



US Army Corps
of Engineers®

ER 1110-2-500
31 October 2011

ENGINEERING AND DESIGN

EPA/USACE SUPERFUND PROGRAM FUNDING AND REPORTING REQUIREMENTS

ENGINEER REGULATION

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DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
Washington, DC 20314-1000

ER 1110-2-500

Regulation
No. 1110-2-500

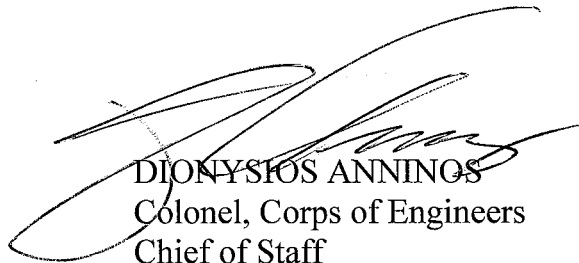
31 October 2011

Engineering and Design
EPA/USACE SUPERFUND PROGRAM FUNDING
AND REPORTING REQUIREMENTS

1. Purpose. This regulation provides general policy and guidance for establishing procedures governing the funds management and reporting requirements for Interagency Agreements (IAAs) issued by the U.S. Environmental Protection Agency (EPA) to the U.S. Army Corps of Engineers (USACE) for the EPA Superfund Program.
2. Applicability. This regulation applies to all Headquarters, U.S. Army Corps of Engineers (HQUSACE) elements, USACE divisions (Major Subordinate Commands or Regional Business Centers), districts, laboratories and field operating activities, which are overseeing, managing, or executing work covered by an EPA/USACE IAA under the EPA Superfund Program.
3. Distribution Statement. Approved for public release, distribution is unlimited.
4. Discussion. This guidance is provided to assist any organization or team involved in overseeing, managing, or executing work authorized by an EPA/USACE interagency agreement.

FOR THE COMMANDER:

15 Appendices
(See Table of Contents)



DIONYSIOS ANNINOS
Colonel, Corps of Engineers
Chief of Staff

CEMP-CEP

DEPARTMENT OF THE ARMY
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Engineering and Design
USACE/EPA SUPERFUND PROGRAM
FUNDING AND REPORTING REQUIREMENTS

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CHAPTER 1

EPA/USACE Superfund Program

1-1. Purpose. This regulation provides general policy and guidance for establishing procedures governing the funds management and reporting requirements for Interagency Agreements (IAAs) issued by the U.S. Environmental Protection Agency (EPA) to the U.S. Army Corps of Engineers (USACE) for the EPA Superfund Program.

1-2. Applicability. This regulation applies to all Headquarters, U.S. Army Corps of Engineers (HQUSACE) elements, USACE divisions (Major Subordinate Commands or Regional Business Centers), districts, laboratories and field operating activities, which are overseeing, managing, or executing work covered by an EPA/USACE IAA under the EPA Superfund Program.

1-3. Distribution Statement. Approved for public release, distribution is unlimited.

1-4. References.

- a. ER 37-2-10, Financial Administration, Accounting, and Reporting – Civil Works.
- b. EPA/USACE Payment Process Direct Cite/Revised Reimbursement Methods (EPA Publication 9355.5-24 FS).
- c. ER 37-5-3, Financial Administration, EPA/USACE Superfund Program, Financial Closeout of Interagency Agreements, CEMP-CEP, 31 December 2009.
- d. Business Process for Funding U.S. Environmental Protection Agency Superfund Program Management and Support (M&S) Activities from Superfund Project Interagency Agreements, CEMP-IS (415), 28 October 2004.
- e. Monthly Reporting from Districts to the U.S. Environmental Protection Agency for Superfund Projects, CEMP-IS (415), 2 July 2008.
- f. Office of Management and Budget (OMB) Implementing Guidance for the American Recovery and Reinvestment Act of 2009 (ARRA), 3 April 2009.
- g. HQEPA Policy for Issuing Superfund Interagency Agreements for Assigning Superfund Remedial Design or Remedial Action work to the U.S. Army Corps of Engineers and Other Federal Agencies, [OSWER 9200.1-83, 3 April 2008](#).
- h. HQEPA Class Waiver for Superfund Cooperative Agreement and Interagency Agreement Project Duration, Office of Grants and Debarment, 24 October 2008.

1-5. Background.

a. The Superfund Program was enacted by Congress in Public Law 96-510, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA or Superfund). The Superfund legislation mandated that both Federal and non-Federal agencies remedy uncontrolled Hazardous, Toxic, & Radioactive Waste (HTRW) releases.

b. Under Executive Order 12316, the U.S. Environmental Protection Agency (EPA) was assigned primary responsibility for implementation of the Federal Superfund program. The Superfund legislation was amended by Public Law 99-499, the Superfund Amendments and Reauthorization Act (SARA) of 1986. Through Executive Order 12580, EPA was assigned responsibility, discretion, and authority to respond to or enforce necessary actions to clean up any hazardous and toxic waste release into the environment.

c. SARA added more detail than the original law. New provisions were added to define cleanup standards in performing a response action.

d. The Superfund Program consists of two subprograms:

(1) Emergency Response (short-term removal action) usually handled by EPA Emergency Response contractors.

(2) Remedial response (long-term remedial action) to clean up releases.

1-6. EPA/USACE National Superfund Interagency Agreement.

a. The CERCLA legislation made provisions for the Superfund program's use of the existing capabilities of other Federal agencies in meeting its objectives. EPA and U.S. Army Corps of Engineers (USACE) signed an interagency agreement on 3 February 1982. Under the agreement, upon EPA request, USACE will manage design and construction contracts and provide technical assistance to EPA in support of remedial response cleanup of hazardous waste sites.

b. The responsibilities of EPA and USACE are outlined in a subsequent 3 December 1984 agreement titled "Interagency Agreement Between the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency in Executing P.L. 96-510, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (*Appendix A*).

1-7. USACE Superfund Program Management.

a. The HQUSACE Program Manager for the Superfund program is CEMP-CEP.

b. The Huntsville Engineering & Support Center (Omaha), Environmental & Munitions Center of Expertise (EM CX) is designated as the nationwide central point of contact for funds management and technical review for all Superfund IAAs.

(1) EPA will forward all Superfund IAAs, amendments, work authorization forms, and related documents to the EM CX address below:

U.S. Army Corps of Engineers
EM CX (CEHNC-EMS)
1616 Capitol Avenue, Suite 9200
Omaha, NE 68102-9200

(2) The EM CX reviews and coordinates all Superfund IAA documents, funding amounts, scope of work statements, and special terms and conditions statements to ensure compliance with the EPA/USACE national Superfund Interagency Agreement.

(3) If the scope of work needs clarification or if there are technical or financial issues, the EM CX will contact the EPA Project Officer, EPA Grants Service Center, USACE Superfund Division Coordinator, or HQUSACE (CEMP-CEP) to resolve the issues.

(4) The EM CX assigns the Corps of Engineers Financial Management System (CEFMS) codes and USACE program management P2 information for all EPA Superfund IAAs and work assignments issued by EPA to USACE. The EM CX coordinates and forwards the assigned information to the performing USACE district/division.

(5) For program management purposes, the EM CX maintains a sole-source database of all current and historical EPA Superfund IAA funding issued to USACE since the inception of the EPA/USACE program in 1982.

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CHAPTER 2

Types of Superfund Funding

2-1. Site-Specific Interagency Agreement.

a. EPA Regional Program Office in coordination with the EPA Grants Service Center initiates, justifies, and issues a signed Superfund site-specific IAA document (EPA Form 1610-1) for a specific site name and one type of activity to USACE. Included with the IAA document is a scope of work statement and an IAA Terms and Conditions Statement. EPA will provide on the IAA document the funding amounts (Revised Reimbursable and/or Direct Fund Cite), the appropriate EPA Treasury Symbol, statutory authority, and an expiration date (Sample Site-Specific IAA/Special Conditions Statement (*Appendix B*)).

b. The IAA can be amended by EPA to provide additional funding, extend the IAA period of performance, or decrease funding.

c. EM CX reviews all Superfund IAA documents issued to USACE, assigns the USACE CEFMS/P2 information, and forwards to performing USACE district for signature acceptance. A copy is provided to the Superfund Division Coordinator.

d. Performing USACE district PM coordinates the acceptance with district Resource Management Office.

e. USACE district signs/accepts EPA IAA (EPA Form 1610-1) document and returns signed IAA to the EPA Grants Service Center. District also sends signed IAA copy to EM CX.

f. EPA Grants Service Center updates information in EPA Integrated Grants Management System (IGMS) and forwards signed IAA to EPA Cincinnati Finance Center (CFC).

g. EPA CFC verifies that an EPA official and a representative of USACE have signed the IAA. IAA is then logged in by EPA as an accepted document.

h. EPA CFC obligates funds in the EPA accounting system.

2-2. Generic Interagency Agreement.

a. EPA issues a signed Generic IAA document (EPA Form 1610-1) with stated “bulk” funded amount, and expiration date to USACE for future work at several sites (Sample Generic IAA (*Appendix C*)). Site-specific work assignments are not yet identified.

b. The Generic IAA document issued by EPA will include a Scope of Work Statement for either Technical Assistance Support or Removal Support.

(1) Scope of Work Generic Interagency Agreement (IAA) for Technical Assistance EPA/USACE Superfund Program (*Appendix D*) is used for the following:

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- (a) Technical assistance activities;
- (b) Repetitive scope of work statements;
- (c) Short duration projects; and
- (d) Activities involving small dollar amounts.

(2) Scope of Work Generic Interagency Agreement (IAA) for Removals EPA/USACE Superfund Program (*Appendix E*).

c. Generic IAA document should include an attachment for EPA Project Officer/Remedial Project Manager Duties Generic Interagency Agreement (IAA) and Work Authorization Form (WAF) EPA/USACE Superfund Program (*Appendix F*).

d. Generic IAAs are used for the following scope of work activities:

- (1) Technical Assistance;
- (2) Technical Assistance for Real Estate Planning/Relocation;
- (3) Technical Assistance at Federal Facilities;
- (4) Technical Assistance for Five-Year Reviews;
- (5) Technical Assistance for Value Engineering;
- (6) Site Visits;
- (7) Technical Support to EPA;
- (8) Early Project Planning;
- (9) Developing initial work plan/scope of work statement for planned site-specific IAA to be issued in the future; and
- (10) Removal Activities.

e. Generic IAAs are not used for the following scope of work activities. EPA must issue a Site-Specific IAA to USACE for the following:

- (1) Remedial Design;
- (2) Remedial Action; or
- (3) Long-Term Response.

f. USACE does not have authority to obligate or expend Generic IAA funding until a Work Authorization Form (WAF) is issued by the EPA region..

g. Direct Fund Cite Method does not apply to Generic IAAs.

- h. EPA can amend a Generic IAA to increase funding, extend the period of performance, and decrease funding.
- i. Generic IAAs provide USACE the opportunity to quickly respond to an EPA request when EPA issues a site-specific work assignment from the Generic IAA funding.
- j. EM CX signs and accepts Generic IAA document, assigns the Superfund CEFMS/P2 codes, and returns a signed IAA to the EPA Grants Service Center and EPA CFC.

2-3. Site-Specific Work Authorization Form (WAF) Issued From Generic IAA.

- a. EPA Project Officer issues site-specific funding from a Generic IAA on a Work Authorization Form (WAF) (*Appendix G*).
- b. The signed WAF identifies the project name, states the amount of funding, expiration date, and includes brief scope of work statement.
- c. WAF is issued for “one type” of scope of work activity.
- d. WAF references Generic IAA number.
- e. No dollar limitation for site-specific WAF (WAF amounts cannot exceed Generic IAA total funding).
- f. WAF expiration date cannot exceed Generic IAA period of performance date.
- g. Direct Fund Cite Method does not apply to WAF.
- h. WAF monthly billing, tracking, reporting, and cost documentation processes are the same in the USACE CEFMS/P2 Systems as the Site-Specific IAA process.
- i. Monthly billing signed by USACE PM forwarded to EPA CFC and EPA Region Project Officer.
- j. WAF can be amended to increase/decrease funds and extend period of performance.
- k. EM CX reviews WAF documents, reduces Generic IAA funding by the WAF amount, assigns the CEFMS/P2 Superfund codes and information for the WAF, and forwards to performing USACE district (USACE acceptance signature is not required by EPA). A copy is provided to the Superfund Division Coordinator.

2-4. Management and Support (M&S) Funding – General Administrative/Program Support.

- a. M&S funds are internal Superfund operating funds for HQUSACE, EM CX, USACE Division Coordinators, and for various EPA initiatives throughout USACE which are not chargeable to specific projects.
- b. M&S funding is managed by CEMP-CEP.
- c. M&S percentage is applied to Superfund project expenditures which provides funding to a HQUSACE M&S Revolving Fund Account.

d. Management and Support (M&S) Funding Business Process:

(1) Reference “Business Process for Funding U.S. Environmental Protection Agency Superfund Program Management and Support (M&S) Activities from Superfund Project Interagency Agreements”, CEMP-IS (415), 28 October 2004.

(2) Superfund M&S funds are for administrative and oversight support services provided by USACE for overall direct/indirect benefit of the EPA Superfund program and all projects.

(3) Business process was established effective 1 October 2004 to fund M&S and cost recovery support activities for the EPA/USACE Superfund response action program.

(4) Each fiscal year, USACE elements requesting Superfund M&S funds submit their budget proposals to HQUSACE.

(5) Estimated administrative overhead M&S budget is prepared annually by HQUSACE Superfund program management team which is coordinated, reviewed, negotiated, and approved by HQEPA.

(6) HQUSACE/HQEPA M&S approved budget is compared with a forecast of funds to be generated from an M&S percentage rate applied to Superfund project expenditures. HQUSACE Superfund program management team and HQEPA determine the percentage to be charged and the target level of funding for each fiscal year.

(7) M&S percentage charge is applied uniformly across all USACE districts. M&S percentage rate can be changed at any time, but will be reviewed and coordinated at least once each year in time for CEMP-CEP to communicate any change by 1 October.

(8) USACE applies the approved M&S overhead percentage rate to all Direct Fund Cite and Revised Reimbursable Superfund project expenditures. Charge is calculated on the total expenditures, but paid from Revised Reimbursable portion of the IAA funding.

(9) EPA Project Officer can authorize transferring funds from Direct Fund Cite category to Revised Reimbursable category for the M&S charge by amending the IAA or by using a Transfer of Funds Document.

