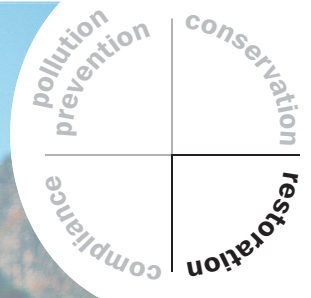


APPENDIX M

INTERAGENCY AGREEMENTS, DSMOA, ATSDR, AND COOPERATIVE AGREEMENTS



The Department of Defense (DoD) partnerships are key to the success of its environmental restoration program. DoD relies on partnerships with state and Federal agencies to facilitate planning and implementation in the Department's Restoration program by providing the insight necessary to efficiently execute restoration requirements and expedite the cleanup process.

This appendix provides information on key DoD partnership agreements with Federal and state agencies that further goals of the Defense Environmental Restoration Program (DERP). These agreements include interagency agreements (IAGs), Federal facility agreements (FFAs), Defense and State Memorandums of Agreement (DSMOAs), and cooperative agreements (CAs). DoD uses IAGs and FFAs to involve the U.S. Environmental Protection Agency (EPA) and states in the environmental restoration process by detailing the agency's role at an installation. DSMOAs are agreements between DoD and the state specifying that DoD will reimburse states for specific services the state will provide in support of environmental restoration activities at DoD installations. After signing a DSMOA with DoD, a state may obtain a CA. CAs are agreements detailing the work plan and funding for environmental restoration activities at DoD installations. DoD also partners with the Agency for Toxic Substances and Disease Registry (ATSDR), which conducts public health activities at DoD National Priorities List (NPL) installations to provide valuable information to both DoD and

the local community regarding human health risks at these NPL installations.

As required by law, this appendix also fulfills specific statutory reporting requirements, which are discussed below.

Interagency Agreements

Two of the most common partnership tools for involving EPA in the environmental restoration process are IAGs and FFAs. 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, per the Superfund Amendments and Reauthorization Act provisions codified as the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) §120(e)(2). These agreements outline the roles and responsibilities of the Military Component(s), EPA, and, frequently, the state in the cleanup process. They allow EPA and states to assume regulatory oversight of 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 (FY) be reported in the Annual Report to Congress. The information provided in this appendix is for FY2004.

DoD had 11 IAGs under negotiation in FY2004 as seen in Figure M-1, and has signed a total of 121 IAGs as of September 30, 2004. Figure M-2 lists all installations that conducted negotiations in FY2004 and provides additional information regarding the status of these negotiations. Other information that must be reported according to CERCLA §120(e)(5) is provided as follows:

- Cost estimates and budgetary proposals for IAGs are included in the Installation Restoration Program Status Tables (Appendix K), which provides (1) information on environmental restoration costs that each DoD installation has incurred through FY2004 and (2) estimates of each installation’s costs from FY2004 through completion.
- DoD did not receive any public comments regarding proposed IAGs during FY2004.

**Figure M-1
IAG/FFA Status Summary**

| Component | IAGs/FFAs Signed in FY2004 | IAGs/FFAs in Negotiations in FY2004 |
|------------------|-----------------------------------|--|
| Army | 0 | 4 |
| Navy | 2 | 5 |
| Air Force | 1 | 2 |
| DLA | 0 | 0 |
| FUDS | 0 | 0 |
| Total | 3 | 11 |

DSMOAs and Cooperative Agreements

Environmental restoration is most cost-effective when conducted with state support of DoD’s cleanup decisions. Partnerships established with individual states through venues such as the DSMOA program provide an opportunity for DoD to address the specific concerns and objectives of each state.

Through the DSMOA program, DoD reimburses states for the services they provide in support of DERP activities, such as reviewing investigation and cleanup efforts at DoD’s active or closing installations and at former DoD properties. When DoD and a state sign a DSMOA, the two establish an ongoing partnership. Both parties then enter into a CA, which provides the planning and funding framework for the environmental restoration support activities the state will conduct at DoD facilities over the next two years.

