



Defense and State Memorandum of Agreement (DSMOA) 101

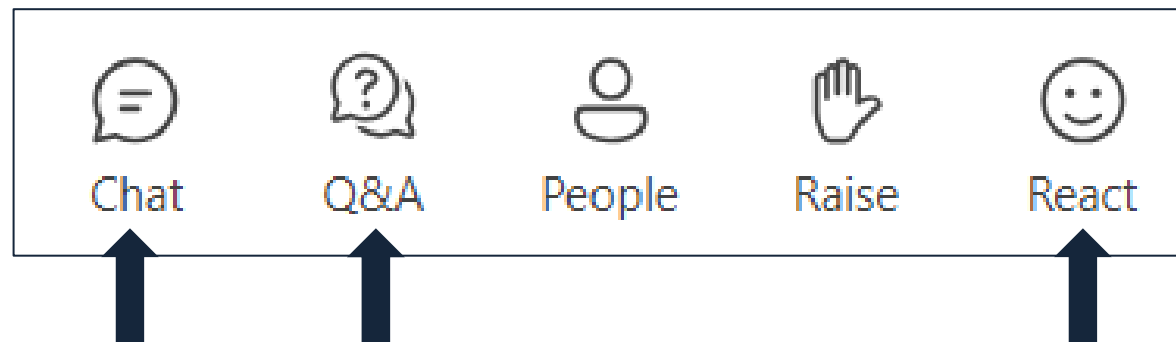
Brian Jordan
Office of the Deputy Assistant Secretary of Defense for
Environmental Management and Restoration

October 23, 2024

WEBINAR RULES



- Please use the **chat** function for general discussion and answering check-in questions.
- Please use the **Q&A** function if you have a content-related question during the webinar that you would like answered.
- Please use the **react** function to engage during the webinar.
- If you experience technical difficulties, please reach out to dsmoawebinar@bah.com.





- **Defense Environmental Restoration Program (DERP)**
Overview: Brian Jordan
- **Defense and State Memorandum of Agreement (DSMOA) 101**
Overview: Rena Flint
- **Cooperative Agreement (CA) 6-Step Process:** Katie Reed
- **Post CA Award:** Katie Reed
- **DSMOA Portal Walkthrough:** Katie Reed
- **Closing Remarks:** Brian Jordan

PRESENTERS



- **State of South Carolina: Stacey French, P.E.**, is the Director of the Division of Waste Management at the South Carolina Department of Environmental Services. She has worked with the DSMOA program for over 27 years helping federal facilities navigate permitting and corrective action requirements. She started her career as a project manager at the various Department of Defense facilities in South Carolina responsible for Resource Conservation and Recovery Act (RCRA) permitting and RCRA/Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) integration with the common goal of site investigation and cleanup. Stacey has also served as DSMOA State Point of Contact for many of her years with the agency with experience in developing budgets, tracking workload, navigating the DSMOA cooperative agreement process, and collaborating with DoD to expedite projects.
- **State of South Dakota: Mark Lawrensen** is an Environmental Scientist for the State of South Dakota. He works in the Department of Agriculture and Natural Resources as the State Superfund and DSMOA Program Manager. He has experience with all aspects of the DSMOA cooperative agreement process and DoD environmental work. Mark has worked on all types of CERCLA actions at Federal and private sites and also on petroleum assessments and cleanups. Mark has a B.S. in Biology from the University of South Dakota and an M.S. in Biology from the University of Wisconsin-La Crosse.
- **Army Component Alternate: Justin Gonzales** is an Environmental Scientist with the U.S. Army Environmental Command (AEC) and serves as the Program Manager for the DSMOA program. In this role, he oversees the DSMOA six-step process for active Army and National Guard sites. In addition to his DSMOA responsibilities, he serves as the cost estimating software program manager and the Army National Guard liaison. Prior to joining AEC, he was a technical support contractor for the U.S. Air Force Base Realignment and Closure (BRAC) cleanup program, providing expertise in environmental restoration and environmental project management. He served in the U.S. Army as an active-duty soldier and completed tours in support of Operation Iraqi Freedom and Operation Enduring Freedom. He holds a B.S. in Environmental Science & GIS from Southern New Hampshire University and an M.S. in Environmental Science & Policy from Johns Hopkins University.