(10) When EPA issues new IAAs or amendments to USACE for Superfund work, the M&S percentage charge should be included within the estimated cost for the project. M&S charge is to be included in the EPA Budget Category “Other” (line h) of the IAA document.

(11) Funds for M&S activities are provided by the USACE revolving fund established by the civil functions Appropriation Act of 1954, Public Law 153, dated 27 July 1953, in accordance with ER 37-2-10. Reimbursements to the revolving fund are obtained by applying the M&S percentage rate to Superfund project expenditures.

(12) USACE revolving account, RF3920 (Superfund Program Management and Support), and the resource code SFMSFEE are established in district and HQUSACE CEFMS databases for M&S activities.

(13) District revolving fund RF3920 M&S amounts collected from the individual Superfund projects are transferred to reimburse the HQUSACE M&S RF3920 Revolving Account.

(14) CEMP-CEP is the responsible Superfund program manager for the HQUSACE M&S RF3920 Revolving Fund Account, and will provide a distribution of funds to HQUSACE level elements, Centers of Expertise, divisions/districts to perform activities in the approved M&S budget.

(15) CEMP-CEP has overall management and control of the Superfund M&S budget and expenses to ensure the HQUSACE RF3920 revolving fund is fully reimbursed from district Superfund projects for amounts expensed for M&S activities.

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CHAPTER 3

EPA Superfund Program Policy

3-1. EPA Justifications. EPA internally completes/coordinates a commitment notice (authorizes release of funds to USACE for IAA work), and a decision memorandum to begin the process of issuing a Superfund IAA to USACE. EPA policy states that EPA regions are required to document and justify decisions to assign Superfund work to USACE and other Federal agencies.

3-2. Issuing Interagency Agreements to USACE.

a. Reference HQEPA “Policy for Issuing Superfund Interagency Agreements for Assigning Superfund Remedial Design or Remedial Action work to the U.S. Army Corps of Engineers and Other Federal Agencies” (OSWER 9200.1-83) 3 April 2008.

b. EPA Decision Memorandum is used to document EPA’s justification for selecting USACE to provide Remedial Design (RD) or Remedial Action (RA) support for site activities.

c. EPA Decision Memorandum includes estimated Budget Category (A-K) breakdown to be completed by the EPA Region. The Budget Category information is included on the IAA (EPA Form 1610-1) issued to USACE. Reference EPA Interagency Agreement (IAA) Budget Categories (*Appendix H*).

d. Policy includes EPA Decision Factor Template to be used for selecting USACE for RD/RA support.

e. EPA policy guidance includes sample spreadsheet formats for estimating USACE staff costs (FTE hours/labor/travel/M&S/other in-house costs) for RD or RA.

3-3. Superfund Statutory Authority.

a. HQEPA 3 April 2008 policy states the “statutory authority for Superfund IAAs is §105(a)(4) and §115 of Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 USC 9601 *et seq.*, as amended by SARA, as implemented by 40 CFR 300, and 10 U.S.C. 3036(d), in conjunction with Executive Order 12580”.

b. Superfund IAAs which are funded with EPA funds are not subject to requirements of the Economy Act, 31 U.S.C. §1535.

3-4. EPA Class Waiver for Project Duration.

a. Reference HQEPA “Class Waiver for Superfund Cooperative Agreement and Interagency Agreement Project Duration” dated 24 October 2008.

b. HQEPA waiver for EPA Grants Administration Division 1 February 2008 policy which states IAAs may not exceed seven years. HQEPA Waiver dated 24 October 2008

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revises project period duration limit to a fifteen-year project period for the following Superfund IAAs.

- (1) Long-Term Response Action IAA.
 - (2) Remedial Action IAA.
 - (3) IAAs for sequential remedial investigations/feasibility study, remedial design and/or remedial design/remedial action activities.
- c. If any site-specific Superfund IAA has a duration extending more than 15 years, the project would require a site-specific waiver request when IAA duration approaches 15-year period to extend beyond 15 years.

CHAPTER 4

EPA Superfund Program Treasury Symbols and Appropriations

4-1. Non-ARRA EPA Treasury Symbol 68-68X8145.

a. No-year funding. EPA includes an expiration date on each Superfund IAA which can be extended by EPA.

b. Superfund Program Direct Fund Cite 68-68X8145 (Non-ARRA Contract) Funding.

(1) USACE obligates EPA's Superfund funds on USACE contracts and delivery orders by directly citing EPA's Treasury Account Symbol, 68-68X8145.

(2) Direct Fund Cite amount is recorded in CEFMS (EPA Treasury Symbol/Appropriation 68-68X8145) as a "memo entry" for USACE tracking of Superfund Direct Fund Cite funding received, obligated and expended.

(3) Contract award document identifies the EPA Cincinnati Finance Center (CFC) as the payment office, and must include the EPA IAA number, Superfund site name, and EPA Treasury Symbol/Appropriation 68-68X8145.

(4) USACE Contracting must report 68-68X8145 contract/delivery order award in Federal Procurement Data System-Next Generation (FPDS-NG) with the EPA Funding Agency ID "6800" and Funding Office (EPA Region ID) Code.

c. Superfund Program Revised Reimbursable Funding 96X3122 (Non-ARRA).

(1) Revised Reimbursable funding is loaded in USACE P2/CEFMS as reimbursable funds.

(2) USACE references EPA Treasury Symbol 68-68X8145 as the "source" appropriation in CEFMS.

(3) IAA Revised Reimbursable funding amount loaded in CEFMS for USACE Support for Others Appropriation 96X3122 (USACE Construction General).

4-2. ARRA (Stimulus) EPA Treasury Symbol 68 8195.

a. ARRA (stimulus) funding was appropriated by Congress in FY2009.

b. Superfund Program Direct Fund Cite 68 8195 (ARRA Contract) Funding.

(1) USACE obligates EPA's Superfund funds on USACE contracts and delivery orders by directly citing EPA's Treasury Account Symbol, 68-68X8145.

(2) ARRA Direct Fund Cite amount is recorded in CEFMS (EPA Treasury Symbol/Appropriation 68 8195) as a “memo entry” for USACE tracking of Superfund Direct Fund Cite funding received, obligated and expended.

(3) Contract award document identifies the EPA Cincinnati Finance Center (CFC) as the payment office, and must include the EPA IAA number, Superfund site name, and EPA Treasury Symbol/Appropriation 68 8195.

(4) USACE Contracting must report the 68 8195 contract/delivery order award in FDPS-NG with the EPA Funding Agency ID “6800”, Funding Office (EPA Region ID) Code, and ARRA Treasury Account Symbol (TAS) code “TAS::68 8195::TAS”.

c. Superfund Program Revised Reimbursable Funding 96 3134 (ARRA).

(1) Revised Reimbursable funding is loaded in USACE P2/CEFMS as reimbursable funds.

(2) USACE references EPA Treasury Symbol 68 8195 as the “source” appropriation in CEFMS.

(3) IAA Revised Reimbursable funding amount loaded in CEFMS for USACE Appropriation 96 3134. Appropriation 96 3134 was established specifically for USACE ARRA reimbursable funding received in order to separately identify, track and report ARRA funds in accordance with OMB guidance.

CHAPTER 5

USACE Superfund IAA Funding Process

5-1. Direct Fund Cite/Revised Reimbursable Method.

a. Reference “EPA/USACE Payment Process Direct Cite/Revised Reimbursement Methods”, May 1990, OERR Directive, Memorandum 9295.2-04 (*Appendix I*).

b. If Direct Fund Cite/Revised Reimbursable Method applies, the IAA will state a specific dollar limitation for Direct Fund Cite and a specific dollar limitation for Revised Reimbursable (funds are not interchangeable).

c. Direct Fund Cite/Revised Reimbursable Method implemented 1 October 1991. Direct Fund Cite does not apply to IAAs issued by EPA prior to 1 October 1991 or any subsequent amendments to those IAAs issued after 1 October 1991.

5-2. Direct Fund Cite (Contract Funding) Method Applies to the following:

- a. Remedial Design Contract.
- b. Remedial Action Contract.
- c. Long-Term Response Action Contract.
- d. Removal Contract.
- e. Rapid Response Contract (USACE Omaha District).
- f. NORM Waste Disposal Contract (USACE Kansas City District).

5-3. Direct Fund Cite Method Does Not Apply to the following:

- a. In-House Activities (labor/travel/small purchases).
- b. Technical Assistance Activities.
- c. Field Investigations.
- d. Remedial Investigation Feasibility Studies.
- e. PRP Oversight Activities.
- f. Site Assessments.
- g. Real Estate Relocations/Acquisitions.
- h. Operation and Maintenance Activities.

- i. Five-Year Reviews.
- j. Value Engineering Studies.
- k. Cost Estimating.
- l. Generic IAs.
- m. Site-Specific Work Authorization Forms (WAFs) Issued from Generic IA.

5-4. Direct Fund Cite Method.

- a. This is for contract funding only. Direct Fund Cite amount is a specific dollar limitation for USACE contract award.
- b. Superfund IAA issued for Direct Fund Cite only provides obligation authority to USACE to award a contract/delivery order. The IAA does not provide actual Direct Fund Cite funding to USACE.
- c. The USACE district that accepts the Superfund IAA establishes the Direct Fund Cite amount as a “memo entry” in CEFMS. The CEFMS customer order number is the Superfund IAA number, and the EPA source appropriation will be one of the following:

- (1) 68-68X8145 Appropriation – (Non-ARRA), or
- (2) 68 8195 Appropriation – (ARRA).

5-5. Direct Fund Cite Contract/Delivery Order Award.

- a. USACE awards the Superfund Direct Fund Cite contract/delivery order with the following information included:

- (1) EPA Treasury Account Symbol (Appropriation).
 - (a) 68-68X8145 – (Non-ARRA), or
 - (b) TAS::68 8195::TAS – (ARRA).
- (2) Superfund Project Name.
- (3) Superfund IAA Number.
- (4) Identifies EPA CFC as the payment office.

- b. A copy of the contract or delivery order award is forwarded by a Transmittal USACE Contracts EPA Superfund Program (*Appendix J*) to the following EPA CFC address within two weeks of the award. The package forwarded to EPA CFC should include the

contractor's name, contract number, site name, IAA number, fund cite, amount, statement of award, and the Contracting Officer's dated signature.

U.S. Environmental Protection Agency
Cincinnati Finance Center
Attn: Accounting Operations (MS002)
26 W. Martin Luther King Drive
Cincinnati, OH 42568-7002

5-6. Direct Fund Cite Contract Pay Estimates.

- a. The USACE district retains Contracting Officer Representative (COR) authority.
- b. The USACE COR or appointed designee authorized to approve contractor payments will forward signature cards (DD Form 577) to EPA CFC.
- c. When USACE receives invoice from contractor, one of the following documents is prepared, signed, and certified by the USACE COR:
 - (1) ENG Form 93 (Payment Estimate-Contract Performance) or
 - (2) SF1034 (Public Voucher for Payment) – for contract/delivery order awards subject to a Defense Contract Audit Agency (DCAA) Audit.
- d. USACE prepares a Transmittal USACE Contractor Pay Estimate EPA Superfund Program (*Appendix K*) to forward the certified ENG Form 93 or SF1034 and the contractor invoice by express mail to the following EPA CFC address. A copy is forwarded to the EPA Region Project Officer.

U.S. Environmental Protection Agency
Cincinnati Finance Center
Attn: Accounting Operations (Suite 300)
4411 Montgomery Rd
Cincinnati, OH 45212

- e. EPA CFC will acknowledge receipt within three workdays. EPA CFC performs examination and payment certification and issues payment to the contractor. EPA will comply with the Prompt Payment Act guidelines.
- f. Final contractor payments will be approved by the EPA Project Officer.

5-7. Direct Fund Cite Payment Discrepancy Process.

- a. EPA Project Officer discusses and resolves the discrepancy with the USACE PM.

b. Any changes required to subsequent payment requests will be documented in a memorandum from the EPA Project Officer to USACE PM with a copy provided to EPA CFC.

5-8. Revised Reimbursable Method.

a. If the Direct Fund Cite/Revised Reimbursable Method applies, the Revised Reimbursable funding is for USACE in-house costs (labor, fringe benefits, overhead, travel, supplies, etc.).

b. If Direct Fund Cite/Revised Reimbursable Method does not apply, the Revised Reimbursable funding can include both USACE in-house costs and contract awards.

c. The USACE district that accepts the Superfund IAA establishes the Revised Reimbursable funding in CEFMS with the Superfund IAA number as the CEFMS customer order number. Dependant upon whether the Superfund IAA is ARRA or Non-ARRA, the CEFMS appropriation will be one of the following:

(1) 96X3122 Appropriation (Non-ARRA), or

(2) 96 3134 Appropriation (ARRA).

d. The USACE district will reference the appropriate EPA Treasury Account Symbol as the “source appropriation” in CEFMS as follows:

(1) 68-68X8145 EPA Source Appropriation (Non-ARRA), or

(2) 68 8195 EPA Source Appropriation (ARRA).

5-9. Superfund Revised Reimbursable Monthly Billing.

a. The USACE district will print a CEFMS generated monthly billing (DA Form 4445-R) for each Superfund IAA for all USACE Superfund Revised Reimbursable costs incurred for the previous month.

b. Monthly billing must be signed and certified by the USACE PM.

c. The following standard certification statement will be included on each Superfund monthly bill:

“I certify that the above articles were received and accepted or the services were performed as stated and should be charged to the appropriation(s) and/or fund(s) as indicated.”

d. USACE signature cards (DD Form 577) are required to be on file at the EPA CFC.

e. The USACE district forwards the certified monthly billing with a Monthly Progress/Status Report attached to the following EPA CFC address:

U.S. Environmental Protection Agency
Cincinnati Finance Center
Attn: Accounting Operations (MS002)
26 W. Martin Luther King Drive
Cincinnati, OH 42568-7002

- f. The USACE district forwards a copy of the monthly billing and Monthly Progress/Status Report marked “copy” to EPA Region Project Officer.
- g. EPA CFC processes payment to USACE within five days of receipt of the monthly billing.
- h. Final USACE monthly billings will be marked “Final” and approved by the EPA Project Officer before final payment is authorized by EPA CFC.

5-10. Revised Reimbursable Payment Discrepancy Process:

- a. The discrepancy is discussed and mutually agreed upon between EPA Project Officer and USACE PM.
- b. The EPA Project Officer documents action in a memorandum to the USACE PM.
- c. The district makes the adjustment in CEFMS, and it is included in the next monthly billing.