As of September 30, 2004, DoD had signed 52 DSMOAs with 47 states, four territories, and the District of Columbia. This includes Oregon, which joined the DSMOA program by signing their DSMOA in FY2004. Arkansas, Iowa, Louisiana, and the Virgin Islands have not signed DSMOAs with DoD. Of the states and territories eligible for DSMOA funding, 46 states and one territory have submitted applications for CAs to receive the funding. North Dakota, Pennsylvania, Washington, Washington DC, American Samoa, Guam, and Puerto Rico had not signed CAs for the 2004 through 2006 CA Period as of September 30, 2004. A list of the states and territories eligible to participate in the DSMOA program, including their status as of September 30, 2004, is presented in Figure M-5 of this appendix.

Figure M-2
Installations that Conducted Negotiations Toward, or Signed, IAGs or FFAs in FY2004

| Installation Name | 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 | Negotiations ongoing | Revised and resubmitted FFA for regulatory review; estimate FY2005 agreement. |
| Fort Meade | Negotiations ongoing | IAG negotiation on hold; waiting for Army's position on NPL boundary delineation. |
| Redstone Arsenal | Negotiations ongoing | Negotiating FFA with EPA and State; estimate FY2005 agreement. |
| Soldier Systems Center | Negotiations ongoing | Negotiating FFA with New England EPA, executing instructions from EPA and HQ Army; estimate FY2005 agreement. |
| NAVY | | |
| Cherry Point Marine Corps Base | Negotiations ongoing | Negotiations in progress between key participants. |
| Mechanicsburg Naval Inventory Control Point | Negotiations completed | Navy and State signed the FFA. FFA is still awaiting signature at EPA. |
| Norfolk Naval Shipyard | Signed | IAG/FFA signed in FY2004. |
| Parris Island Marine Corps Recruit Depot | Negotiations ongoing | Negotiations in progress between key participants. |
| Puget Sound Naval Shipyard (Jackson Park Housing Complex) | Negotiations ongoing | Signature is pending State review of the document. Signature is expected in FY2005. |
| St. Julien's Creek | Signed | IAG/FFA signed in FY2004. |
| Whiting Field Naval Air Station | Negotiations ongoing | Negotiations in progress between key participants. Signature is expected in FY2005. |
| AIR FORCE* | | |
| Hill Air Force Base | Signed | IAG/FFA signed in FY2004. |
| Langley Air Force Base | Negotiations ongoing | No cost to be recovered. |
| Tyndall Air Force Base | Negotiations underway | Negotiating IAG/FFA with EPA and Florida. |

* McGuire Air Force Base is no longer pursuing negotiations for an FFA with EPA.

During FY2004, the Military Components provided almost \$28.5 million in DSMOA reimbursements to states. The distribution of FY2004 DSMOA funding by state is provided in Figure M-3.

Technology Cooperative Agreements

As required under the FY1998 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

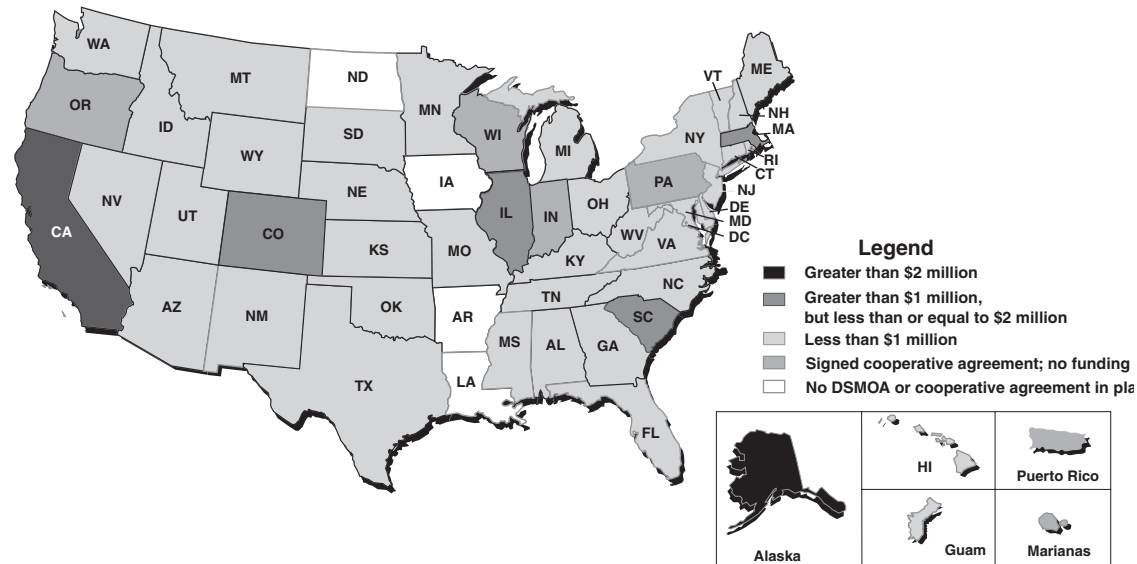
DoD did not participate in any technology CAs in FY2004.