PRESENTERS (CONT'D)



- **U.S. Army Corps of Engineers (USACE) DSMOA Team: Katie Reed** has been with the Corps of Engineers since 1998, resulting in over 26 years of experience working with environmental laws and regulations. Her experience includes the National Environmental Policy Act, natural resource management, Section 106 compliance, land use management plans, water resources, the Endangered Species Act, and hazardous materials management. Ms. Reed currently works as a DSMOA program liaison primarily administering CAs for States and Territories on behalf of the Department of Defense and providing technical support to States, Territories, HQUSACE, the Army, the Air Force, the Navy, the Defense Logistics Agency, and the Office of the Secretary of Defense. In addition, Ms. Reed is certified in Corps of Engineers Reviewer Certification and Access Program as a subject-matter expert in Environmental Baseline Studies (Environmental Compliance) and Threatened, Endangered, and At-Risk Species (Conservation) and has a B.S. in Biology, a B.A. in International Relations, and an M.S. degree in Biology from the University of Nebraska at Omaha.
- **USACE DSMOA National Program Manager: Rena Flint** has been with the Corps of Engineers since 2018 working in environmental restoration under the Formerly Used Defense Sites Program (FUDS) and the Native American Lands Environmental Mitigation Program, a cooperative agreement program. She has also worked as a hydrologist in support of a wide variety of environmental projects. She has a B.S. in Environmental Science from the University of Florida. Ms. Flint is currently the DSMOA National Program Manager (NPM). As DSMOA NPM, she facilitates the partnership framework for States/Territories and DoD components to cooperate to expedite the remediation process at installations.

HISTORY



DoD started identifying, characterizing, and cleaning up environmental contamination
1970s

Congress passed the Superfund Amendments and Reauthorization Act (SARA)
-Extended CERCLA to Federal facilities
-Established DERP including funding accounts
1986

Federal Facilities Environmental Restoration Dialogue Committee report provided recommendations aimed at improving the process of making cleanup decisions and priorities at federal facilities
1996

1980s
Congress passed the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) for the identification, investigation, and cleanup of hazardous substances resulting from past practices

1987
The President signed Executive Order 12580, *Superfund Implementation*, which delegated certain CERCLA authorities to the Secretary of Defense

2001
DERP amended to include the Military Munitions Response Program (MMRP)

DERP OVERVIEW



- DoD is committed to protecting human health and the environment by conducting cleanup under federal law.¹
- DERP addresses cleanup at active installations, Formerly Used Defense Sites (FUDS) properties,² and Base Realignment and Closure (BRAC) locations³ in the United States.
- DoD addresses hazardous substances, pollutants or contaminants, and munitions under DERP.⁴
- Response actions pursuant to DERP must be in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).
- DoD conducts cleanup under CERCLA and its DERP authorities (e.g., as a lead agency).
- DoD may conduct environmental restoration pursuant to other applicable federal laws addressing environmental restoration (i.e., Resource Conservation and Recovery Act [RCRA] Corrective Action).

¹ DERP (10 USC sections 2700-2711) and CERCLA (42 USC sections 9600-9675).

² FUDS are properties that were formerly owned by, leased to, or otherwise possessed by the United States and under the jurisdiction of the Secretary of Defense prior to October 17, 1986.

³ BRAC locations were authorized for closure or realignment by Congress under one of the five BRAC rounds.

⁴ Munitions are addressed at closed (non-operational) ranges under the MMRP.

