Under Way or No Agreement Was Reached Within 180 Days of Completion of the RI/FS</b>
<b>ARMY</b>		
Fort Eustis	Negotiations ongoing	A draft FFA was prepared. Not signed due to the ongoing post-ROD LUC dispute between DoD and EPA. RI/FS was ongoing.
Fort Meade	Negotiations ongoing	Disagreements exist over enforcement language proposed by the EPA. FFA and RI/FS were ongoing.
Redstone Arsenal	Negotiations ongoing	FFA delayed over an issue regarding state stipulated penalties language. Not signed due to ongoing post-ROD issue.
Soldier Systems Center	Negotiations ongoing	On hold pending resolution of post-ROD authority issue (specifically primary document designation). Cleanup has continued under a cooperative agreement. RI/FS was ongoing.
<b>NAVY</b>		
Cherry Point Marine Corps Base	Negotiations ongoing	FFA signature did not occur due to disputed language in the agreement.
Mechanicsburg Naval Inventory Control Point	Negotiations ongoing	Not signed. Protracted negotiations with the Pennsylvania Department of Environmental Protection have resulted in consensus on most of the language in the agreement. Disagreement remains concerning the standard language on which documents should be considered primary and secondary documents.
Parris Island Marine Corps Recruit Depot	Negotiations ongoing	Negotiations in progress between key participants.
Puget Sound Naval Shipyard (Jackson Park Housing Complex)	Negotiations ongoing	Not signed due to continuing negotiations with the Washington State Department of Ecology and the EPA regarding funding language.
Whiting Field Naval Air Station	Negotiations ongoing	Signing delayed by issues related to post-ROD authority and LUCs.
<b>AIR FORCE</b>		
Air Force Plant 44	Negotiations ongoing	In FY02, Air Force conducted internal reviews of EPA's submittal. Response to EPA and continuation of negotiations anticipated in FY03.
Hanscom Air Force Base	Negotiations ongoing	Negotiations at the local level have been completed, but two outstanding issues remain that have been elevated to EPA and the Air Force for resolution. These issues concern the Reservation of Rights language and whether or not the Remedial Action Completed Report is to be a primary document.
Langley Air Force Base	Negotiations ongoing	EPA Region III invoked dispute resolution because of a disagreement over the institutional control language used in Langley's recent ROD. DoD and HQ EPA became the dispute resolution authorities. ACC is proceeding with the cleanup/construction at the sites where EPA agrees with our proposed physical remedies. Five additional RODs are delayed at Langley until the outcome of this dispute.
McGuire Air Force Base	Negotiations ongoing	Draft FFA under review.
Tyndall Air Force Base	Negotiations ongoing	The timelines and appendices for the FFA are under discussion with the regulators. The FFA is projected to be signed in FY03.

Other information that must be reported according to CERCLA §120(e)(5) is provided as follows:

Cost estimates and budgetary proposals for IAGs: Table B-1 provides (1) information on environmental restoration costs that each DoD installation has incurred through FY02 and (2) estimates of each installation's costs from FY03 through completion.

Public comments regarding proposed IAGs: The public did not submit comments on IAGs to DoD during FY02.

## **DSMOAs and Cooperative Agreements**

As described on page 18 of this report, the Defense and State Memorandum of Agreement (DSMOA) program reimburses states for reviewing investigation and cleanup efforts at DoD active or closing installations and at Formerly Used Defense Sites. In order for a state or territory to receive DSMOA funding, it must first secure approval of a cooperative agreement (CA) detailing a 2-year work plan and planned projects for the following 4 years, including cost estimates.

As of September 30, 2002, DoD had signed 51 DSMOAs with 46 states, 4 territories, and the District of Columbia. Of the states and territories eligible for DSMOA funding, 45 states and 2 territories have submitted applications for CAs to receive the funding. Oklahoma, American Samoa, and Puerto Rico did not file CAs.

A list of the states and territories eligible to participate in the DSMOA program, including their status as of September 30, 2002, is presented in Table D-4 of this appendix.

During FY02, the Military Components provided almost \$27.1 million in DSMOA reimbursements to states. The distribution of DSMOA funding by state for FY02 is provided on page 21 of this report.

### **Technology Cooperative Agreements**

As required by the FY98 National Defense Authorization Act, DoD must report the following information:

- ◆ Number of technology CAs
- ◆ Partners in each such agreement
- ◆ Description of the nature of the technology involved in the agreement

DoD did not participate in any technology CAs in FY02.