5-11. Transfer of Funds Between Direct Fund Cite and Revised Reimbursable. The USACE district that accepts Superfund IAA cannot transfer Direct Fund Cite dollars to another USACE district. Only Revised Reimbursable funding can be transferred between USACE districts. Transfer of funds can be accomplished in the following two ways:

a. Interagency Agreement Transfer of Funds Document Revised Reimbursable and Direct Fund Cite Funding).

- (1) The form is signed by EPA to revise (increase/decrease) the Direct Fund Cite and Revised Reimbursable amounts without changing the total IAA amount.
- (2) EPA Project Officer forwards signed Transfer of Funds Document to EM CX and EPA CFC for review and processing.
- (3) EPA Project Officer coordinates with EPA Grants Service Center to reflect the revised amounts in the next IAA amendment issued to USACE.

b. If Transfer of Funds Document is not used, EPA Region can issue an IAA amendment to transfer funds between Direct Fund Cite and Revised Reimbursable.

5-12. Assignment of USACE CEFMS Information for EPA Superfund Program. EM CX coordinates and assigns CEFMS codes/information for all Superfund IAAs and work assignments in a coversheet that is forwarded with the IAA to the performing USACE district for acceptance. This information includes:

a. EPA Superfund IAA Number - Used as USACE Customer Order Number in CEFMS:

b. Site Name.

c. Superfund Program Category Class/Subclass Code (CCSC).

(1) Reference ER 37-2-10, Chapter 20.

(2) CCSC identifies the type of work activity for a Superfund IAA. For tracking and reporting purposes, EPA will issue a Superfund IAA for just one type of work activity.

(3) CCSC is a three-digit code beginning with “B” for the Superfund Program (USACE Category Class Codes EPA Superfund Program (*Appendix M*)).

d. CEFMS Management Structure Code (Civil Works Information System “CWIS” Code); and

(1) A unique 6-digit identifier code assigned by EM CX for each Superfund IAA and WAF.

(2) The EM CX coordinates with Huntsville CEFMS Support Center to ensure new codes are loaded in the AMSCO Master Database Table and are available to the performing district.

e. CEFMS Command Indicator Code: “99EPA”.

f. EPA Region.

g. Site ID Number - EPA CERCLIS ID (12-digit number assigned by EPA, and the first two digits are state code).

h. EPA Treasury Symbol/Source Appropriation:

(1) 68-68X8145 (EPA Non-ARRA Source Appropriation), or

(2) 68 8195 (EPA ARRA Source Appropriation).

i. CEFMS Direct Fund Cite Appropriation/Dollar Amount (Memo Entry in CEFMS):

(1) 68-68X8145 (Non-ARRA), or

(2) 68 8195 (ARRA).

j. CEFMS Revised Reimbursable Appropriation/Dollar Amount:

(1) 96X3122 (Non-ARRA), or

(2) 96 3134 (ARRA).

k. Expiration Date of IAA – EPA includes expiration date on IAA or WAF documents issued to USACE.

5-13. CEFMS 3011A Report (Report on Status of Appropriation and Work Allowances, Civil Funds).

a. The 3011A Report only includes information for the current fiscal year.

b. The 3011A Report provides Superfund Program amounts for funding received, obligated, expended, and funds available.

c. The 3011A Report provides Superfund data for analysis and program management by HQUSACE, and provides a basis for reporting the status of funds to HQEPA.

d. CEFMS Superfund information assigned by EM CX (Appropriation, CCSC, Management Structure/CWIS Code, and Site Name) must be accurately coded and reported on the 3011A Report to separately identify each Superfund IAA and WAF accepted by USACE.

e. For the Superfund Program, districts/divisions must continue to report the status of funds for both Revised Reimbursable and Direct Fund Cite on the 3011A Report until a signed written notification is received from EPA to officially withdraw/revoke the funds.

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CHAPTER 6

Superfund Monthly Project Progress/Status Report

6-1. Superfund Monthly Progress/Status Report Format.

a. Reference “Monthly Reporting from Districts to the U.S. Environmental Protection Agency for Superfund Projects”, CEMP-IS (415), 2 July 2008.

b. Monthly Reporting Requirements. USACE PM prepares monthly Superfund progress/status report that is forwarded with the certified Superfund monthly billing to EPA CFC for payment with a copy provided to EPA Region Project Officer. These reports are mandatory for each IAA. The purpose of the monthly progress/status report is to:

- (1) Document decisions, project status, progress, and costs.
- (2) Be used by USACE PM/EPA Project Officer to manage project and financial expenditures.
- (3) Track costs.
- (4) Track project schedule and budget.
- (5) Understand and approve payment of bills.
- (6) Identify upcoming financial expenditures that may require additional funding or resources.

c. The level of detail in monthly reports may vary depending on project complexity, cost and other factors.

d. The content for each type of monthly report is flexible. The USACE district should discuss and agree upon the monthly report format requirements with EPA region.

e. Monthly report formats are appropriate for both Site-Specific IAAs and Site-Specific WAFs issued from bulk-funded Generic IAAs.

f. Minimum Information for All Monthly Reports:

- (1) Cover letter (include report period and note attachments).
- (2) Progress report (document project status and progress).
- (3) CEFMS monthly billing (signed by USACE PM) – provides total USACE in-house charges and any hired contractor charges.

(4) Financial report (One-Button Report) – financial summary for monthly billing amounts.

g. Monthly Report Templates. The Monthly Report Template used will vary depending upon the project complexity and scope. The four Monthly Report Templates are as follows:

(1) Minimum Monthly Report Template might include:

- (a) Projects that involve only USACE labor charges.
- (b) No contract actions.
- (c) Simple, small dollar values, short duration projects.
- (d) Example: USACE technical support.

(2) Summary Monthly Report Template might include:

- (a) USACE labor and other resources.
- (b) Contract actions.
- (c) Simple, small dollar values, short duration projects.
- (d) Examples: real estate relocations, five-year reviews, oversight of PRP field efforts not to exceed one year.

(3) Average Monthly Report Template might include:

- (a) USACE labor and contractor support.
- (b) Greater detail required to track project progress, budgets, funding allocations, and schedule.
- (c) Examples: site assessments, medium size projects with easy to define phases, long term ongoing PRP oversight, contracts used for average size removal or remedial design, medium complexity remedial construction projects such as landfill capping.

(4) Expanded Monthly Report Template might include:

- (a) USACE labor and contractor support for more complex projects.
- (b) High dollar tasks.
- (c) Greater amount of detail required to manage and track project progress, funding allocation, and schedule.

- (d) Documentation to identify variances or trends in project execution.
- (e) Examples: In depth RI/FS, complex remedial or removal construction projects.

6-2. Financial One-Button Report.

a. Obtaining the One-Button Report.

(1) The One Button Report is a CEFMS generated (civil) report – select “Monthly Progress/Status Funding and Cost Report” (msfcr).

(2) Summary financial report – enter bill number and select month costs were incurred.

b. One-Button Report Format (*Appendix N*) and One Button Report Definitions (*Appendix O*) include:

(1) Statement of Charges (Revised Reimbursable/Direct Fund Cite/IAA Totals) consists of:

(a) Total Funds Authorized which includes:

- Total Expenditures; and
- USACE Obligations (Undelivered Orders);

(b) USACE Commitments; and

- Funds Available Balance.

(2) Reimbursable Billing Activity which includes:

(a) Monthly Bill Number.

(b) Funds Expended for Month.

(c) Total Billed to Date.

(3) Direct Fund Cite (Contract) Payments which includes:

(a) Funds Expended for Month.

(b) Total Expended to Date.

(4) EPA Budget Categories (A-K Breakdown Amounts) which includes:

(a) Costs for Current Month.

(b) Prior Month’s Summary.

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(c) Project Costs to Date.

(5) Labor Breakout for Month which includes:

(a) USACE personnel who worked on project during billing month.

(b) Hours.

(c) Labor Amount.

CHAPTER 7

Superfund Interagency Agreement Closeout Procedures

7-1. Reference ER 37-5-3. (CEMP-CEP Engineer Regulation “EPA/USACE Superfund Program Financial Closeout of Interagency Agreements” dated 31 December 2009).

a. ER 37-5-3 provides policy/guidance for the following:

- (1) Closeout Determination.
- (2) Closeout Responsibilities.
- (3) Milestones.
- (4) USACE Closeout Activities.
- (5) USACE Request for EPA Closeout.
- (6) Identification of Excess Funds/Decrease of Excess Funds.
- (7) Final IAA Closeout Process for;

b. Site-Specific Superfund IAAs, and

(1) Generic (Multi-site) Superfund IAAs. Generic (Multi-site) IAAs can only be closed out after the Site-Specific WAFs issued from Generic IAA have been closed.

7-2. Records Retention.

a. Reference: “Schedule 001 - Grants and Other Program Support Agreements - Superfund Site-Specific”, USEPA at <http://www.epa.gov/records/policy/schedule/sched/001.htm>.

b. Superfund records must comply with the requirements of the “Army Records Information Management System (ARIMS)” at www.arims.army.mil.

c. All records that justify, explain and document costs ultimately paid by USEPA, either directly to contractors or to or through USACE, under the provisions of any site-specific Superfund IAA between USACE and USEPA, must be retained so that they are available for thirty (30) years after the IAA closes. USEPA must approve their disposition after the thirty year retention period.

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APPENDIX A

USACE/EPA INTERAGENCY AGREEMENT (3 DECEMBER 1984) IN EXECUTING
P.L. 96-510, THE COMPREHENSIVE ENVIRONMENTAL RESPONSE,
COMPENSATION, AND LIABILITY ACT OF 1980 (CERCLA)

INTERAGENCY AGREEMENT
BETWEEN THE
U.S. ARMY CORPS OF ENGINEERS
AND THE
U.S. ENVIRONMENTAL PROTECTION AGENCY
IN EXECUTING P.L. 96-510, THE
COMPREHENSIVE ENVIRONMENTAL RESPONSE,
COMPENSATION, AND LIABILITY ACT OF 1980 (CERCLA)

PURPOSE

The Environmental Protection Agency (EPA) has overall statutory responsibility for implementing the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), also known as Superfund. This agreement defines the assistance the U.S. Army Corps of Engineers (Corps) will provide to EPA in implementing the Superfund program, for EPA Fund-lead or State Fund-lead or for EPA enforcement-lead projects.

BACKGROUND

1. CERCLA provides authority and funding to respond to releases of hazardous substances, pollutants, and contaminants into the environment. The statute and Executive Order 12316 assign primary responsibility for implementation to EPA. The Superfund program includes emergency response (removal) to hazardous substance spills and sites and longer term (remedial) action at sites. This agreement primarily addresses aspects of the remedial response program, but may involve removal response when requested by EPA and accepted by the Corps.

2. For purposes of this agreement, remedial response at uncontrolled hazardous sites consists of the following: investigation to define the problem; feasibility study to evaluate the problem and select a cost-effective remedial action; final design; implementation (construction and related tasks); orderly transfer of completed construction to the owner or other appropriate party, including any technical assistance necessary in the first year of operation and maintenance.

3. States or potentially responsible parties (PRPs) may perform all or part of the remedial response program activities at sites. EPA is responsible for remedial response where a state or PRP does not elect to so perform.

4. The authorities applicable to this agreement include the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 USC 9601 et seq., as implemented by 40 CFR 300, and 10 U.S.C. 3036(d).

EPA'S RESPONSIBILITIES UNDER THIS AGREEMENT

1. Under overall EPA program management of all CERCLA activities at a site, EPA will provide Federal project management, except for those specific CERCLA project activities performed by the Corps under this agreement.
2. EPA will provide the Corps with sufficient funding to execute the activities covered by this agreement and will provide necessary workload estimates for the Corps to plan and budget necessary resources.
3. EPA will manage relationships with States and PRPs and will have primary responsibility for liaison with other interested groups.
4. EPA will select the response actions to be performed.

CORPS' RESPONSIBILITIES UNDER THIS AGREEMENT

1. The Corps will provide technical assistance to EPA during the remedial investigation and feasibility study (RI/FS) phases. This assistance at a minimum will involve work required to satisfy the Corps that the remedial action selected by EPA will be reasonable to design, construct and operate. The Corps, when requested, also will assist EPA in review of State-managed projects as to their suitability for bidding and construction.
2. The Corps will manage design, construction and related tasks of Federal-lead Fund-financed projects, unless EPA or the Corps determines after consultation with the other party that the Corps cannot provide necessary support due to resource, policy or programmatic constraints. In carrying out its management role, the Corps will use private contractors for all design, construction and related tasks. EPA and the Department of the Army may, with the concurrence of the Office of Management and Budget, later agree that minimal design work should be done by the Corps.
3. The Corps may provide other technical assistance to EPA in support of response actions, as agreed upon by the parties including but not limited to:
 - A. For enforcement-lead projects, as stated in interagency agreements (IAGs), or as mutually agreed upon.
 - B. For State Fund-lead projects: monitoring compliance and overseeing State activities during the entire remedial process, including technical assistance during negotiations with State contractors or prospective contractors, review of initial remedial actions, feasibility studies, plans, specifications, construction activities, and first year of operation and maintenance.
 - C. For EPA Fund-lead projects during the remedial investigation/feasibility study phases: monitoring of planning activities, reviewing feasibility studies, evaluating constructability and bidding of alternatives under consideration by EPA, and upon request and acceptance by the Corps, managing the preparation of feasibility studies.

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4. The Corps will provide EPA with financial and program information consistent with, and easily integrated into, EPA's management and financial accounting systems. Such information includes site-specific cost documentation EPA determines to be necessary to support successful recovery of CERCLA funds from PRPs.

QUALIFICATIONS AND LIMITATIONS

1. EPA and the Corps will ensure that any remedial action selected by EPA for Corps management is reasonable to design, construct and operate. EPA will not assign a remedial action to the Corps for management of design and construction if the Corps determines that the action is not reasonable to design, construct and operate.

2. EPA maintains statutory responsibility for implementing the Superfund program. The Corps will maintain consistency with EPA's overall program requirements. The Corps will use its own internal procedures in the performance of its responsibilities under this agreement, including the use of its own procurement regulations.

3. Corps Division Engineers and EPA Regional Administrators will operate under the provisions of this agreement. There will be no separate regional agreements except implementing instructions and site-specific interagency funding agreements.

