



ACQUISITION
TECHNOLOGY
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MAY 28 2009

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY
(INSTALLATIONS AND ENVIRONMENT)
ASSISTANT SECRETARY OF THE NAVY
(INSTALLATIONS AND ENVIRONMENT)
ACTING ASSISTANT SECRETARY OF THE AIR FORCE
(INSTALLATIONS, ENVIRONMENT, AND
LOGISTICS)
DIRECTOR, DEFENSE LOGISTICS AGENCY
ENTERPRISE SUPPORT, ENVIRONMENT (DES-S)

SUBJECT: Use of Fort Eustis Federal Facility Agreement as the DoD-EPA Standard
Federal Facility Agreement (FFA)

This policy memorandum is effective upon signature and supersedes the policy memorandum "Use of DoD-EPA Model Federal Facilities Agreement" dated December 14, 2007. This policy reinforces that the attached Fort Eustis FFA shall be used at DoD facilities on the National Priorities List as the standard to satisfy the requirement for an Interagency Agreement under the Comprehensive Environmental Response, Compensation, and Liability Act, Section 120 (e)(2), as agreed to between DoD and EPA. The DoD components are to work collaboratively with EPA Regions and States to negotiate using the Fort Eustis FFA as the standard making only site-specific changes. This policy applies to DoD facilities currently without a signed FFA.

The States will determine whether they will sign a FFA and if they choose to sign, may propose edits. To the extent that a DoD component, EPA Region, or State seeks to negotiate variations beyond the site-specific language of any provision of the Fort Eustis standard FFA, that component shall immediately inform DUSD (I&E). The DoD component staff will respond to proposed edits from the EPA Region and/or State.

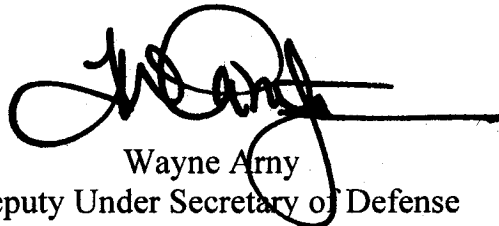
The DoD components shall submit all proposed FFAs for a "72 hour review" prior to signature by the DoD component. As part of this review, the DoD component will identify any changes or additions to the standard FFA beyond site-specific changes. The proposed FFA will be reviewed by DUSD (I&E), OSD OGC (E&I), and the other components. If any one of these organizations non-concur, the DoD component cannot sign the FFA until the non-concurrence is resolved. A non-concurrence based solely on



disagreement with the standard Fort Eustis language will not be accepted, unless otherwise directed by DUSD (I&E). The DUSD (I&E) will lead the non-concurrence resolution discussion. To support the review, the DoD component will identify:

- If the State is participating,
- Any changes requested by the State and mutually negotiated by EPA, State and DoD into the FFA, and
- Any mutually negotiated provisions that vary from the standard Fort Eustis FFA language.

This policy will be incorporated into the Defense Environmental Restoration Program Management Manual currently under development. My point of contact is Ms. Maureen Sullivan, Director Environmental Management, who can be reached at (703) 695-7957.



Wayne Arny
Deputy Under Secretary of Defense
(Installations and Environment)

Attachment:
As Stated

cc:
John Reeder, EPA
David Kling, EPA