DERP ELIGIBILITY



- DERP includes response actions undertaken by a DoD Component to address releases caused by past DoD activities within the United States that include:
 - A release of a hazardous substance or pollutant or contaminant
 - A release of petroleum, oil, or lubricants
 - A release of hazardous waste or a hazardous waste constituent
 - Unexploded ordnance, discarded military munitions, or munitions constituents at munitions response sites (i.e., former ranges)

DERP FUNDING



- Funding for DERP activities comes from six accounts, which are subject to congressional funding:
 - Environmental Restoration (ER) accounts (five accounts)
 - ER-Army
 - ER-Navy
 - ER-Air Force
 - ER-FUDS
 - ER-Defense-wide
 - Includes non-BRAC funding for the Office of the Deputy Assistant Secretary of Defense for Environmental Management and Restoration, the Defense Logistics Agency, and the Defense Threat Reduction Agency
 - BRAC account
 - Legacy BRAC and BRAC 2005 accounts combined in FY 2013 National Defense Authorization Act
- These accounts link to joint execution plans that provide funding to States.

QUICK CHECK-IN



1. Why is 1986 an important date in the DERP Program?
 - (a) This is when the first environmental database was created
 - (b) Brian finally made it to high school
 - (c) SARA was passed by Congress

↪ **Superfund Amendments and Reauthorization Act**

2. How many funding accounts pay for DERP activities?
 - (a) One
 - (b) Four
 - (c) Six
 - (d) Ten

Please answer the check-in questions now!

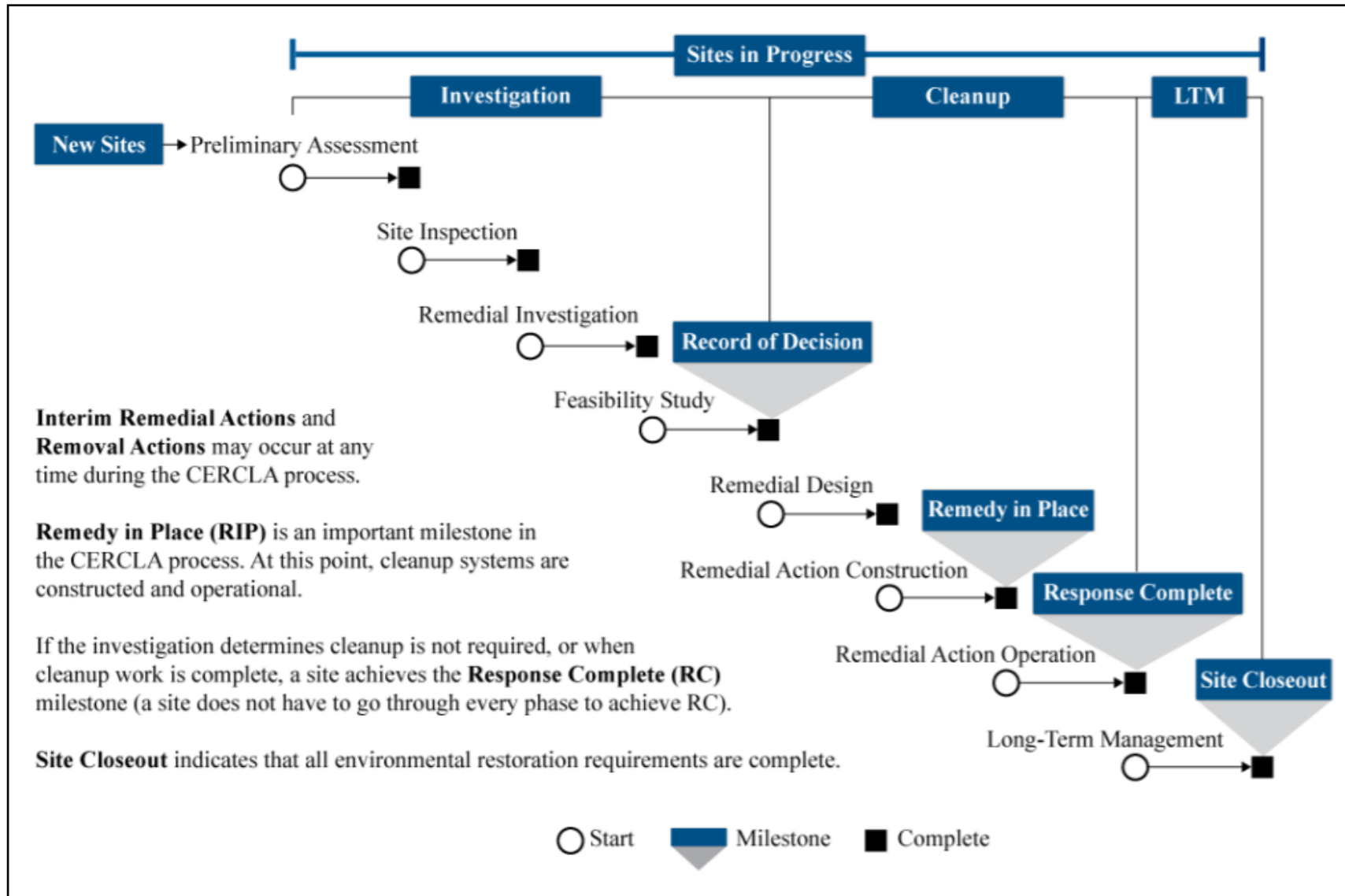
Questions?