4. This agreement may be modified or extended by mutual consent of the parties and may be terminated by either party.

5. The Corps and EPA will issue instructions implementing this agreement.

EFFECTIVE DATE AND DURATION

This agreement will become effective upon signature by both parties, and will remain in effect until 30 days after the date either party notifies the other that it is terminated.

Environmental Protection Agency

Department of the Army

Lee M. Thomas
/signed/
Assistant Administrator

Robert K. Dawson
/signed/
Acting Assistant Secretary of the Army
(Civil Works)

Date: 12/3/84

Date: 12/3/84

APPENDIX B
SAMPLE SITE SPECIFIC IAA/SPECIAL CONDITIONS STATEMENT

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Page 1

 <p style="text-align: center;">United States Environmental Protection Agency Washington, DC 20460</p> <p style="text-align: center;">Interagency Agreement/ Amendment</p> <p style="text-align: center;">Part 1 - General Information</p>		1. EPA IA Identification Number DW-96-85794101 - 0		2. Funding Location by Region EPA R2	
		3. Other Agency IA ID Number (if known)		4. Awarding Office IASSC West	
		5. Type of Action New		6. IA Specialist: Aaron Simril 206-553-6123 Simril.Aaron@epa.gov	
7. Name and Address of EPA Organization US Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101			8. Name and Address of Other Agency U.S. Army Corps of Engineers EM CX 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200		
9. DUNS: 029128894		10. BETC: DISB		11. DUNS: DOD964126	
12. BETC: COLL					
13. Project Title and Description Remedial Action Activities at the Ellenville Scrap Iron and Metal Superfund Site The purpose of this Interagency Agreement (IA) is to obtain technical assistance from the U. S. Army Corps of Engineers (USACE) for implementation of the site-wide remedy at the Ellenville Scrap Iron and Metal Superfund Site, Village of Ellenville, Ulster County, New York. USACE Kansas City District will implement the remedy (EPA ID#: NYSFN0204190).					
14. EPA Project Officer (Name, Address, Telephone Number) Justin Gottesman 290 Broadway 18th Floor New York, NY 10007-1866 212-637-4303 E-Mail: Gottesman.Justin@epa.gov FAX: 212-637-3083			15. Other Agency Project Officer (Name, Address, Telephone) Marvene L. Seaman 1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES) Omaha, NE 68102-9200 402-697-2425 E-Mail: Marvene.L.Seaman@usace.army.mil FAX: 402-697-2613		
16. Project Period: 01/05/2011 to 12/31/2012			17. Budget Period: 01/05/2011 to 12/31/2012		
18. Scope of Work (See Attachment) The Scope of Work is attached. Indirect Costs are based on Personnel and Fringe Benefits. The EPA RPM for this project is Damien Duda, and he can be reached at 212-637-4269.					
19. Employer/Tax ID No. 520852695		20. CAGE No: 347A4		21. ALC: 68-01-0727	
22. Statutory Authority for Transfer of Funds and Interagency Agreement CERCLA: Secs. 105(a)(4) & 115; Executive Order 12580 as amended					23. Other Agency Type Federal Agency
24. Revise Reimbursable Funds and Direct Fund Cites (only complete if applicable)					
	Previous Funding		This Action		Amended Total
Revise Reimbursable (in-house)			750,000		750,000
Direct Fund Cite (contractor)			4,250,000		4,250,000
Total			5,000,000		5,000,000
	Previous Amount		Amount This Action		Total Amount
25. EPA Amount			\$5,000,000		\$5,000,000
26. EPA In-Kind Amount					\$0
27. Other Agency Amount					\$0
28. Other Agency In-Kind Amount					\$0
29. Total Project Cost			\$5,000,000		\$5,000,000
30. Fiscal Information					
Treas. Symbol	DCN	FY	Appropriation	Budget Org	PRC
88-20X8145	HE0015	11	T	2AD0R	302DD2C
Object Class	Site/Project	Cost Org	Ob/Da-Ob Amt		
2506	02LXRA01	C001	5,000,000		
					5,000,000

EPA Form 1610-1 (Rev. 11-09). Previous editions are obsolete.

Part II - Approved Budget				EPA IAG Identification Number DW-96-95794101 - 0
31. Budget Categories	Itemization of All Previous Actions	Itemization of This Action	In-Kind Itemization of This Action	Itemization of Total Project Cost to Date
(a) Personnel		\$267,168		\$267,168
(b) Fringe Benefits		\$146,942		\$146,942
(c) Travel		\$5,000		\$5,000
(d) Equipment				\$0
(e) Supplies				\$0
(f) Procurement / Assistance		\$4,250,000		\$4,250,000
(g) Construction				\$0
(h) Other		\$70,000		\$70,000
(i) Total Direct Charges	\$0	\$4,739,110	\$0	\$4,739,110
(j) Indirect Costs:	\$0	\$260,890	\$0	\$260,890
Charged - Amount Rate: <u>63%</u> Base: <u>\$414,110.00</u> Not Charged: Funds-Out: Not charged by Other Agency Estimate by other Agency Amount \$				
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$0	\$5,000,000	\$0	\$5,000,000
32. How was the IDC Base calculated?				
33. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)				
34. Are any of these funds being used on extramural agreements? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Type of Extramural Agreement Contract				
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project			Percent Funded by EPA (if known)
unknown	4250000 Total \$ 4,250,000.00			100
Part III - Funding Methods and Billing Instructions				
35. (Note: EPA Agency Location Code (ALC) - 68010727)				
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002.			
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work			
<input type="checkbox"/> Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.			
<input type="checkbox"/> Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.			
36. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance				
<input type="checkbox"/> Allocation Transfer-In				
Other Agency's Billing Address (include ALC or Station Symbol Number)			Other Agency's Billing Instructions and Frequency	

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Part IV - Acceptance Conditions		EPA Identification Number DW-96-95794101-0
37. Terms and Conditions (See attached terms and conditions, Attachment B)		
<p align="center">Part V - Offer and Acceptance</p> <p>Note: A) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants and IA Management Division for Headquarters agreements or to the appropriate EPA Regional IA administration office within 3 calendar weeks after receipt or within any extension of time that may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.</p> <p>Failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency after the document is signed by the EPA Award Official, which the Award Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.</p> <p>B) For Funds-In actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IA administration office for signature on behalf of the EPA. EPA will return one original copy after acceptance returned to the other agency after acceptance.</p>		
EPA IA Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
38. Organization/Address U.S. Environmental Protection Agency IASSC West 1200 Sixth Avenue, Suite 900, OMP-145 Seattle, WA 98101		39. Organization/Address US Environmental Protection Agency R2 - Region 2 290 Broadway 18th Floor New York, NY 10007-1866
Award Official on Behalf of the Environment Protection Agency		
40. Digital signature applied by EPA Award Official Armina K. Nolan - Manager - Grants and Interagency Agreements Unit		Date 01/05/2011
Authorizing Official on Behalf of the Other Agency		
41. Signature Shelly M. Allen Scott E. Young, Chief, Programs Mgmt Br		Date 1-6-11

EPA Form 1610-1 (Rev. 11-99) Previous editions are obsolete.

IA Terms and Conditions

USACE Special Terms and Conditions - updated December 2010

The USACE agrees to meet the site-specific financial management and recordkeeping responsibilities contained in EPA's "Superfund Financial Management and Recordkeeping Guidance for Federal Agencies" (January 1989).

1. Cost Documentation Requirements

EPA, acting as manager of the Hazardous Substances Superfund, requires current information on CERCLA response actions and related obligations of CERCLA funds for these actions. In addition, CERCLA, as amended, authorizes EPA to recover from responsible parties all government costs incurred during a response action. In order to help assure oversight and successful recovery of CERCLA funds, both USACE and EPA have responsibilities under this agreement. The USACE accounting system reports must be supported by site – and activity-specific cost documentation. The USACE will organize and retain in a site file documentation of costs by site and activity (e.g. vouchers, billing statements, evidence of payment, audit reports) as follows:

a. Direct Costs

- Payroll – timesheets or timecards to support hours charged to a particular site, including the signature of the employee and/or the employee's supervisor.
- Travel – travel authorizations (including purpose of trip), local travel vouchers, traveler's reimbursement vouchers, carrier bills (including airline tickets), government owned vehicle bills, appropriate receipts for hotel, car rental, etc., proof of payment. Proof of payment is satisfied by providing a copy of the accomplished Standard Form (SF) 1166 "Voucher and Schedule of Payment" or equivalent.
- Contractor Services – copies of contracts, requests for proposals (RFPs), detailed evaluations of contractor bids, contractor invoices, USACE project officer approvals of invoices, and proof of payment. Proof of payment is satisfied by providing a copy of the accomplished SF 1166 or equivalent.
- Supplies and Equipment – EPA authorizations to purchase non-expendable property of \$1,000 or more, vendor invoices, proof of payment, and hourly records of equipment use, when applicable.
- Any other direct costs not included in the above categories.

b. Indirect Costs

If indirect costs are not calculated by the USACE accounting system, a worksheet showing calculations of indirect costs charged to a site will be retained by the USACE.

Under this IA, the USACE certifies: 1) that any indirect costs included in billings to EPA represent, in accordance with GAO principles, indirect costs that would not have been otherwise incurred by the USACE, or 2) that explicit Congressional authority exists for charging other than incremental costs of performance.

2. Reporting Requirements

a. EPA regions and staff who are developing the IA should consider the anticipated project scope, schedule and costs, and discuss with the performing agency the appropriate level of detail for monthly reports, and agree on the content and format. EPA will use these reports as a tool to monitor site activities.

b. The USACE will provide monthly progress reports to the EPA Project Officer and to the EPA Remedial Project Manager. The format and contents for monthly progress reports will follow recommendations provided in EPA's March 2008 OSRTI guidance memorandum entitled: "Monthly Project Reporting for Superfund Interagency Agreements to the U.S. Army Corps of Engineers". The monthly progress reports should minimally contain the following:

- A cover letter which includes the Site Name and IA Number.

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- Summary of work performed for current period.
- Estimate of the percentage of the project completed.
- Accounting of funds expended during the reporting period and on the project to date, which includes budget category cost breakdown.
- Summaries of all change orders and claims made on contracts during the reporting period.
- Summaries of all contacts with representatives of the local community, public interest groups, or State government during the reporting period.
- Summaries of all problems or potential problems encountered during the reporting period.
- Projected work for the next reporting period.
- Copy of the SF 1080 billings statement clearly marked "copy".

c. The USACE will submit a complete and signed Request for Reimbursement (SF-1080) to the EPA Financial Management Center, Cincinnati (CFMC), containing, as appropriate, USACE cost by budget category identified by site, site-specific account number, and IA number. The USACE will follow the procedures contained in EPA's OERR Directive, Memorandum 9295.2-04 entitled "EPA/U.S. Army Corps of Engineers Payment Process, Direct Cite Revised Reimbursement Methods" (available at the following website: <http://www.epa.gov/superfund/cleanup/pdfs/rdra/payment.pdf>). Upon receipt of the USACE certified bills, CFMC processes payment to USACE. Payment will be made within 5 days of receipt and without certification by the EPA Regional Program Office except for final billings. **The USACE project manager will provide one copy of the SF 1080 billings clearly marked "copy" with the monthly status report to the EPA Project Officer and one copy to the EPA Remedial Project Manager.** If EPA detects any apparent discrepancies with the payment request, the problem should be discussed and resolved with the USACE Project Manager. Any changes required to subsequent payment requests will be documented in a memorandum from the EPA Project Officer to the USACE project manager.

d. The USACE will provide a final inventory of property, within one month of the end of the Interagency Agreement performance period, describing the condition of each item. The USACE will require all contractors to provide a final inventory of property prior to their final contract payment. If the duration of the project is greater than one year, USACE will provide an annual inventory of all property acquired by or furnished to USACE with EPA funds.

3. Cost Recovery

In the event of a contemplated cost recovery action, the USACE will provide to EPA or the Department of Justice (DOJ) a cost documentation package detailing site-specific costs and including copies of the back up documentation. In some cases, these requests from EPA or DOJ may require that this documentation be provided in less than thirty days. If additional time is required to comply with a request, the USACE will negotiate with EPA or DOJ a schedule for responding. The USACE will provide EPA with a contact for obtaining necessary site-specific accounting information and documentation.

4. Cost Collection Upon Cancellation

If EPA cancels the IA, the USACE is authorized to collect costs incurred prior to cancellation of the IA plus termination costs, up to the total payment amount provided for under the agreement.

5. Record Retention Requirements

The USACE will retain the documents describe in these "Special Conditions" for a minimum of thirty years after submission of a final SF 1080 for a site or sites, after which USACE must obtain written permission from the authorized EPA official before disposing of any of the records. The USACE will require all contractors entering into cost reimbursable type contracts to establish and maintain cost documentation as described above.

6. Audits

a. Superfund cost documentation information must be available for audit or verification upon request of authorized auditing agencies.

b. If an audit determines that any direct or indirect costs charged to EPA by the USACE are unallowable, the USACE will notify EPA immediately following the release of the audit.

7. Final Inspection and Certification

The EPA Remedial Project Manager and Project Officer will participate in the final project inspection, as deemed necessary, to ensure all activities identified in the statement of work have been implemented. At project completion, the EPA Remedial Project Manager and Project Officer will review the final monthly and financial reports provided by the performing agency. If appropriate, EPA will initiate the IA closeout process.

8. Financial Closeout

Within six months after completion of the projects/activities, the USACE will send a letter to EPA Regional IA Coordinator stating that the project has been completed and give the total amount of funds utilized and the amount of excess funds to be deobligated and returned to EPA.

9. Other EPA Involvement

a. If the Direct Fund Cite Method applies, payment by EPA to USACE contractors is contingent upon receipt of a USACE certified payment request. Reimbursement to USACE for in-house costs is contingent upon receipt of a USACE certified reimbursement request (SF 1080).

b. If the Direct Fund Cite Method does not apply, reimbursement to USACE for all costs (contract and in-house) is contingent upon receipt of a USACE certified reimbursement request (SF 1080).

c. Final project payments for specific contracts and in-house cost should be reviewed and approved by the EPA Regional Program Office.

10. Procurement

If this IA includes assisted acquisitions, EPA will coordinate with the performing agency prior to issuance of a contract solicitation, request for proposals under an existing contract or issuing a task order under an existing contract, to ensure that any applicable agency-specific terms and conditions are incorporated into the contract and that the statement of work is within the scope of this IA.

11. Equipment Disposition

EPA will hold title to all property acquired with Superfund monies. EPA will provide the USACE with property disposition instructions upon termination of the IA and receive fair-market value for any property disposed of or used for non-Superfund activities.