## **Agency for Toxic Substances and Disease Registry**

The Agency for Toxic Substances and Disease Registry (ATSDR), an agency of the U.S. Department of Health and Human Services,

conducts public health assessments (PHAs) at DoD and non-DoD sites that are on or proposed for the NPL or are the subject of citizen petition. The PHA evaluates hazardous substance releases, community health concerns, and local health outcome data. The assessment has three parts: an assessment of past, present, and future impacts on public health; the development of health advisories and recommendations; and the identification of studies or actions needed (e.g., disease registries, epidemiological studies, health surveillance programs, or health education programs) to evaluate, mitigate, or prevent adverse human health effects.

Through the end of FY02, ATSDR has completed 139 PHAs for DoD installations and properties. Two PHAs are currently undergoing public comment, and 10 are undergoing initial review. ATSDR published the following PHAs in FY02:

- ◆ 11 initial release documents
- ◆ 8 public comment releases
- ◆ 12 final release documents

The initial release document provides DoD, state, and local health departments and federal regulatory agencies with an opportunity to guarantee that the most accurate information about a site is available to ATSDR.

The public comment release provides a formal means for the community to make additional comments and raise its concerns, thus increasing stakeholder involvement.

The final release document responds to comments by DoD, the regulatory agencies, public health departments, and the community.

As additional environmental information becomes available, final release public health assessments are updated through health consultations, site reviews and updates, or updated public health assessments, depending on the amount of new environmental information available.

**Figure D-3**  
**Summary of the Public Health Assessments Completed at DoD Installations in FY02**

Stage of Assessment	Air					Total
	Army	Navy	Force	DLA	FUDS	
Initial Release Document	1	7	3	0	0	11
Public Comment Release	0	6	2	0	0	8
Final Release Document	1	8	3	0	0	12
<b>All Stages, Total Number</b>	<b>2</b>	<b>21</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>31</b>

**Table D-4**  
**States and Territories Eligible for the DSMOA and Cooperative Agreement Program:**  
**Agreement Status as of September 30, 2002**

State/Territory	DSMOA Signed	CA Application Signed	CA Period	Point of Contact	Point of Contact Phone Number
Alabama	5/29/1990	4/16/2002	10/01/02-09/30/02	Jim Grassiano	(334) 271-7738
Alaska	6/4/1990	4/19/2002	07/01/02- 06/30/04	Jennifer Roberts	(907) 269-7553
American Samoa	7/10/1991	NA	NA	Sheila Wiegman	(684) 633-2304
Arizona	3/13/1991	3/27/2002	07/01/02 - 06/30/04	Moses Olade	(602) 207-4245
Arkansas	NA	NA	NA	NA	NA
California	5/31/1990	5/17/2002	07/01/02 - 06/30/04	Curvin Lee	(916) 323-3506
Colorado	10/18/1993	6/27/2002	10/01/02 – 09/30/04	Jeff Edson	(303) 692-3388
Connecticut	4/23/1998	4/23/2002	07/01/02-06/30/04	Mark Lewis	(860) 424-3768
Delaware	2/26/1990	11/7/2002	10/01/02 – 09/30/04	Mary Lisa Koot	(302) 395-2601
District of Columbia	5/9/1994	NA	10/01/02 – 09/30/04	Jim Sweeney	(202) 535-2289
Florida	6/14/1990	4/23/2002	07/01/02 – 06/30/04	Eric Nuzie	(850) 921-9999
Georgia	5/8/1990	2/28/2002	10/01/02 – 09/30/04	Jim Ussery	(404) 656-2833
Guam	11/27/1991	10/16/2002	10/01/02- 09/30/04	Walter Guerrero	(671) 475-1644
Hawaii	9/10/1991	4/8/2002	07/01/02 – 06/30/04	Michael Miyasaka	(808) 586-4653
Idaho	2/6/1991	3/8/2002	07/01/02 – 06/30/04	Dean Nygard	(208) 373-0285
Illinois	12/17/1992	4/17/2002	10/01/02 – 09/30/04	Bob Carson	(217) 782-9803