DERP PROCESS: GENERAL



- DoD must follow the CERCLA cleanup process to identify, investigate, and respond to releases.
 - Cleanups under CERCLA or RCRA Corrective Action will substantively satisfy the requirements of both programs.
- All cleanup actions are prioritized using a long-standing nationwide risk-based approach.
- DoD works with Federal, State, and local governments and the public to select its cleanup actions.

DERP PROCESS PHASES AND MILESTONES



PARTNERSHIPS AND TRANSPARENCY



- Partnering with environmental regulators and maximizing transparency, public participation, and collaboration are vital to ensuring cleanup decisions are protective by:
 - Involving Federal and State regulators in DERP
 - DSMOA Steering Committee, Munitions Response Dialogue (MRD), and FUDS Forum Working Group
 - Quarterly meetings with the U.S. Environmental Protection Agency
 - DERP Forum (2023) and National FUDS Forum (2023)
 - Involving the public throughout the cleanup process
 - Community Involvement Plan (formerly Community Relations Plan)
 - Restoration Advisory Boards (RABs), Technical Review Committee, Technical Assistance for Public Participation
 - Public Meetings

QUICK CHECK-IN



1. Which of the following groups is NOT a partner with DERP cleanup?

- (a) Sierra Club
- (b) FUDS Forum
- (c) DSMOA Steering Committee
- (d) MRD

2. Which of the three categories that DERP sites fall into will most likely have an extended long-term management component?

- (a) Installation Restoration Program
- (b) Building Demolition and Debris Removal
- (c) MMRP

Please answer the check-in questions now!

For more information, visit: <https://www.denix.osd.mil/derp/>



SAVE THE DATE

May 6-8, 2025

2025 DERP FORUM

Strengthening Relationships with our Environmental Partners

Join DoD and State and Federal regulators to exchange views, share information, and enhance communications pertaining to DoD cleanup. Registration details to follow. For immediate questions, contact DERPForum@bah.com.

A SELECTION OF TOPICS:

- DERP Policy and Program Updates
- Per- and Polyfluoroalkyl Substances
- Military Munitions Response Program
- Outreach and Communications Initiatives
- Specialized Training Planned for Tuesday, May 6