12. Minority Business Utilization

In accordance with Public Law 102-389, EPA's policy requires, to the fullest extent possible, that at least 8% of its overall Federal funding for prime and subcontracts awarded in support of authorized programs be awarded to business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals, including historically Black colleges and universities and women. In accordance with CERCLA, as amended (P.L. 99-499), Section 105, any Federal agency awarding contracts, grants, or cooperative agreements utilizing Superfund monies shall consider the availability of minority contractors for participation in contracts. This includes but is not limited to: contracts, subcontracts, SBA 8(a) awards and any subagreements.

Consistent with the above statutes and policy, the USACE agrees, in awarding contracts under this IA, to comply with the utilization requirements for Minority Business Enterprises (MBEs) and Women's Business Enterprises (WBEs) set forth. USACE also agrees to comply with the Small Business Act, 15 U.S.C. 631 et seq and the annual Small Business goals it negotiated with the Small Business Administration (SBA).

All reporting on MBE/WBE and small business accomplishments will be accomplished through the existing federal contracting reporting mechanism, currently the "Federal Procurement Data System, Next Generation (FPDS-NG)," which is available at: https://www.fpds.gov/fpdsng_cms/.

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13. Project Specific Conditions

- a. The USACE will invite (with reasonable notice) the EPA RPM to participate in contractor meetings in which scope of the project and/or progress is discussed.
- b. The USACE will invite the EPA RPM to participate in the contractor selection process, as appropriate.
- c. The USACE will have final authority for contract bids, shop drawings and contract modifications that may occur/be prepared during the course of the contract (within contingency fund limitations).
- d. The USACE Project Manager will regularly brief the EPA RPM on the current status of the project. Briefings will be monthly unless a different frequency is mutually agreed upon by both project managers. Emphasis will be placed on project budget, expenditure rates, and schedule.
- e. The USACE personnel and its contractors will have the appropriate safety training and be involved as appropriate in a medical monitoring program as specified in 29 CFR Part 1910; 51 CFR 45663 – 45675; and Section 125(e) of CERCLA, as amended.
- f. All project deliverables will be reviewed by appropriate USACE and EPA personnel within 30 days unless a different frequency is mutually agreed upon by both USACE and EPA Project Managers. Shortened time frames may be appropriate in cases of expedited schedules.
- g. Upon request, the USACE will, in a timely manner, submit to the EPA RPM all final negotiated contracts and contract modifications with budget information.
- h. Under situations where private contractors or subcontractors who are attempting to contract or are under contract with USACE under this IA have claimed some information as Confidential Business Information (CBI), USACE will ensure that such private contractors or subcontractors mark the information as CBI or similar claim of confidentiality. The USACE will then inform EPA immediately in writing when such a claim has been received, and forward the information marked CBI to EPA for EPA review. EPA's Office of General Counsel or Office of Regional Counsel will then decide whether the CBI claim is valid. If EPA determines that the information is CBI, USACE and EPA cannot release that information under the Freedom of Information Act (FOIA). If USACE or EPA did not ask the private contractors or subcontractors to identify CBI in its document submittals, and there is a FOIA request, USACE or EPA will have to go back to the private contractors or subcontractors and ask them to identify any CBI. If any questions arise regarding whether or not information is releasable under FOIA, USACE and EPA staff should request that the EPA Project Officer managing the IA contact EPA's Office of General Counsel or Office of Regional Counsel, or the local EPA FOIA Officer, for assistance.
- i. If the EPA Project Officer changes during the period of performance of the IA, EPA should submit an IA Amendment Form as soon as the change occurs.
- j. On an annual basis, EPA will conduct a performance feedback survey, fully coordinated with EPA, to assess work assigned to USACE through the IA during the calendar year. The purpose of this feedback survey is to assess the performance of USACE in carrying out assigned Superfund work during the calendar year. The survey includes survey questions that would be filled out by the RPM regarding USACE performance under the IA. For any sites where an RPM provides a low rating of '1' or '2' for any response to this feedback survey, USACE Headquarters will request that the USACE Project Manager contact the RPM to discuss the reasons for that rating and work out how to best resolve the problems or issues raised by the RPM.

14. Resolution of Disagreements

Should disagreement arise concerning the interpretation of the provisions of this agreement, the dispute shall be resolved pursuant to the Business Rules for Intra-Governmental Transactions delineated in the Treasury Financial manual, Volume 1, Bulletin 2007-03, Section VII, Resolving Intra-governmental Disputes.

If USACE and EPA cannot concur nor conditionally concur regarding any aspect of work associated with EPA and USACE activities under this IA, such disputes shall be resolved at the lowest level possible within EPA and USACE. In such instances, USACE district or division staff may sequentially elevate the matter to the Commander of the USACE district or division office that is managing the IA for resolution, and EPA regional or headquarters staff may sequentially elevate the matter to the Director of EPA's Superfund or Waste Management Division with the EPA regional or headquarters office that is managing

the IA for resolution.

15. Quality Assurance

If this IA involves the collection, generation, or use of environmental data or information, then a Quality Management Plan (QMP) and a Quality Assurance Project Plan (QAPP) must be developed and used in accordance with existing Regional and National Program Office QA policies, guidelines, SOPs, etc. Within these broad QM/QA guidelines, specific requirements for a given project will be detailed in the Statement of Work (SOW) as an attachment to each IA. If mutually agreed, QMPs may address multiple projects and be submitted periodically, rather than project specifically. The USACE is responsible for reviewing and approving any contractor work for consistency with these QA requirements. Any guidance referenced herein will be superseded by updates or new Requirements/Guidance as they become available. EPA may perform periodic Quality System and/or project-related assessments. The most recent QMP and QAPP Guidance and Requirements can be found at: <http://www.epa.gov/fedfac/documents/qualityassurance.htm> and with QMP guidelines found under "Uniform Federal Policy for Implementing Quality Systems" and QAPP guidelines as "Part 1: UFP QAPP Manual" and also at Part 2A, Part 2A(e), and Part 2B.

16. Lab Certification Requirements

It is required that any environmental laboratory utilized by the USACE shall be currently certified or accredited for the matrix and analysis which are to be conducted for any work performed pursuant to this IA, by one of the following accreditation/certification programs: National Environmental Laboratory Accreditation Program (NELAP), American Association for Laboratory Accreditation (AALA), a current certification issued by a program conducted, or approved, by a State and acceptable to USEPA, or the contracted laboratory is currently participating in the USEPA Contract Laboratory Program.

17. Electronic Data Deliverables

When conducting work for Region 2, USACE will provide electronic submittal of sampling and geologic data in accordance with R2 policies, guidelines, and formats. The R2 Electronic Data Deliverable (EDD) is a standardized format for all submittals. The USACE is responsible for reviewing and approving any USACE contractor work for consistency with R2 EDD requirements. The R2 EDD Guidance and Requirements includes instruction manuals and data submission and validation files. The most recent EDD Guidance and Requirements can be found at: <http://www.epa.gov/region02/superfund/medd.htm>.

18. Green Remediation Requirements

The USACE shall use technologies and practices that are sustainable in accordance with EPA Region 2 Clean and Green policy (March 2009) found at <http://epa.gov/region2/superfund/green remediation/>. At the direction of the EPA RPM or EPA Project Officer, the USACE shall incorporate requirements for the appropriate practices into the terms of its contracts consistent with the EPA Region 2 Clean and Green policy. The USACE shall report monthly on the use of these technologies and practices, including the associated quantities of materials reduced, reused, or recycled as a direct result of these practices, for all remedial activities conducted under this IA within its monthly status report submission.


END OF AGREEMENT DW-96-95794101-0

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APPENDIX C
SAMPLE GENERIC IAA

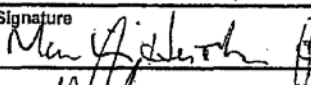
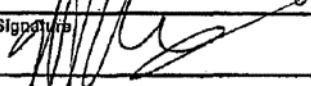
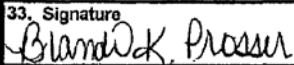
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 <p>United States Environmental Protection Agency Washington, DC 20460</p> <p>Interagency Agreement</p> <p>Amendment</p> <p>Part 1 - General Information</p>		1. EPA IAG Identification Number DW-96-95402201 - 0	4. Funding Location by Region						
		2. Other Agency IAG ID Number	5. Program Office Abbreviation Region 8						
		3. Type of Action New							
6. Name and Address of EPA Organization US Environmental Protection Agency 8EPR-SR 1595 Wynkoop Street Denver, CO 80202-1129 DUNS: 029128894		7. Name and Address of Other Agency U.S. Army Corps of Engineers E&M Center of Expertise Attn: Marvene Seaman (CEHNC-CX-ES) 1616 Capitol Ave., Suite 9200 Omaha, NE 68102-9200 DUNS: DOD966503							
8. Project Title and Description Technical Assistance and Support for Various Superfund Sites Technical Assistance/Support from the U.S. Army Corps of Engineers.									
9. EPA Project Officer (Name, Address, Phone Number) Karren Johnson 1595 Wynkoop Street Denver, CO 80202-1129 303-312-6159		10. Other Agency Project Officer (Name, Address, Phone Number) Marvene Seaman E&M Center of Expertise (CEHNC-CX-ES) 1616 Capitol Ave., Suite 9200 Omaha, NE 68102-9200							
11. Project Period 05/15/2009 to 12/31/2020		12. Budget Period 05/15/2009 to 12/31/2020							
13. Scope of Work See Attached Scope of Work (SOW) EPA IA Specialist for this IA is Sam Fernandez 303-312-6360									
14. Statutory Authority for Both Transfer of Funds and Project Activities CERCLA: Secs. 105(a)(4) & 115; Executive Order 12580 as amended			15. Other Agency Type Federal Agency						
Funds	Previous Amount	Amount This Action	Amended Total						
16. EPA Amount		\$20,000	\$20,000						
17. EPA In-Kind Amount			\$0						
18. Other Agency Amount			\$0						
19. Other Agency In-Kind Amt.			\$0						
20. Total Project Cost		\$20,000	\$20,000						
21. Fiscal									
Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
	LPV081	2009	T	8AL0P	302DD2C	2506	08WQTA00	C120	20,000
									20,000

EPA Form 1610-1 (Rev. 10-88). Previous editions are obsolete.

Part II - Approved Budget		EPA IAG Identification Number DW-96-95402201 - 0
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel		\$0
(b) Fringe Benefits		\$0
(c) Travel		\$0
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance		\$0
(g) Construction		\$0
(h) Other	\$20,000	\$20,000
(i) Total Direct Charges	\$20,000	\$20,000
(j) Indirect Costs: Rate % Base \$	\$0	\$0
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$20,000	\$20,000
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Type of Extramural Agreement <input type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input type="checkbox"/> Procurement		
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
	Total. \$ 0.00	
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement	Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:	
<input checked="" type="checkbox"/> Repayment	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work	
<input type="checkbox"/> Advance	Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.	
<input type="checkbox"/> Allocation Transfer-Out	Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.	
26.		
<input type="checkbox"/> Reimbursement Agreement		
<input type="checkbox"/> Repayment		
<input type="checkbox"/> Advance		
<input type="checkbox"/> Allocation Transfer-In		
Funding Agency's Treasury Symbol 68-20X8145	<input type="checkbox"/> One-Year	<input type="checkbox"/> Two-Year <input checked="" type="checkbox"/> No-Year
Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No. 8ALOP	
Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Billing Instructions and Frequency	

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Part IV - Acceptance Conditions		EPA Identification Number DW-96-95402201 - 0
27. General Conditions The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.		
28. Special Conditions (Attach additional sheets if needed)		
<p align="center">Part V - Offer and Acceptance</p> <p>Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.</p> <p>Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.</p> <p>2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.</p>		
EPA IAG Administration Office (for administrative assistance)		EPA Program Office (for technical assistance)
29. Organization/Address US EPA R8 1595 Wynkoop Street Denver, CO 80202-1129		30. Organization/Address US Environmental Protection Agency Region 8 1595 Wynkoop Street Denver, CO 80202-1129
<p align="center">Certification</p> <p>All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.</p>		
Decision Official on Behalf of the Environment Protection Agency Program Office		
31. Signature 	Typed Name and Title Carol Campbell, Assistant Regional Administrator Action on Behalf of the Environment Protection Agency	Date 4/24/09
32. Signature 	Typed Name and Title Wayne Anthofer, Director Authorizing Official on Behalf of the Other Agency	Date APR 28 2009
33. Signature 	Typed Name and Title Camille E. Alba, Budget Analyst	Date 19 May 09

APPENDIX D

SCOPE OF WORK GENERIC INTERAGENCY AGREEMENT (IAA) FOR TECHNICAL ASSISTANCE EPA/USACE SUPERFUND PROGRAM

SCOPE OF WORK
GENERIC INTERAGENCY AGREEMENT (IAA)
FOR TECHNICAL ASSISTANCE
EPA/USACE SUPERFUND PROGRAM

I. INTRODUCTION

The U.S. Army Corps of Engineers (USACE) provides a variety of services and support for the U.S. Environmental Protection Agency (EPA) Region office for Superfund activities. Typical assignments are for conducting remedial designs and remedial action projects and providing oversight for site response actions performed by responsible parties under orders or agreements with EPA. Assignments to USACE in the Region are issued through site specific interagency agreements (IAAs) using procedures developed jointly by EPA and USACE. Site specific IAAs are the most appropriate administrative mechanism for major assignments like remedial design (RD) and remedial action (RA) projects and oversight of RDs and RAs conducted by responsible parties, but the IAA project development and administrative process is not practical in issuing smaller, short term technical assistance and design support assignments that the Region would like USACE to perform from time to time.

The Office of Superfund has reviewed its technical needs in carrying out the Superfund mission requirements and is establishing this agreement to provide for a range of technical assistance assignments to USACE. These assignments shall be of a limited duration and cost (generally one year or less in duration and \$50,000 or less) and will be consistent with the scope of services.

II. SCOPE OF SERVICES

This IAA can be used to obtain the following services:

A. Technical Assistance for Project Planning

1. Perform familiarization reviews or Remedial Investigations, Feasibility Studies (RI/FS) and Records of Decision (ROD) to assist EPA and USACE in preparing for potential site specific IAA assignments and to provide technical feedback to EPA.

2. Attend public meetings as preparation and background for potential USACE assignments and/or to provide technical support for EPA site managers and staff.