Agency for Toxic Substances and Disease Registry

ATSDR, an agency of the U.S. Department of Health and Human Services, often assists DoD in resolving community health concerns about the release of hazardous substances resulting from past DoD activities. Under CERCLA, ATSDR has the authority to provide a variety of health services, including public health assessments (PHAs), 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.

A PHA evaluates hazardous substance releases, community health concerns, and local health outcome data. ATSDR performs these assessments through a variety of methods, including consultations and health studies that involve public comment periods and

Figure M-3
DSMOA Reimbursements in FY2004



community assistance panels, health education to the community, and education for DoD and private health care providers. 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. DoD provides funding to ATSDR through a memorandum of understanding.

To date, ATSDR has completed 164 PHAs for DoD installations and properties. Three PHAs are currently undergoing public comment, and four are undergoing initial review. ATSDR published the following PHAs in FY2004:

- 8 initial release documents
- 10 public comment releases
- 13 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 from 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. A summary of the PHAs completed at DoD installations in FY2004 appears in Figure M-4 below.

Figure M-4
Summary of the Public Health Assessments Completed at DoD Installations in FY2004

| Stage of Assessment | Air | | | DLA | FUDS | Total |
|---------------------------------|----------|-----------|-----------|----------|----------|-----------|
| | Army | Navy | Force | | | |
| Initial Release Document | 0 | 6 | 2 | 0 | 0 | 8 |
| Public Comment Release | 1 | 7 | 2 | 0 | 0 | 10 |
| Final Release Document | 1 | 5 | 6 | 0 | 1 | 13 |
| All Stages, Total Number | 2 | 18 | 10 | 0 | 1 | 31 |

Figure M-5
States and Territories Eligible for the DSMOA and Cooperative Agreement Program:
Agreement Status as of September 30, 2004

| State/Territory | DSMOA Signed | CA Application Signed | CA Period | 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) 207-4245 |
| 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 | NA* | NA* | Jim Sweeney | (202) 535-2289 |
| Florida | 6/14/90 | 7/30/04 | 07/01/04-06/30/06 | Eric Nuzie | (850) 921-9999 |
| Georgia | 5/8/90 | 8/4/04 | 07/01/04-06/30/06 | Jim Ussery | (404) 656-2833 |
| Guam | 11/27/91 | NA* | NA* | 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 |

| State/Territory | DSMOA Signed | CA Application Signed | CA Period | Point of Contact | Point of Contact Phone Number |
|-----------------|--------------|-----------------------|-------------------|-------------------|-------------------------------|
| 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 | Denise Messier | (207) 287-4851 |
| 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) 631-3475 |
| 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 |

| State/Territory | DSMOA Signed | CA Application Signed | CA Period | Point of Contact | Point of Contact Phone Number |
|-----------------|--------------|-----------------------|-------------------|------------------|-------------------------------|
| Oregon | 6/30/04 | 8/16/04 | 07/01/04-06/30/06 | Gil Wistar | (503) 229-5512 |
| Pennsylvania | 4/14/94 | 2/27/2003 | 10/01/02-9/30/04 | Gary Moulder | (717) 787-7566 |
| Puerto Rico | 2/4/91 | NA* | NA* | 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 |
| 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 | 1/29/02 | 07/01/02-06/30/04 | Katherine Scott | (360) 407-7213 |
| West Virginia | 5/24/90 | 7/20/04 | 07/01/04-06/30/06 | Tom Bass | (304) 558-2745 |
| Wisconsin | 7/22/92 | 7/22/04 | 07/01/04-06/30/06 | Richard Kalnicky | (608) 267-7554 |

Total Possible = 56 (50 states; 5 territories; 1 district)
Total Signed DSMOAs = 52 (47 states; 4 territories; 1 district)
Total Signed CAs = 47 (46 states; 1 territories; 0 district)

*NA means not applicable; or, states or territories without a DSMOA or a CA for the 2004-2006 CA Period, as of September 30, 2004