SHERATON PITTSBURGH HOTEL AT STATION SQUARE

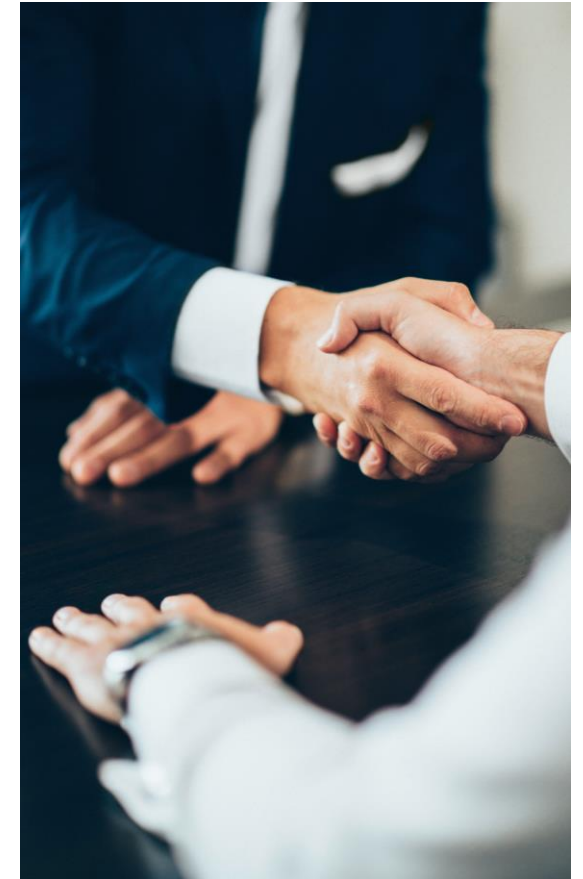


DSMOA 101



Environmental & Munitions Center of Expertise U.S. Army Corps of Engineers

October 23, 2024



DSMOA NATIONAL PROGRAM MANAGER



The DSMOA National Program Manager (NPM) is the principal facilitator responsible for communication between the States and DoD Components on the funding and program issues. They help minimize disputes or delays that could adversely affect the cleanup operations.

The DSMOA NPM responsibilities within Corps of Engineers, Directorate of Military Programs, Environmental Division at HQUSACE include:

- National Program Management
- Policy Formulation
- Planning, Programming, and Budgeting
- Program Oversight
- Reporting
- Component Coordination
- Quality Management

The DSMOA NPM is responsible for managing the overall DSMOA Program for the Department of the Army that acts as the lead agent. They ensure that program goals are achieved through the 6-Step Process, as detailed in *Working Together to Achieve Cleanup: A Guide to the Cooperative Agreement Process (CA Guide)*.

Our Project Delivery Teams include:

- State Managers/Program Liaisons (3)
- Financial/Funds Manager (3)
- Grants Officer
- Office of Counsel
- Automation (3)

COURSE OUTLINE



DSMOA Program

- DSMOA Basics
- What Is DSMOA?
- DSMOA Community

Cooperative Agreement (CA)

- CA Basics
- The Pre-6-Step Process
- Roles
- The 6-Step Process:
 - Step 1: State Election to Participate
 - Step 2: Joint Execution Plan (JEP) Building
 - Step 3: State Budget Estimate
 - Step 4: DoD Component Approval Amount
 - Step 5: CA Application Package
 - Step 6: CA Award

Post CA Award

- Performance Reports
- Annual Funding Reviews
- 80% Obligation Notification and Funding Request
- Funding Increases
- State Reimbursement

DSMOA Portal

Closeout

DSMOA BASICS



- Was established pursuant to section 211 (a) (B) of SARA, enacted on October 17, 1986
 - DoD identified the Army as the lead agent for the DSMOA program.
 - The Army, in turn, delegated DSMOA program management and execution to USACE.
- Supports and expedites environmental restoration at active installations, National Guard facilities, BRAC locations, and FUDS properties through financial reimbursement for eligible requested services provided by the States, which is administered through the DSMOA Portal
- Provides a construct for handling reimbursement of State services, funding priorities, resolving disputes, and identifying State lead agencies
- Enhances cooperation and understanding between States and DoD Components



Active installations, National Guard facilities, BRAC locations, and FUDS properties are hereinafter referred to as “installations” in this briefing.

WHAT IS A DSMOA?