3. Provide technical support for initial work plan and scope of work development for planned site specific assignments to USACE. This can include visits to meet with the

Region and other EPA staff as well as familiarization site visits. A primary objective of these activities is to speed up and facilitate the early project planning and site specific IAA development to permit earlier project starts, improve project planning, and help assure high quality performance.

B. Technical Assistance and Design Support for Sites Using EPA Response Action Contracts (RACs) or Other EPA Contractors for Site Activities

1. Provide cost estimates and supporting cost documentation for site activities to be performed by RACs or other contractors. The site activities could include RI/FS, removal actions, remedial design, and remedial construction. The cost estimating support can be for either the initial contractor assignment or modifications or change orders. These estimates and documentation would be developed to support EPA in determining Independent Government Estimates (IGE) for contractor activities.

2. Provide remedial design reviews for RACs and other EPA contractor design products. These reviews can be at the traditional design completion phases (30, 60, or 90 percent or final design products) or at any point that EPA requests. These reviews can also be conducted for biddability, constructability, operability (BCO) or remedial designs.

3. Provide Value Engineering (VE) support as requested by EPA. This support can include reviews of VE products and activities performed by EPA contractors or conducting the VE process for a remedial design being developed by an EPA contractor.

4. Provide support to EPA for remedial action and removal action activities conducted by EPA contractors. The support can include field oversight and inspection services and technical review and cost estimating for contract change orders.

5. Provide limited real estate technical assistance and design support activities for EPA. This could include providing a Real Estate Planning Report (REPR) and supporting other limited real estate support and property acquisition activities. For sites where major real estate support is needed, it should be included as part of a USACE design IAA or, in some limited cases, a site specific IAA just for the real estate support.

6. Field visits to observe significant contractor activities. For example, field tests or major drilling or geophysical operations.

C. Other Technical Assistance and Design Support

1. Provide training or seminars for EPA personnel. Example topics could be value engineering, design review process, and construction contracting and field oversight.
2. Provide technical support to EPA Region to conduct Superfund Five-Year Reviews.
3. Provide topographic mapping support. The EPA Region will coordinate with USACE for applicable USACE topographic mapping support sources and available options.
4. Responsible party activities – provide appropriate support when the Remedial Project Manager (RPM) needs specific actions at Responsible Party (RP) lead sites such as an engineering reviews or field oversight visit.
5. Provide other technical assistance as required.

III. WORK ACTIVATION/AUTHORIZATION PROCESS

The generic (bulk funded) Interagency Agreement (IAA) will be executed between the EPA Region and the USACE Environmental & Munitions Center of Expertise (EM CX). The EM CX will retain the bulk funding for the IAA, but USACE does not have authority to obligate or expend any funds until EPA issues a site-specific Work Authorization Form (WAF). The EPA project officer (PO) has the authority to execute a work authorization to USACE for activities within the scope of work of the generic IAA. The EPA PO will use a WAF to describe, define, authorize, and activate the assignments. The WAF may indicate which USACE office is being requested to perform the assignment. The WAF will be submitted to the USACE EM CX for administrative and financial processing. The WAF will be assigned to the USACE performing district. The USACE performing district will ensure that all provisions of the scope of work are met and that funds expended are consistent with the WAF.

APPENDIX E

SCOPE OF WORK
GENERIC INTERAGENCY AGREEMENT (IAA) FOR REMOVALS
EPA/USACE SUPERFUND PROGRAM

**SCOPE OF WORK
GENERIC INTERAGENCY AGREEMENT (IAA) FOR REMOVALS
EPA/USACE SUPERFUND PROGRAM**

This agreement is with the U.S. Army Corps of Engineers (USACE) for project support activities taken under the terms of the Interagency Agreement between the USACE and U.S. Environmental Protection Agency (EPA) in executing the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 and the Superfund Amendments and Reauthorization Act of 1986.

USACE will perform the following site assessment functions to augment EPA's emergency response and time critical removal program within the Region.

1. Provide timely technical assistance to the responsible EPA official, or On-Scene Coordinator (OSC), for emergency response and time critical removal investigation/analyses. Specific measures that can be performed to provide rapid site stabilization should be identified.
2. Provide sample collection and laboratory testing/analyses to meet schedule requirements in accordance with EPA's Quality Assurance Standards as depicted in the Region's Emergency Response Branch Quality Assurance Plan.
3. Review/evaluate proposed Potentially Responsible Party (PRP) removal actions as identified by EPA, and assess technical actions.
4. Provide preliminary planning, and/or design support to OSC or other responsible EPA official for proposed removal actions.
5. Provide surveying services, including topographic mapping and drafting
6. Provide other technical engineering support for proposed removal actions as agreed upon by the Agencies.
7. Provide assistance to plan, arrange, and conduct public and/or local official meetings, regarding site emergencies or site related removal actions.
8. Provide assistance in the preparation of media communiqués such as newspaper articles regarding fact sheets on response issues.

USACE will perform the following site cleanup activities according to the site-specific statement of work:

1. Provide site security controls to prevent unauthorized access via fencing, warning signs, or other security measures.
2. Provide hazard categorization of wastes.
3. Provide stabilization of berms, dikes, impoundments, or containment structures as appropriate.
4. Provide treatment of wastes on-site where possible and appropriate.
5. Provide overpacking of drums, containers, barrels, tanks as appropriate and segregate according to waste characteristics, shield drums and other debris for ease of disposal, and prepare for transportation and disposal.
6. Provide decontamination of building and structures, as appropriate.
7. Provide soil excavation, consolidation, capping, or removal of contaminated soils according to prescribed cleanup levels, and provide fill material/dirt and landscaping as appropriate.
8. Provide transportation and disposal of hazardous and non-hazardous wastes from removal sites. Bulk wastes according to waste characteristics as appropriate.
9. Provide/perform other tasks as necessary to address threats to human health and the environment.

SCOPE OF WORK:

This agreement authorizes funding for the services provided as follows:

1. Personnel

Staff salaries and project support: This provides funding for project manager scientists, engineers, and support personnel. Specifically, the staff will provide technical assistance for removal investigations, review/evaluate proposed PRP or non-Federal removal actions and assess technical adequacy and provide planning, design and construction/contract related activities, provide assistance in the public/community relationship area of response actions, provide assistance in media communications in support or response activities. They will attend project status meetings, technical briefings and public meetings to facilitate technology transfer, public awareness, and will

also coordinate the results of laboratory testing with removal investigations and proposed PRP actions.

Project oversight responsibilities include maintaining records, record storage, establishment of technical review procedures, preparation at project meetings, IAA coordination, quality control and quality assurance. A comprehensive health and safety program for USACE personnel will be maintained in support of EPA activities covered within.

To perform other activities as required by EPA.

2. Travel

Funds are provided to allow USACE personnel to travel for site assessments Superfund business. This includes travel by policy-making personnel for project management and familiarization and other activities as required by EPA.

3. Testing

The testing funds will be used for sample collection and laboratory testing/analysis including the use of specialized equipment including drilling rigs for tasks related to assigned Superfund work. All testing shall be in conformance with EPA's quality assurance Standards.

WORK ACTIVATION/AUTHORIZATION PROCESS

The Generic (bulk funded) Interagency Agreement (IAA) will be executed between the EPA Region and the USACE Environmental & Munitions Center of Expertise (EM CX). The EM CX will retain the bulk funding for the IAA, but USACE does not have authority to obligate or expend any funds until EPA issues a site-specific Work Authorization Form (WAF). The EPA project officer (PO) has the authority to execute a work authorization to USACE for activities within the scope of work of the Generic IAA. The EPA PO will use a WAF to describe, define, authorize, and activate the assignments. The WAF may indicate which USACE office is being requested to perform the assignment. The WAF will be submitted to the USACE EM CX for administrative and financial processing. The WAF will be assigned to the USACE performing district. The USACE performing district will ensure that all provisions of the scope of work are met and that funds expended are consistent with the WAF.

APPENDIX F

EPA PROJECT OFFICER/REMEDIAL PROJECT MANAGER DUTIES GENERIC INTERAGENCY AGREEMENT (IAA) AND WORK AUTHORIZATION FORM (WAF) EPA/USACE SUPERFUND PROGRAM

BACKGROUND

The Generic Interagency Agreement (IAA) is managed and directed by an EPA Project Officer (PO). The Project Officer provides advice and guidance to the prospective Region users of the IAA, authorizes work assignments under the IAA, and establishes/maintains management control systems in order to know the financial and performance status of the activities under the IAA. The assignments under this IAA are initiated using a Work Authorization Form (WAF) and each assignment will have either a Remedial Project Manager (RPM) or an On-Scene Coordinator (OSC) or other Superfund staff member as the WAF manager who will be responsible for overseeing the activities and expenditures.

PROJECT OFFICER DUTIES

1. Develop the Generic IAA and prepare amendments as needed. Arrange for initial and supplemental funding and initiate the appropriate paperwork.
2. Establish and maintain tracking and management control systems to monitor activities and expenditures for the activities under the IAA. Maintain working files of all WAFs and amendments issued by the Region. The project officer is responsible for knowing the balance of available funds in the IAA, and is responsible for knowing if sufficient funds are available for any WAF to be issued.
3. Be the initial contact point for regional staff who are interested in using the services of the Generic IAA, and advise them on preparation of applicable portions of the WAF with emphasis on scope of work, budget, and schedule. Be familiar with the capabilities of the USACE field organizations available to provide services to the region and advise potential IAA users.
4. Complete the WAF for each assignment in conjunction with the Superfund Budget Specialist including signatures. Make distribution of WAF to USACE with copies to designated Region recipients as follows:
 - a. Original signed document to USACE Environmental & Munitions Center of Expertise (EM CX).

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- b. Copy to EPA Cincinnati Finance Center (CFC) so funding can be deobligated from EPA Generic IAA (WQ) bulk funding account and obligated to a site specific account.
 - c. Internal distribution copies within Region.
5. Work with USACE on potential assignments, available USACE capabilities, assignment performance issued, problem solving, billing/payment actions, and closeout.
6. Review monthly reports from USACE Project manager and take action as appropriate.
7. Serve as the contact point for WAF RPM/OSC for assistance on WAF technical performance, budget, billing, and payment issues.

WAF RPM/OSC DUTIES

1. Prepare initial draft of WAF with emphasis on scope of work, budget, and schedule. Work with EPA PO on scope of available services and appropriate USACE field organizations that could be used to meet project needs.
2. Through the EPA IAA PO (who will coordinate with USACE) initiate planning discussions with USACE and refine the scope of work, budget, and schedule, as appropriate.
3. When WAF is approved by the Project Officer and accepted by USACE, arrange for WAF start up with USACE.
4. Oversee WAF progress through regular briefings with the USACE. Review monthly reports and copies of payment requests submitted by USACE to EPA CFC. Resolve any payment disputes through the EPA PO.
5. Review USACE work products and provide feedback to USACE. Inform EPA PO when WAF assignment is satisfactorily completed.

APPENDIX G
WORK AUTHORIZATION FORM (WAF)

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EPA/USACE SUPERFUND PROGRAM
WORK AUTHORIZATION FORM (WAF)

☐ Original ☐ Increase ☐ Decrease ☐ Time Extension Date:

Authorization is hereby given to provide support as described in the Superfund Generic Interagency Agreement (IA) identified below. The following information is provided for cost documentation purposes:

IA Number:	
Site Name:	
Work Assignment Title (type of activity):	
EPA Work Assignment Number:	EPA Revision Number:
EPA CERCLIS Site ID Number:	Expiration Date:
EPA RPM/OSC:	Phone:
Preferred USACE District (Optional):	
USACE Program/Project Officer:	Phone:
Scope of Work Description: <i>(See attachment for additional information)</i>	

Previous Funding	Current Funding	Total Funding
\$	\$	\$

	DCN	FY	APPR	BUDGET ORG	PRC	BOC	SITE/ PROJECT	COST ORG	AMOUNT
Deobligate From:									\$
Obligate To:									\$

EPA IA Project Officer

Date

Signed Originals to:

EPA Cincinnati Finance Center
Accounting Operations Office (MS 002)
26 W. Martin Luther King Drive
Cincinnati, OH 45268

U.S. Army Corps of Engineers
Environmental & Munitions Center of Expertise
1616 Capitol Avenue, Ste. 9200
Omaha, NE 68102-9200

APPENDIX H

EPA SUPERFUND PROGRAM EPA INTERAGENCY AGREEMENT (IAA) BUDGET CATEGORIES

The following EPA Budget Categories (A-K breakdown) are required by the EPA Grants Service Center for the internal EPA Decision Memo and the Superfund Interagency Agreement (EPA Form 1610-1) issued to USACE.

EPA Regions usually contact USACE for assistance in determining the estimated Budget Category amounts.

Superfund IAAs Issued with all Revised Reimbursable Funding:

- All A-K Budget Category amounts are estimates

Superfund IAAs issued with Direct Fund Cite/Revised Reimbursable Funding:

- Direct Fund Cite amount is contract funding only
- Procurement line (f) must be the same amount as the Direct Fund Cite (contract) amount
- Direct Fund Cite amount is a specific dollar limitation for USACE
- Revised Reimbursable and Direct Fund Cite amounts on an IAA are not interchangeable
- Budget Category lines (except Procurement line f) are estimated amounts

EPA Budget Categories (A-K Breakdown):

(Corresponding USACE CEFMS Resource Codes are included)

- a. Personnel – REGLABOR, OTLABOR, BORLABOR, BOROTLABOR
- b. Fringe Benefits – ANNLEAVE, BENEFITS, OTHLEAVE, OTBENEFITS
- c. Travel – TRANSPER
- d. Equipment – EPAEQUIP, EQUIPMENT, EQUIPMAINT, EQUIPRENT

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- e. Supplies – FEDEX, COPIER, REPRO, PHOTO, SUPMATRL
- f. Procurement – AESVCS, OTHCONSVCS, CONTSVCS
- g. Construction – None
- h. Other – Any costs not shown above, such as WBOTHCOE, SFMSFEE
- i. Total Direct Charges – Sum of above Resource Codes
- j. Total Indirect Charges – GENOVERHD, DEPTOVERHD, FACBURDEN
- k. Total – Total IAA Funding Amount (Total Direct Charges plus Total Indirect Charges)

APPENDIX I
EPA/USACE PAYMENT PROCESS DIRECT CITE/REVISED
REIMBURSEMENT METHODS



United States
Environmental Protection
Agency

Office of Emergency and
Remedial Response
Washington, DC 20460

Publication: 9355.5-14 FS
May 1990

EPA/USACE PAYMENT PROCESS Direct Cite/Revised Reimbursement Methods

Office of Emergency and Remedial Response
Hazardous Site Control Division OS-220

Quick Reference Fact Sheet

Introduction

This Quick Reference Fact Sheet announces a new procedure for paying the U.S. Army Corps of Engineers (USACE) for their Superfund related activities. This fact sheet will first describe the current procedure and then outline the changes the Office of Emergency and Remedial Response (OERR), Office of the Comptroller, Office of Administration and USACE are implementing.

