

APPENDIX K: Interagency Agreements, ATSDR, DSMOA, and Cooperative Agreements

RESTORATION

The Department of Defense's (DoD's) partnerships with state and federal agencies are fundamental to the achievement of the environmental restoration program. These relationships help facilitate planning and implementation to efficiently accomplish environmental restoration requirements and promote further cleanup efforts.

This appendix focuses on DoD partnership agreements with federal and state agencies that involve the public, regulators, and stakeholders under the Defense Environmental Restoration Program (DERP). To ensure that decisions and remedies are used most efficiently and are protective of human health and the environment, DoD is engaged in interagency agreements (IAGs), federal facility agreements (FFAs), Defense and State Memorandums of Agreement (DSMOAs), and cooperative agreements (CAs). IAGs and FFAs are used to establish the role of the U.S. Environmental Protection Agency (EPA) and states in the environmental restoration process at an installation. The DSMOA program reimburses states and territories for services supporting environmental restoration activities at DoD installations. After signing a DSMOA with DoD, states can apply for a CA, which provides guidance for work plans and financial assistance at DoD installations where federal cleanups are taking place. DoD also partners with the Agency for Toxic Substances and Disease Registry (ATSDR) to coordinate public health activities at DoD installations on the National Priorities List (NPL). The partnership's goal is to provide a variety of health services to both DoD and the local community regarding human health risks at toxic hazardous waste sites.

Interagency Agreements

Federal facilities are required to enter into an IAG or FFA within 180 days of completing the remedial investigation/feasibility study (RI/FS) at an NPL installation, under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) § 120(e)(2). DoD and EPA are the two parties responsible for signing the IAG or FFA for each DoD installation or Formerly Used Defense Site on the NPL. These agreements provide the Component(s), EPA, and the states with responsibilities for investigating the contamination, remedy selection, and regulatory oversight of environmental restoration activities at DoD installations.

As of September 30, 2005, DoD has signed a total of 126 IAGs. During Fiscal Year (FY) 2005, DoD had 11 IAGs under negotiation and five IAGs signed, as seen in Figure K-1. Negotiations conducted in FY2005 and the current status for each installation is listed in Figure K-2. Additional information required according to CERCLA § 120(e)(5) is provided as follows:

- Cost estimates and budgetary proposals for IAGs are included in the Installation Restoration Program and Military Munitions Response Program Status Tables (Appendix J), which provides (1) information on environmental restoration costs that each DoD installation has incurred through FY2005 and (2) estimates of each installation's costs from FY2005 through completion
- DoD did not receive any public comments regarding proposed IAGs during FY2005.

Figure K-1
IAG/FFA Status Summary

Component	IAGs/FFAs in Negotiation in FY2005	IAGs/FFAs Signed in FY2005
Army	4	0
Navy	1	5
Air Force	6	0
DLA	0	0
FUDS	0	0
Total	11	5

Agency for Toxic Substances and Disease Registry

The ATSDR is an agency of the U.S. Department of Health and Human Services that aids DoD in resolving community health concerns regarding releases of hazardous substances resulting from past DoD activities. ATSDR's programs are authorized by CERCLA to provide public health assessments (PHAs) and to protect human health at DoD and non-DoD sites that are on, or proposed for, the NPL or are the subject of citizen petition.

PHAs include assessments of hazardous substance releases, community health concerns, and local health outcome data. DoD and private health care providers collect data from community consultations and health studies to complete these assessments. PHAs evaluate past, present, and future impacts on public health; develop health advisories and recommendations; and identify studies or actions needed (e.g., disease registries, epidemiological studies, health surveillance programs, or health education programs) to understand and address all adverse human health effects. DoD funds ATSDR through a memorandum of understanding.

As of September 30, 2005, ATSDR had completed 191 PHAs for DoD installations and properties. ATSDR published the following PHAs in FY2005:

- 9 initial release documents
- 8 public comment releases
- 10 final release documents.