What a “DSMOA” is:

- A DSMOA is an agreement between DoD and a State or U.S. Territory that provides a partnership framework to expedite the remediation process at installations.
- A DSMOA is jointly signed by the State and the Assistant Secretary of Defense for Energy, Installations, and Environment.
- Funding is provided through DERP or the BRAC program. Installations undergoing or planning to undergo environmental restoration under DERP and BRAC are eligible. Only those installations undergoing or planning to undergo environmental restoration in the DERP and BRAC programs are eligible for the DSMOA program.

What a “DSMOA” is not:

- A funding vehicle to reimburse DSMOA-eligible State activities
- A list of specific installations proposed for work

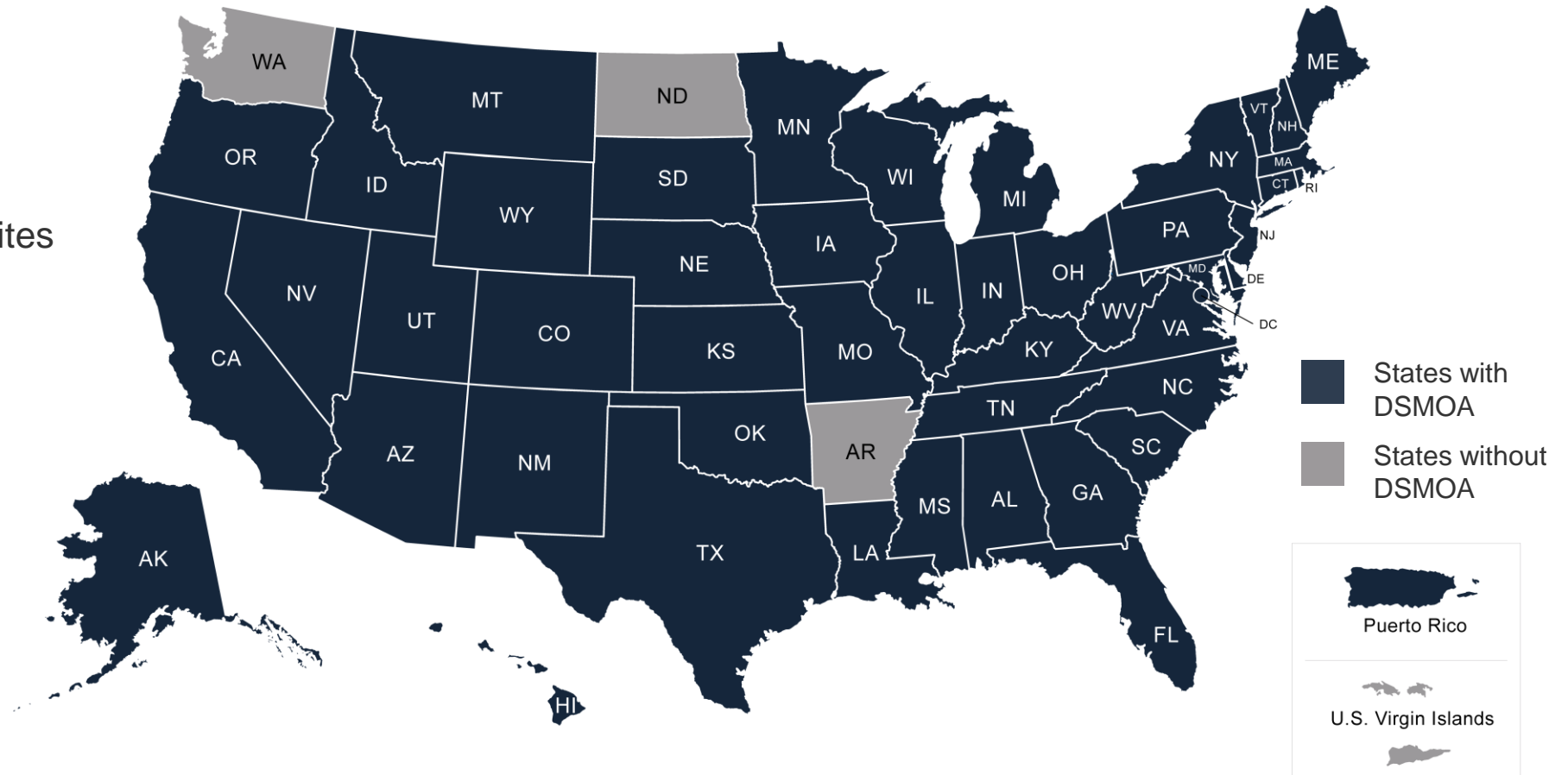
DSMOA COMMUNITY



The DoD Components:

- Army
- Air Force
- Navy
- Defense Logistics Agency
- Formerly Used Defense Sites

52 States and Territories*



* North Dakota, Arkansas, Washington, and the U.S. Virgin Islands do not have DSMOAs.

COOPERATIVE AGREEMENT BASICS



CAs are legal instruments that facilitate the transfer of something of value from Federal executive agencies to States, local governments, and private recipients for a public purpose or benefit.



COOPERATIVE AGREEMENT BASICS (CONT'D)



A CA includes the following key elements:

- A statement of the purpose of the agreement
- The Federal award amount and the period of performance (Attachment B)
- A description of the work to be performed under the agreement (JEP)
- The names and addresses of the Federal and non-Federal entities
- The signature of an authorized representative from each entity
- Other information as required by the Federal awarding agency (Attachment A)
- All requirements under the DoD Grant and Agreement Regulations (DoDGARs)

Not subject to the Federal Acquisition Regulation

CA VS. CONTRACT VS. GRANT



Key differences between CAs, contracts, and grants:

- CA: The Federal government has substantial involvement in the project or activity being carried out, provides assistance for the project or activity, and the project or activity is used to transfer a thing of value to the non-Federal entity.
- Contract: Used when the primary purpose of the relationship is to procure goods or services for the Federal government.
- Grant: The Federal government more strictly maintains an oversight and monitoring role.

CA VS. CONTRACT VS. GRANT (CONT'D)



Federal Funding



WHY USE CAs?





- The DSMOA CA is a two-year agreement.
- DSMOA developed the 6-Step Process, taking one year to build a CA.
- Three Sections:
 1. Agreement: Sets standards for reimbursement of expedited environmental restoration services
 2. Attachment A: List of installations eligible for DSMOA funding
 3. Attachment B: List of obligated funding levels per program type
- Attachments A and B can be modified throughout the CA cycle



DSMOA-ELIGIBLE WORK



DoD's Policy: DSMOA funding only applies to those installations listed in the CA's Attachment A and meet the following requirements:

- Technical review of documents
- Identification and explanation of requirements related to response actions
- Site visits to review DoD response actions
- Participation in public education activities and Restoration Advisory Boards
- Participation in Technical Review Committees
- Preparation and administration of a CA
- Preparation and administration of the DSMOA and modifications
- Technical review on the DSMOA and CA Application
- Determination of the scope of agreements
- Quality Assurance (QA)/Quality Control efforts for up to 10 percent of samples collected
- Other services States provide as listed in installation-specific agreements