Background

The U.S. Army Corps of Engineers (USACE) provides engineering and construction management services to assist U.S. Environmental Protection Agency (EPA) in the implementation of the Superfund program. USACE services include remedial design, remedial action, oversight of potentially responsible parties, and technical assistance. These services have been provided since 1982 through several Memorandums of Understanding.

Currently, USACE costs incurred while performing Superfund related activities are paid from USACE appropriations which are then in turn reimbursed by EPA. Prior to reimbursement, payment requests received a lengthy review and approval process within EPA. This process begins with the submission of a contractor's invoice for work accomplished under a contract or a standard form (SF) 1080 for USACE in-house activities. The contractor's invoice is reviewed and approved by the USACE Project Manager. The invoice is sent by the USACE Project Manager to a USACE Finance Office for payment with USACE appropriations. USACE Finance Office then submits a SF1080 for reimbursement of contract and in-house costs. The SF1080 is sent to the EPA Cincinnati Financial Management Center (CFMC). CFMC in turn sends the SF1080 to the EPA Remedial Project Manager (RPM) for review and approval. The approved SF1080 is returned to CFMC for EPA processing. Finally, CFMC sends the approved SF1080 to the Department of the Treasury for reimbursement to USACE. This reimbursement method is complex and significantly delays payment to USACE.

In an attempt to improve the payment process, a proposal entitled "Direct Cite/Modified Transfer Allocation Method for Funding IAGS" was issued on October 14, 1988. The direct cite method eliminates reimbursement to USACE for contractor costs by having EPA make payments directly to the contractor in conformance with the prompt payment act based on USACE certification of contractor invoices. This allows the Federal Agency with direct knowledge of contractor performance to approve the invoices for payment. This method provides for the EPA review process to occur after the payment is made and any corrective action taken on subsequent payment requests. A monthly transfer allocation was proposed to cover USACE in-house cost.

A demonstration project to test this method was conducted between January and June of 1989. The test was evaluated in late June and results reported to the evaluation team members in July. The report recommended and the evaluation team concurred that the direct cite process be initiated for all new USACE Superfund projects. The team wanted additional time to further assess the transfer allocation process for in-house costs before making any final recommendations on this process. A revised reimbursement process was recommended as an interim payment process for in-house USACE costs.

Implementing these new payment processes between EPA and USACE will reduce the complexity of the payment

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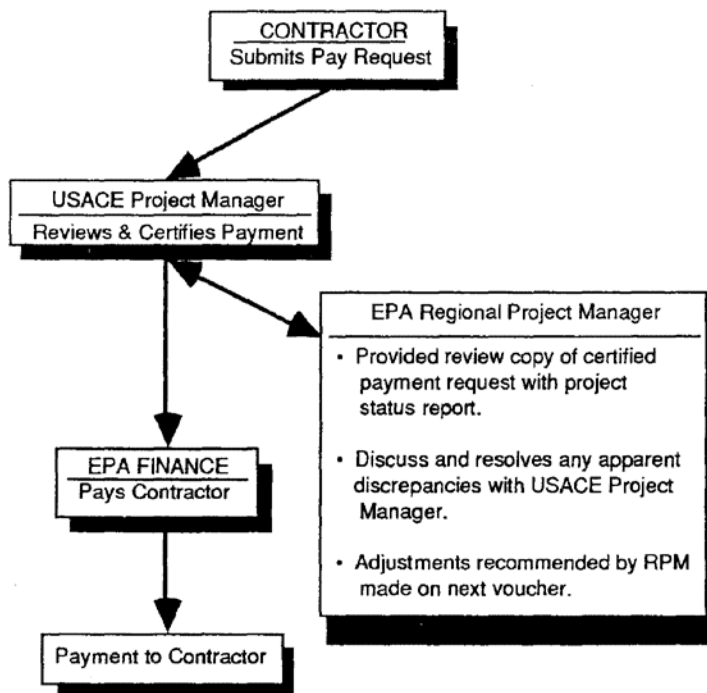
process and the resulting payment delays to USACE. The new direct cite process provides a mechanism for payment to contractors in conformance with the prompt payment act based on USACE payment certification. A copy of the certified pay request will be forwarded by the USACE Project Manager to the RPM for review and possible reconciliation. This change will reduce the stress on the RPM to take immediate action on a payment request.

New Payment Procedures

OERR Directive Memorandum 9295.2-04, "EPA/U.S. Army Corps of Engineers Payment Process, Direct Cite/Revised Reimbursement Methods," dated March 21, 1990, formally initiated new payment procedures for EPA/USACE Superfund activities.

New Projects: The following payment processes will be used for all new USACE projects.

Figure 1
Direct Cite Payment Process for New Projects



Contractor Costs - In this direct cite process (please refer to Figure 1) the remedial design or remedial action contractor shall submit a signed payment request to the USACE Project Manager. The request will be reviewed and certified by USACE and forwarded to the EPA Cincinnati Financial Management Center (CFMC). CFMC will make payment directly to the contractor in conformance with the prompt payment act upon receipt of the USACE certified payment request. Monthly, USACE will send copies of all certified payment requests to the RPM for his review in conjunction with the project status report. If the EPA RPM detects any apparent discrepancies with the payment request, the problem shall be discussed and resolved with the USACE Project Manager. Any changes required to subsequent payment requests will be documented in a memorandum from the RPM to the USACE Project Manager. CFMC will be sent a copy of this memorandum. *RPM review and approval shall be obtained by CFMC prior to making to the final contract payment.*

USACE In-House Costs - Compensation for USACE in-house costs will continue to be handled under a revised reimbursement

process with the payment being made by CFMC upon receipt of a USACE certified request for payment (see Figure 2). In the monthly project status report, the USACE Project Manager shall provide a copy of the certified bill (SF 1080) submitted to CFMC for their in-house costs. A brief explanation of all costs will be included in the report. Resolution of disagreements shall be handled in a similar fashion as the direct cite process. *RPM review and approval shall be obtained by CFMC prior to making the final project payment to USACE.*

Existing Projects: To initiate the direct cite process for ongoing projects, USACE contracts would have to be amended, along with existing IAGs. Although complete implementation has merit, the retrofitting of existing projects could be difficult. For this reason, the revised reimbursement payment process shall be implemented for all payment requests made by USACE for existing projects (please refer to Figure 3). USACE certified SF 1080 forms for reimbursement of contractor payments and in-house costs shall be sent directly to CFMC for payment. If the RPM disagrees with a request, the problem shall be discussed and resolved with the USACE Project Manager. Any changes required to subsequent pay requests will be documented in a memorandum from the RPM to the USACE Project Manager. CFMC will be sent a copy of this memorandum. *RPM review and approval shall be obtained by CFMC*

Figure 2
Revised Reimbursement Payment for USACE In-House Costs

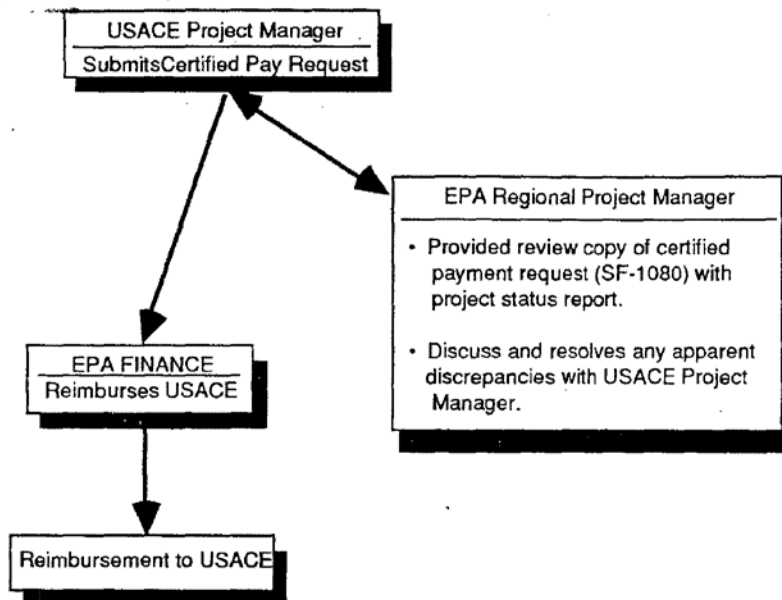
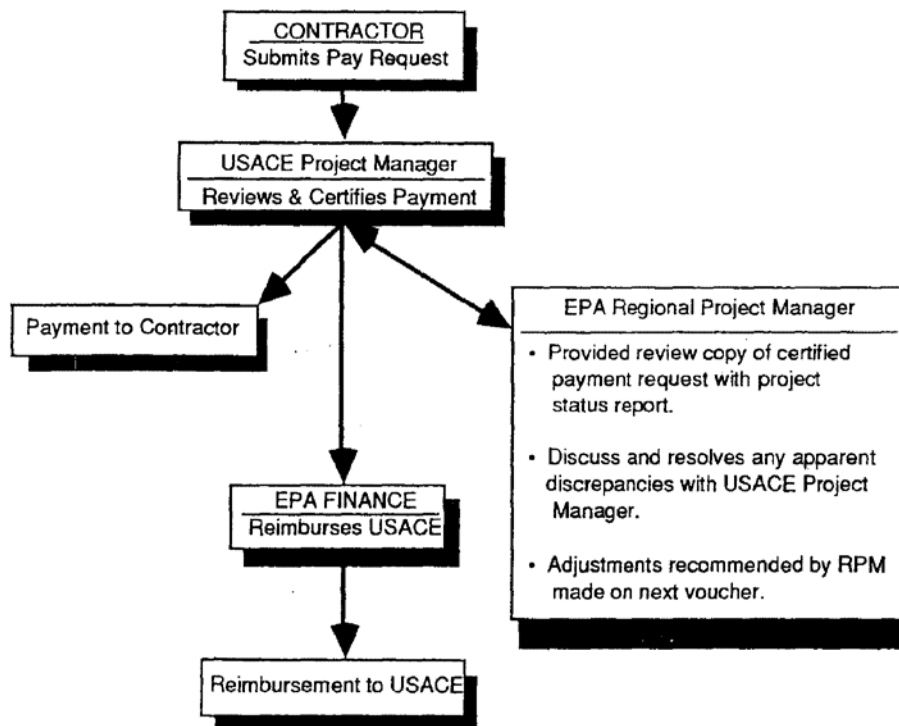


Figure 3
Revised Reimbursement Payment for Existing Projects



prior to the final project payment to USACE.

Implementation

Interagency Agreement: For any individual Interagency Agreement (IAG), the inclusion of the following clause implements the direct cite methodology for that IAG:

a. Payment to USACE contractors is contingent upon receipt of a USACE certified payment request. Reimbursement to USACE for in-house costs is contingent upon receipt of a USACE certified reimbursement request (SF 1080). Final project payments for specific contracts and in-house cost shall be reviewed and approved by the EPA Regional program office.

This clause provides the authorized mechanism to utilize the direct cite and revised reimbursement payment processes and should be inserted into the "Other EPA Involvement" section of the IAG. IAGs issued under the new payment procedures should indicate the dollar limitations applicable to the direct cite and reimbursable funds available. This will assure the funds are obligated against the appropriate funding method and not the total amount of the IAG. When funding levels are exceeded for either portion of the IAG, amendments will be prepared increasing the funding level for that portion. A budget should also be prepared by USACE and included in the IAG to help in the management of the project. Due to the variability of Superfund projects, strict adherence to each line item should not be a requirement; however, line item variations should not allow the total budget to

be exceeded. Preparation and inclusion of a budget should be considered a management tool to identify potential problems. This topic will be expanded upon later.

Financial Reporting from USACE: In advising USACE Project Managers of this new procedure, USACE will direct the Project Managers to provide a brief explanation of their cost to the RPM along with a copy of the payment request(s) submitted to the EPA Cincinnati Financial Management Center. At a minimum the Project Manager should discuss both USACE in-house and contractor activities that comprise each item for which payment is requested. Payment requests should be based on IAG budget and contract payment schedules. For this process to be successful a good line of communication must be established and maintained between the RPM and the USACE Project Manager.

Monthly Project Status Report: On a monthly basis the USACE Project Manager will provide a project status report to the RPM. This report shall consist of:

- a one page narrative detailing project highlights, progress, problems and scheduled meetings for the next month.
- copies of all certified payment requests submitted during the month.
- a brief explanation of the cost associated with each payment request.

Payment Discrepancies: Payment discrepancies should be discussed between the RPM and USACE Project Manager. If resolution cannot be reached at this level, the problem(s) should be referred up the chain of command. When the resolution to the problem(s) requires a change in a subsequent payment request(s), the EPA RPM will document the action(s) to be taken in a memorandum to the USACE Project Manager with a copy to EPA Cincinnati Financial Management Center.

Budget Control: Preparation and adherence to a budget is key to managing any project. The preparation of a project budget and its inclusion in the IAG provides budget control over the project by managing against the established project budget. The budget for a project should contain sufficient detail, without being burdensome, to enable the EPA RPM to evaluate the progress and management of the project. The USACE should be allowed to adjust specific budget items as the project develops, as long as, they do not exceed the funding limits specified in the IAG. For the EPA RPM, a budget can be used as a means to approximate project progress as well as an indicator to highlight potential problems. Deviations from the budget could indicate a change or unexpected problem in the project that warrants a closer look.

Summary

The direct cite and revised reimbursement payment procedures will eliminate reimbursement to USACE for contractor costs and expedite payments to USACE offices engaged in Superfund related activities. The procedures remove the pressure from the RPM to do an immediate review of payment request. Project budget control will be maintained by managing against the budget established in the IAG. Success of the procedures is dependent upon good communications between the RPM and USACE Project Manager. The USACE Project Manager must effectively communicate the status of the relationship between project progress, budget, and payments to contractors and USACE.