Initial release documents allow DoD, state and local health departments, and federal regulatory agencies, to ensure that the most accurate information about a site is available to ATSDR. The public comment release provides opportunity for the community to formally comment and raise concerns, thus increasing stakeholder involvement. The final release document addresses comments from DoD, the regulatory agencies, public health departments, and the community. Final release public health assessments are updated through health consultations, site reviews and updates, or updated PHAs, as new environmental information becomes available. PHAs completed at DoD installations in FY2005 are summarized in Figure K-3.

DSMOAs and Cooperative Agreements

Coordination of environmental restoration efforts between DoD and states allows for more cost-effective cleanup decisions. Programs such as DSMOA provide partnership opportunities for DoD to address the specific concerns and objectives of each state, as well as the opportunity for states to assist DoD through an open exchange of information and technologies.

The DSMOA program specifies that DoD reimburse states for assessing environmental restoration activities at DoD's active or closing installations and at former DoD properties. An ongoing partnership is established when both DoD and states sign a DSMOA. The parties then enter into a CA, which outlines the planning and funding structure for the environmental restoration efforts the state will carry out at DoD facilities over the next two years in order to mitigate impacts to human health and the environment.

Since the inception of the program, DoD has signed 52 DSMOAs with 47 states, four territories, and the District of Columbia. Arkansas, Iowa, North Dakota, and the Virgin Islands have not signed DSMOAs with DoD. As of September 30, 2005, applications for the 2004 through 2006 CA period have been submitted by 46 states, three territories, and the District of Columbia. Arkansas, Iowa, Louisiana, North Dakota, American Samoa, and the Virgin Islands did not submit CAs for the 2004 through 2006 CA period.