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Indiana	4/17/1991	12/10/2002	10/01/02 – 09/30/04	Rex Osborn	(317) 234-0351
Iowa	NA	NA	NA	NA	NA
Kansas	8/6/1992	1/28/2002	10/01/02 – 09/30/04	Randy Carlson	(785) 296-1682
Kentucky	6/6/1991	1/28/2000	07/01/00 – 06/30/02	Nini Hughes	(502) 564-2225
Louisiana	11/13/1991	12/30/2002	10/01/02 – 09/30/04	Sandra Greenwich	(225) 765-0437
Maine	6/24/1991	4/11/2002	07/01/02 – 06/30/04	Denise Messier	(207) 287-4851
Mariana Islands	10/18/1991	6/7/2002	07/01/02 – 06/30/04	Ray Masga	(670) 664-8500
Maryland	11/26/1990	2/1/2002	07/01/02 – 06/30/04	John Fairbank	(410) 631-3475
Massachusetts	10/18/1991	5/9/2002	10/02/02 – 09/30/04	Anne Malewicz	(617) 292-5659
Michigan	8/27/1992	6/5/2002	10/01/02 – 09/30/04	Bob Delaney	(517) 373-7406
Minnesota	6/28/1991	6/17/2002	10/01/02 – 09/30/04	Gary Krueger	(651) 296-6139
Mississippi	10/13/1989	6/14/2002	10/01/02 – 09/30/04	Philip Weathersby	(601) 961-5302
Missouri	5/22/1991	5/14/2002	10/01/02 – 09/30/04	Nick Carbone	(573) 751-2506
Montana	4/17/1998	5/21/2002	07/01/02 – 06/30/04	Jeffrey Dominiski	(406) 444-0822
Nebraska	9/29/1992	2/15/2002	10/01/02 – 09/30/04	Mike Felix	(402) 471-2938
Nevada	9/12/1990	2/6/2002	07/01/02 – 06/30/04	Paul Liebendorfer	(775) 687-4670

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State/Territory	DSMOA Signed	CA Application Signed	CA Period	Point of Contact	Point of Contact Phone Number
New Hampshire	1/22/1993	4/10/2002	07/01/02 – 06/30/04	Richard Pease	(603) 271-3649
New Jersey	4/3/1992	9/21/2002	10/01/02 – 09/30/04	Dhruva Kanjarpane	(609) 633-0709
New Mexico	6/12/1990	3/15/2002	07/01/02 – 06/30/04	Julie Jacobs	(505) 827-2776
New York	6/6/1991	5/3/2002	07/01/02 – 06/30/04	James Quinn	(518) 402-9697
North Carolina	6/6/1991	8/7/2002	10/01/02 – 09/30/04	Grover Nicholson	(919) 733-2801
North Dakota	NA	NA	NA	NA	NA
Ohio	10/6/1992	3/7/2002	10/01/02 – 09/30/04	Bonnie Buthker	(937) 285-6469
Oklahoma	12/28/1992	11/19/2002	10/01/02 – 09/30/04	Hal Cantwell	(405) 702-5139
Oregon	NA	NA	NA	NA	NA
Pennsylvania	4/14/1994	NA	10/01/02 – 09/30/04	Gary Moulder	(717) 787-7566
Puerto Rico	2/4/1991	NA	NA	Miguel Maldonado	(787) 766-0368
Rhode Island	9/26/1991	4/12/2002	10/01/02 – 09/30/04	Richard Gottlieb	(401) 222-2797
South Carolina	5/8/1991	4/15/2002	10/01/02 – 09/30/04	Kathy Williams	(803) 896-4140
South Dakota	10/25/1991	4/10/2002	10/01/02 – 09/30/04	Mark Lawrensen	(605) 773-5868
Tennessee	6/2/1992	3/14/2002	07/01/02 – 06/30/04	Suzanne Wilkes	(615) 532-0925
Texas	4/8/1991	11/12/2002	10/01/02 – 09/30/04	Allan Posnick	(512) 239-2332

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State/Territory	DSMOA Signed	CA Application Signed	CA Period	Point of Contact	Point of Contact Phone Number
Utah	11/11/1998	4/26/2002	10/01/02 – 09/30/04	Martin Gray	(801) 538-6819
Vermont	6/22/1990	4/25/2002	07/01/02 – 06/30/04	Chuck Schwer	(802) 241-3876
Virgin Islands	NA	NA	NA	NA	NA
Virginia	8/31/1990	3/15/2002	10/01/02 – 09/30/04	Bob Nicholas	(804) 698-4212
Washington	2/3/1994	1/29/2002	07/01/02 – 06/30/04	Katherine Scott	(360) 407-7213
West Virginia	5/24/1990	4/15/2002	10/01/02 – 09/30/04	Tom Bass	(304) 558-2745
Wisconsin	7/22/1992	9/24/2002	10/01/02 – 09/30/04	Richard Kalnicky	(608) 267-7554
Wyoming	6/27/1990	4/8/2002	10/01/02 – 09/30/04	Kevin Frederick	(307) 777-5985

Total Possible = 56 (50 states; 5 territories; 1 district)  
 Total Signed DSMOAs = 51 (46 states; 4 territories; 1 district)  
 Total Signed CAs = 47 (45 states; 2 territories)

NA means not applicable; or, states or territories without a DSMOA or a CA as of December 2002.