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APPENDIX J
TRANSMITTAL USACE CONTRACTS EPA SUPERFUND PROGRAM

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TRANSMITTAL
USACE CONTRACTS
EPA SUPERFUND PROGRAM

Transmittal Number: _____

Date: _____

To: U.S. Environmental Protection Agency
Cincinnati Finance Center
Accounting Operations (MS002)
26 W. Martin Luther King Drive
Cincinnati, OH 42568-7002

From: U.S. Army Corps of Engineers
_____ District
(Street Address)
(City/State/Zip Code)

USACE Point of Contact:
(Name)
(Office Symbol)
(Phone Number)

IA Number: _____ Site Name: _____

Contract Number: _____

Contractor Name: _____

This section to be completed by receiving office and returned to the U.S. Army Corps of Engineers address above within 3 days of receipt

Received By: _____ Date: _____

APPENDIX K
TRANSMITTAL USACE CONTRACTOR PAY ESTIMATE
EPA SUPERFUND PROGRAM

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TRANSMITTAL
USACE CONTRACTOR PAY ESTIMATE
EPA SUPERFUND PROGRAM

REQUEST FOR PAYMENT

Transmittal Number: _____

Date: _____

To: U.S. Environmental Protection Agency
Accounting Operations Office
ATTN: Jeff Marsala
26 W. Martin Luther King Drive
Cincinnati, OH 45268-7002
513-487-2056
Marsala.jeffrey@epa.gov

From: U.S. Army Corps of Engineers
Address of office to mail this back to

USACE Point of Contact:

Contact name

Contact Phone #

IA No. _____ Site Name: _____

Contract No. _____ Tax ID No. _____

Contractor:

Pay Estimate No. _____ Amount: _____

To comply with PROMPT PAYMENT ACT, payment must be made by _____

Date Stamped: _____

RECEIVED BY: _____ DATE: _____

APPENDIX L

INTERAGENCY AGREEMENT TRANSFER OF FUNDS DOCUMENT
REVISED REIMBURSABLE AND DIRECT FUND CITE FUNDING

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Interagency Agreement Transfer of Funds Document U.S. Environmental Protection Agency USEPA/USACE Superfund Program Revised Reimbursable and Direct Fund Cite Funding							
Date:		Revision:			EPA Region:		
IA Number:							
Site Name:							
DCN	FY	APPR	BUD ORG	PRC	SITE/PROJECT	COST ORG	BOC
EPA Project Manager:					Telephone No.		
USACE Project Manager:					Telephone No.		
	Previous		Increase/Decrease		Revised Total		
Revised Reimbursable	\$		\$		\$		
Direct Fund Cite	\$		\$		\$		
Total IA Funding	\$		\$		\$		
Comments:							
APPROVALS							
EPA Project Manager:					Date:		
EPA Region Project Officer:					Date:		

Distribution:

1st Original – EPA Cincinnati Finance Center

2nd Original – USACE EM CX

cc: EPA Project Manager
EPA Region Project Officer
USACE Project Manager

APPENDIX M
USACE CATEGORY CLASS CODES
EPA SUPERFUND PROGRAM

USACE Category Class Codes

EPA Superfund Program

Management and Support Activity

HQUSACE	B11
USACE Commands (Already Included in BII)	B12

Technical Assistance

Field Investigation	B21
Feasibility Study	B22
Hazardous Waste Enforcement Support – Design	B23
Flood Plain Management	B24
Mapping and Surveys	B25
Remedial Investigation Feasibility Studies (RUFS)	B26
Other Technical Assistance	B27
Real Estate Relocations/Acquisitions	B28
Operation and Maintenance	B29
Hazardous Waste Enforcement Support – Construction	B2A
Site Assessments	B2B
Hazardous Waste Enforcement Support – General	B2C
Five-Year Reviews	B2D

Remedial Design

Remedial Design	B31
Other Design Response	B32
First Phase Design	B33
EPA Lead Design	B34
State Lead Design	B35
EPA Work Assignment Management (W AM)	B36

Construction (Remedial Action)

Remedial Action	B41
Other Response	B42

Other

Rapid Response	B51
Cost Estimating	B53

Brokered Work

Environmental Work Brokered Between Corps	B99
---	-----

(Reference ER 37-2-10, Chapter 20)

EP A Superfund Program:	“B_ _”
Other EPA Programs:	“H_ _”

APPENDIX N
ONE BUTTON REPORT FORMAT

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"ONE BUTTON REPORT FORMAT"
PROGRESS REPORT
XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX

Page 1
Date: xx-xxx-xxxx

IAA Number: XXXXXXXXXX

MONTHLY REPORT FOR XXXXXXXX XXXX

		<u>Revised Reimbursable</u>	<u>Direct Fund Cite</u>	<u>IAA Totals</u>
STATEMENT OF CHARGES FOR PERIOD:				
Total Funds Authorized:		\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx
Less Total Expenditures:	(-)	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx
Less Undelivered Orders:	(-)	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx
Less Commitments:	(-)	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx
Funds Available Balance:		\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx

REIMBURSABLE BILLING ACTIVITY:

Bill Number xxxxxxxx

Funds Expended During Report Period:	\$xxx,xxx,xxx.xx
Total Billed to Date:	\$xxx,xxx,xxx.xx

DIRECT FUND CITE PAYMENTS:

Funds Expended During Report Period:	\$xxx,xxx,xxx.xx
Total Expended to Date:	\$xxx,xxx,xxx.xx

PROGRESS REPORT
XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX

IAA Number: XXXXXXXXXX

Bill Number: xxxxxxxx

Bill Invoice Date: xx-xxx-xxxx

Monthly Reimbursable Billing Amount: \$xxx,xxx,xxx.xx |

Monthly Direct Fund Cite Contract Cost: \$xxx,xxx,xxx.xx |

<u>Budget Categories</u>	<u>Costs for Current Month</u>	<u>Prior Month's Summary</u>	<u>Project Costs to Date</u>
a Personnel	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx
b Fringe Benefits	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx
c Travel	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx
d Equipment	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx
e Supplies	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx
f Procurement	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx
g Construction	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx
h Other	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx
l Total Direct Charges	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx
j Total Indirect Charges	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx
k TOTAL	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx	\$xxx,xxx,xxx.xx

LABOR BREAKOUT FOR MONTH:

<u>Individual</u>	<u>Location</u>	<u>Function</u>	<u>Hours</u>	<u>Labor Amount</u>
XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX	xxx.xx	\$xxx,xxx.xx
XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX	xxx.xx	\$xxx,xxx.xx
XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX	xxx.xx	\$xxx,xxx.xx

APPENDIX O
ONE BUTTON REPORT DEFINITIONS

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"One-Button Report" Definitions

PROGRESS REPORT
JACKSONVILLE DISTRICT
ALARIC, FL

Date: xx-xxx-xxxx

IAA Number: DW96945930
MONTHLY REPORT FOR DECEMBER
XXXX

		Revised Reimbursable (96X3122)	Direct Fund Cite (68-68X8145)	IAA Totals
STATEMENT OF CHARGES FOR PERIOD:				
Total Funds Authorized:	(IAA Total Amount)	\$4,030,000.00	\$0.00	\$4,030,000.00
Less Total Expenditures:	(-) (Cumulative Amount Expended and Billed)	\$3,130,501.60	\$0.00	\$3,130,501.60
Less Undelivered Orders:	(-) (USACE Obligations not yet fulfilled such as contract awards or funding sent to another district for support)	\$211,175.77	\$0.00	\$211,175.77
Less Commitments:	(-) (Reservation of funds for potential USACE obligations or contracts. Estimate of funds set aside in anticipation of being used for obligation or contract award to ensure funds will not be used for other purposes)	\$50,589.76	\$0.00	\$50,589.76
Funds Available Balance:	(Actual remaining balance of IAA funding)	637,732.87	\$0.00	\$637,732.87
BILLING ACTIVITY (96x3122):				
Bill Number	22011163			
Funds Expended During Report Period:		\$23,654.02	(Amount of Revised Reimbursable monthly bill)	
Total Billed to Date:		\$3,130,501.60	(Cumulative Revised Reimbursable amount billed to date)	

Direct Fund Cite Payments (68-68X8145):
Funds Expended During Report Period:

\$0.00 (Amount of contractor invoices sent to EPA Finance Center for payment during month if Direct Fund Cite applies)

Total Expended to Date:

\$0.00 (Cumulative amount of contractor invoices sent to EPA Finance Center for payment if Direct Fund Cite applies)

PROGRESS REPORT
JACKSONVILLE DISTRICT
ALARIC, FL

Date: xx-xxx-xxxx

IA A Number: DW96945930

Bill Number: 22011163

Bill Invoice Date: 03-Jan-XXXX

Monthly Billing Amount (96X3122):

\$23,654.02

Monthly Direct Fund Cite Contract Cost:
(68-68X8145)

\$0.00

BUDGET CATEGORIES

		Costs for Current Month	Prior Month's Summary	Project Costs to Date
a Personnel	Labor (Regular, Overtime)	\$2,401.98	\$39,886.13	\$42,288.11
b Fringe Benefits	Leave/Benefits/Govt Contributions	\$1,157.26	\$21,094.25	\$22,251.51
c Travel	Travel	\$0.00	\$512.89	\$512.89
d Equipment	Equipment Purchased/Maintenance/Rental	\$0.00	\$0.00	\$0.00
e supplies	FEDEX/Copier/Reproduction	\$0.00	\$0.00	\$0.00
f Procurement	Contract Services - will match Revised Reimbursable amount on monthly billing (Direct Fund Cite contract amounts are reported on Page 1 of report under Statement of Charges - Direct Fund contact amounts are paid by EPA Cincinnati Finance Center)	\$0.00	\$4,601.54	\$4,601.54
g Construction	(To Be Determined)	\$0.00	\$0.00	\$0.00
h Other	Management & Support (M&S) Amount Any cost not shown above	\$17,482.32	\$2,993,826.89	\$3,011,309.21

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"Work Performed by Other COE" - funding sent to another USACE District for support (includes other District labor, travel, contract awards)

Note: Direct Fund Cite funding cannot be sent from one USACE District to another USACE District - only Revised Reimbursable Funding can be sent to another District for support in executing the scope of work

i Total Direct Charges	Sum Total of Categories A-H	\$21,041.56	\$3,059,921.70	\$3,080,963.26
j Total Indirect Charges	*General & Administrative Overhead, Departmental Overhead, Superfund	\$2,612.46	\$46,925.88	\$49,538.34
k TOTAL:	Total Costs	\$23,654.02	\$3,106,847.58	\$3,130,501.60

LABOR BREAKOUT FOR
MONTH:

(Labor Amount = (a) Personnel + (b) Fringe Benefits + (j) Total Indirect Charges)

Individual	Location	Function	Hours	Labor Amount
Matthew B. Ellender	Omaha District (Jacksonville District provided "Cross Charge Labor Code" to Omaha District)	Engineering Tech	64.00	\$6,045.37
John C. Hess	Jacksonville District (Labor charged by Jacksonville District - IAA was signed and accepted by Jacksonville)	Supv Civil Engineer	1.00	\$126.33
TOTAL LABOR:			65.00	\$6,171.70

* General & Administrative Overhead includes the following:

Executive Office	Logistics Management Office
Resource Management Office	EEO
Finance & Accounting Office	Safety Office
Public Affairs	Security Office
Office of Counsel	Internal Review Office
Human Resources Office	Information Management Office

* Departmental Overhead includes the following:

Training	Reproduction
Permanent Change of Station Related Costs (PCS)	Expendable Tools
Freight Charges	Photo Unit/Graphics
GSA Rent & Utilities	Communications Unit
Equipment Rental	Shops and Yards (Maintenance Base)
Rental GSA Vehicles	Insurance
Depreciation	Plant Replacement
Office Supplies & Materials, Subscriptions, Microfilm, Software, Telephone, Mail	

GLOSSARY

Terms and Abbreviations

Section I Abbreviations

AMSCO
Army Management Structure Code

ARRA
American Recovery and Reinvestment Act of 2009

ARRA TAS
American Recovery and Reinvestment Act of 2009 Treasury Account Symbol

CCSC
Category Class/Subclass Code

CEFMS
Corps of Engineers Financial Management System

CERCLA
Comprehensive Environmental Response, Compensation, and
Liability Act of 1980

CERCLIS
Comprehensive Environmental Response, Compensation, and Liability Information System

COR
Contracting Officer Representative

CWIS
Civil Works Information System

DA
Department of the Army

DCAA
Defense Contract Audit Agency

DOD
Department of Defense

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EM CX
Environmental & Munitions Center of Expertise
Huntsville Engineering & Support Center (Omaha).

EPA
U.S. Environmental Protection Agency

EPA CFC
U.S. Environmental Protection Agency Cincinnati Finance Center

EPA DCN
U.S. Environmental Protection Agency Document Control Number

EPA IGMS
U.S. Environmental Protection Agency Integrated Grants Management System

EPA OSC
U.S. Environmental Protection Agency On-Scene Coordinator

EPA RPM
U.S. Environmental Protection Agency Remedial Project Manager

ER
Engineering Regulation

FPDS-NG
Federal Procurement Data System-Next Generation

FTE
Full-Time Equivalent

FY
Fiscal Year (1 October thru 31 October)

HQEPA
Headquarters, U.S. Environmental Protection Agency

HQUSACE
Headquarters, U.S. Army Corps of Engineers

HTRW

Hazardous, Toxic, & Radioactive Waste

IAA
Interagency Agreement

M&S
Management and Support

MIPR
Military Interdepartmental Purchase Request

MOU
Memorandum of Understanding

NORM
Naturally Occurring Radioactive Material Contract

OMB
Office of Management and Budget

PM
Program/Project Management

PR&C
Purchase Request and Commitment

PRP
Potentially Responsible Party

RA
Remedial Action

RD
Remedial Design

RF Account
Revolving Fund Account

RI/FS
Remedial Investigation Feasibility Studies

RR
Rapid Response

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SARA
Superfund Amendments and Reauthorization Act of 1986

SFMSFEE
U.S. Army Corps of Engineers Resource Code for Superfund
Management & Support

SOW
Scope of Work

TA
Technical Assistance

USACE
U.S. Army Corps of Engineers

USACE PM
U.S. Army Corps of Engineers Program/Project Manager

WAF
Work Authorization Form

3011A
Report on Status of Appropriation and
Work Allowances, Civil Works Funds

Section II
Terms

Interagency Agreement (IAA)
Written agreement that specifies the rights and obligations of each agency under the agreement, deliverables, period of performance, budget and other funding information, and terms and conditions that address payment and other applicable requirements.

P2
USACE Automated Information System for Program and Project Management that consists of multiple software packages and is linked to the USACE Financial Management System (CEFMS).