**Figure K-2
Installations that Conducted Negotiations Toward, or Signed, IAGs or FFAs in FY2005**

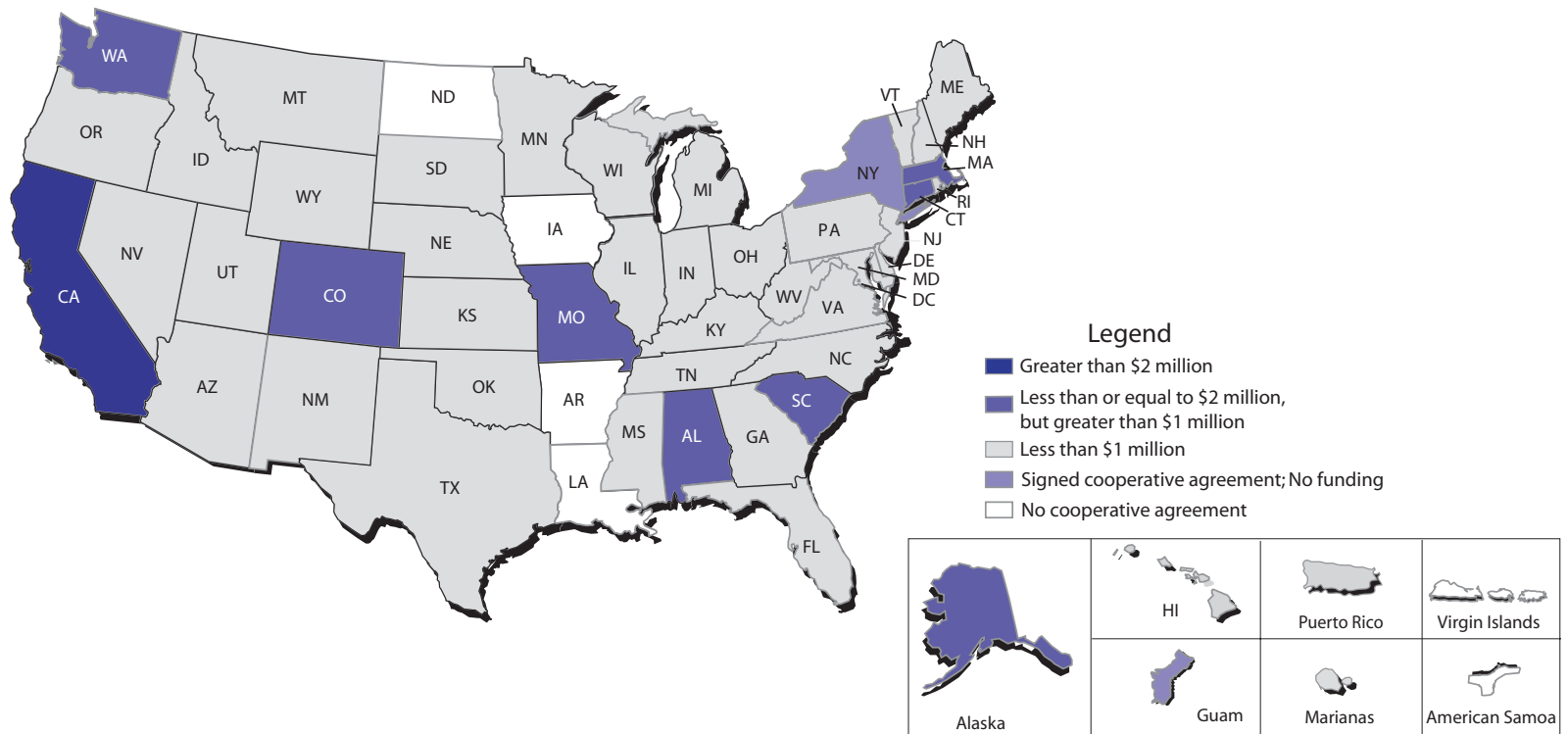
Installation	IAG/FFA Status (signed or negotiated)	Description of Cases in Which Negotiations Are Under Way or No Agreement Was Reached Within 180 Days of Completion of the RI/FS
ARMY		
Fort Eustis	Agreement negotiation underway	FFA is being revised by the installation to include MMRP sites. Anticipate final FFA in FY2006.
Fort Meade	Agreement negotiation underway	Negotiation on hold; issue of NPL boundary delineation being negotiated between HQDA, and EPA.
Redstone Arsenal	Agreement negotiation underway	Negotiations are ongoing between Alabama and OSD regarding the inclusion of stipulated penalties in the agreement.
Soldier Systems Center	Agreement negotiation underway	The SSC and EPA have completed one round of negotiations. The document is in review and revision.
NAVY		
Cherry Point Marine Corps Base	Signed	IAG/FFA signed in FY2005.
Mechanicsburg Naval Inventory Control Point	Signed	IAG/FFA signed in FY2005.
Parris Island Marine Corps Recruit Depot	Signed	IAG/FFA signed in FY2005.
Puget Sound Naval Shipyard (Jackson Park Housing Complex)	Signed	IAG/FFA signed in FY2005.
Whiting Field Naval Air Station	Agreement negotiation underway	Negotiations in progress between key participants. Signature expected in FY2006.
Willow Grove Naval Air Station	Signed	IAG/FFA signed in FY2005.
AIR FORCE		
Air Force Plant 44	Agreement negotiation underway	The Air Force has proposed to EPA to use performance-based agreements consistent with the President's Management Agenda and the USAF's Transformation Initiatives, in lieu of the existing process-based Federal Facility Agreements.
Andrews Air Force Base	Agreement negotiation underway	The Air Force has proposed to EPA to use performance-based agreements consistent with the President's Management Agenda and the USAF's Transformation Initiatives, in lieu of the existing process-based Federal Facility Agreements.
Hanscom Air Force Base	Agreement negotiation underway	The Air Force has proposed to EPA to use performance-based agreements consistent with the President's Management Agenda and the USAF's Transformation Initiatives, in lieu of the existing process-based Federal Facility Agreements.
Langley Air Force Base	Agreement negotiation underway	The Air Force has proposed to EPA to use performance-based agreements consistent with the President's Management Agenda and the USAF's Transformation Initiatives, in lieu of the existing process-based Federal Facility Agreements.
McGuire Air Force Base	Agreement negotiation underway	The Air Force has proposed to EPA to use performance-based agreements consistent with the President's Management Agenda and the USAF's Transformation Initiatives, in lieu of the existing process-based Federal Facility Agreements.
Tyndall Air Force Base	Agreement negotiation underway	The Air Force has proposed to EPA to use performance-based agreements consistent with the President's Management Agenda and the USAF's Transformation Initiatives, in lieu of the existing process-based Federal Facility Agreements.

Components provided more than \$30.5 million in reimbursements in FY2005 through the DSMOA program. The distribution of FY2005 DSMOA funding by state is provided in Figure K-4. States and territories eligible to participate in the DSMOA program, including their status as of September 30, 2005, are listed in Figure K-5 of this appendix.

Figure K-3
Summary of the Public Health Assessments Completed at DoD Installations in FY2005

Stage of Assessment	Army	Navy	Air Force	DLA	FUDS	Total
Initial Release Document	2	6	1	0	0	9
Public Comment Release	0	6	2	0	0	8
Final Release Document	1	6	3	0	0	10
All Stages, Total Number	3	18	6	0	0	27

Figure K-4
DSMOA Reimbursements in FY2005



**Figure K-5
States and Territories Eligible for the DSMOA and Cooperative Agreement Program:
Agreement Status as of September 30, 2005**

State/Territory	DSMOA Signed	CA Application Signed	CA Period	State Point of Contact	Point of Contact Phone Number
Alabama	5/29/90	8/12/04	07/01/04-06/30/06	Jim Grassiano	(334) 271-7738
Alaska	6/4/90	7/22/04	07/01/04-06/30/06	Jennifer Roberts	(907) 269-7553
American Samoa	7/10/91	NA	NA	Sheila Wiegman	(684) 633-2304
Arizona	3/13/91	7/20/04	07/01/04-06/30/06	Moses Olade	(602) 771-4245
Arkansas	NA	NA	NA	NA	NA
California	5/31/90	7/22/04	07/01/04-06/30/06	Curvin Lee	(916) 323-3506
Colorado	10/18/93	7/22/04	07/01/04-06/30/06	Jeff Edson	(303) 692-3388
Connecticut	4/23/98	7/20/04	07/01/04-06/30/06	Mark Lewis	(860) 424-3768
Delaware	2/26/90	7/20/04	07/01/04-06/30/06	Yoletta Parker	(302) 395-2600
District of Columbia	5/9/94	9/30/05	07/01/05-06/30/06	Jim Sweeney	(202) 535-2289
Florida	6/14/90	7/30/04	07/01/04-06/30/06	Eric Nuzie	(850) 2451-8978
Georgia	5/8/90	8/4/04	07/01/04-06/30/06	Brent Rabon	(404) 656-2833
Guam	11/27/91	1/19/05	07/01/04-06/30/06	Walter Guerrero	(671) 475-1644
Hawaii	9/10/91	7/20/04	07/01/04-06/30/06	Michael Miyasaka	(808) 586-4653
Idaho	2/6/91	9/13/04	07/01/04-06/30/06	Dean Nygard	(208) 373-0285
Illinois	12/17/92	7/21/04	07/01/04-06/30/06	Bob Carson	(217) 782-9803
Indiana	4/17/91	8/9/04	07/01/04-06/30/06	Rex Osborn	(317) 234-0351
Iowa	NA	NA	NA	NA	NA
Kansas	8/6/92	7/20/04	07/01/04-06/30/06	Rob Weber	(785) 296-8801
Kentucky	6/6/91	8/9/04	07/01/04-06/30/06	Nini Hughes	(502) 564-2225
Louisiana	11/13/91	NA	NA	Sandra Greenwich	(225) 765-0437
Maine	6/24/91	7/20/04	07/01/04-06/30/06	Ted Wolfe	(207) 287-8552
Mariana Islands	10/18/91	7/13/04	07/01/04-06/30/06	Ray Masga	(670) 664-8500
Maryland	11/26/90	7/20/04	07/01/04-06/30/06	John Fairbank	(410) 537-3475

State/Territory	DSMOA Signed	CA Application Signed	CA Period	State Point of Contact	Point of Contact Phone Number
Massachusetts	10/18/91	8/9/04	07/01/04-06/30/06	Anne Malewicz	(617) 292-5659
Michigan	8/27/92	7/28/04	07/01/04-06/30/06	Bob Delaney	(517) 373-7406
Minnesota	6/28/91	7/21/04	07/01/04-06/30/06	Gary Krueger	(651) 296-6139
Mississippi	10/13/89	9/28/04	07/01/04-06/30/06	Philip Weathersby	(601) 961-5302
Missouri	5/22/91	7/20/04	07/01/04-06/30/06	Nick Carbone	(573) 751-2506
Montana	4/17/98	8/19/04	07/01/04-06/30/06	Lawrence Hanson	(406) 841-5072
Nebraska	9/29/92	7/20/04	07/01/04-06/30/06	Mike Felix	(402) 471-2938
Nevada	9/12/90	7/20/04	07/01/04-06/30/06	Eric Noack	(775) 687-9393
New Hampshire	1/22/93	7/30/04	07/01/04-06/30/06	Richard Pease	(603) 271-3649
New Jersey	4/3/92	7/30/04	07/01/04-06/30/06	Dhruva Kanjarpane	(609) 633-0709
New Mexico	6/12/90	7/22/04	07/01/04-06/30/06	Julie Jacobs	(505) 827-2776
New York	6/6/91	9/9/04	07/01/04-06/30/06	John Swartwout	(518) 402-9620
North Carolina	6/6/91	7/30/04	07/01/04-06/30/06	David Lown	(919) 733-2801
North Dakota	NA	NA	NA	NA	NA
Ohio	10/6/92	7/21/04	07/01/04-06/30/06	Bonnie Buthker	(937) 285-6469
Oklahoma	12/28/92	8/4/04	07/01/04-06/30/06	Hal Cantwell	(405) 702-5139
Oregon	6/30/04	8/16/04	07/01/04-06/30/06	Gil Wistar	(503) 229-5512
Pennsylvania	4/14/94	10/29/04	07/01/04-06/30/06	Gary Moulder	(717) 787-7566
Puerto Rico	2/4/91	4/8/05	07/01/04-06/30/06	Yarissa Martinez	(787) 767-8181
Rhode Island	9/26/91	7/20/04	07/01/04-06/30/06	Richard Gottlieb	(401) 222-2797
South Carolina	5/8/91	8/6/04	07/01/04-06/30/06	Kathy Williams	(803) 896-4140
South Dakota	10/25/91	7/22/04	07/01/04-06/30/06	Mark Lawrensen	(605) 773-5868
Tennessee	6/2/92	7/20/04	07/01/04-06/30/06	Suzanne Wilkes	(615) 532-0925
Texas	4/8/91	7/22/04	07/01/04-06/30/06	Allan Posnick	(512) 239-2332
Utah	11/11/98	8/4/04	07/01/04-06/30/06	Martin Gray	(801) 538-6819
Vermont	6/22/90	8/18/04	07/01/04-06/30/06	Chuck Schwer	(802) 241-3876

State/Territory	DSMOA Signed	CA Application Signed	CA Period	State Point of Contact	Point of Contact Phone Number
Virgin Islands	NA	NA	NA	NA	NA
Virginia	8/31/90	7/20/04	07/01/04-06/30/06	Bob Nicholas	(804) 698-4212
Washington	2/3/94	11/1/04	07/01/04-06/30/06	Katherine Scott	(360) 407-7213
West Virginia	5/24/90	7/20/04	07/01/04-06/30/06	Tom Bass	(304) 926-0499
Wisconsin	7/22/92	7/22/04	07/01/04-06/30/06	Richard Kalnicky	(608) 267-7554
Wyoming	6/27/90	7/21/04	07/01/04-06/30/06	Kevin Frederick	(307) 777-5985

Total Possible = 56 (50 states; 5 territories; 1 district)

Total Signed DSMOAs = 52 (47 states; 4 territories; 1 district)

Total Signed CAs = 50 (46 states; 3 territories; 1 district)