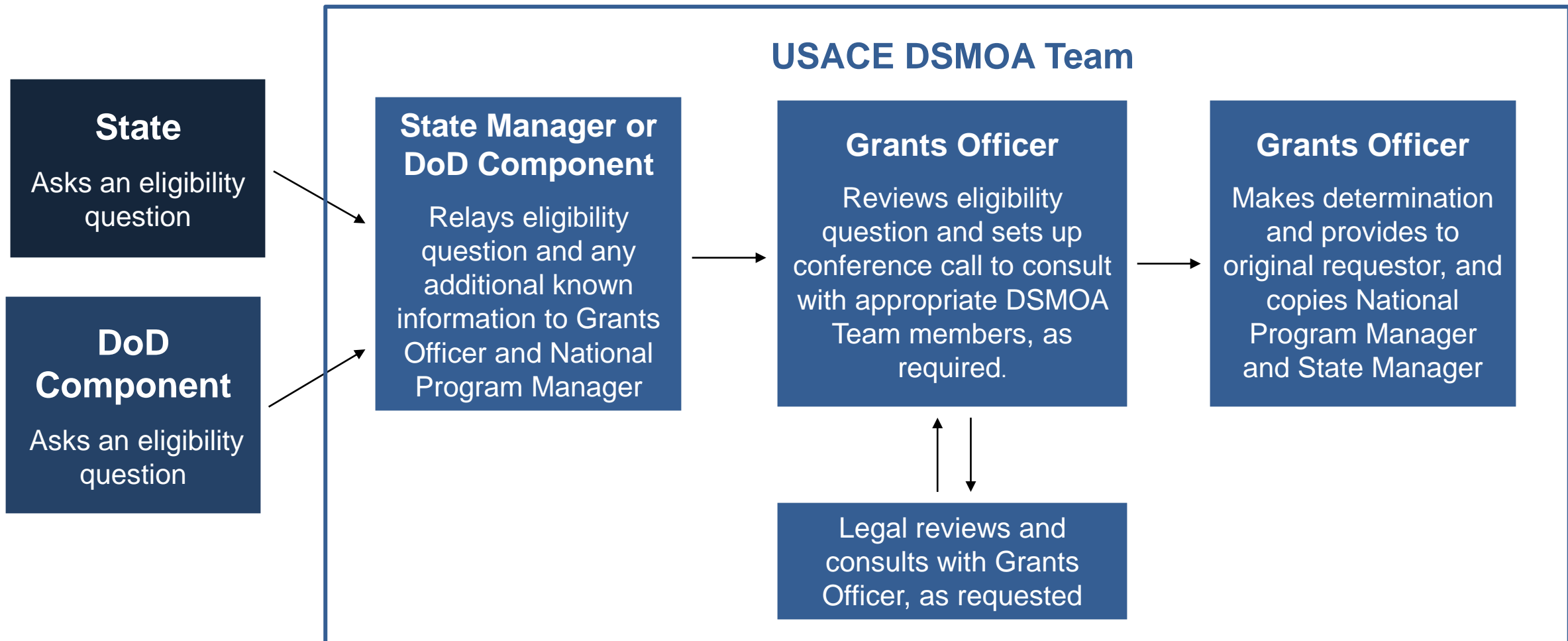
DSMOA PROGRAM ELIGIBLE SERVICES



State services are eligible for DSMOA reimbursement if the services are:

1. Incorporated into the current CA
2. In continuance of DERP funded DoD environmental restoration activities
3. Identified as eligible in the State's DSMOA
4. Agreed to and recorded in the installation's JEP

DSMOA ELIGIBILITY DETERMINATION PROCESS



THE PRE-6-STEP PROCESS AND THE 6-STEP PROCESS



PRE-6-STEP PROCESS



Objective: Update installations and assign points of contact (POCs) for the upcoming CA period

Schedule: Mid-May through mid-July

Responsibilities:

- Component POC
 - Identifies installations to be added or removed from Attachment A for the upcoming CA period
 - Assigns Step 2 POC(s), Step 4 POC(s), and alternates for each installation.
- State POC
 - Assigns alternates for each installation



KEY DSMOA CA ROLES



STATE

State Point of Contact (POC)

Responsible for the overall coordination of its State's DSMOA CA, finalizing State JEP activities, developing JEP estimates/budgets, and completing performance reports

State Financial POC

Responsible for financial issues related to the DSMOA CA, and for identifying who has the authority to submit a payment request on behalf of the State. There may be more than one State Financial POC

DoD COMPONENTS

Step 2 POC

Responsible for developing the JEP in coordination with the State POC or State Alternate POC and locking the JEP

Step 4 POC

Responsible for acting as an intermediary between the Step 2 POC and Component POC. May have varying organizational or regional responsibilities within its DoD Component organizational structure

Component POC

Responsible for all JEPs and Component Approved Amounts (CAAs) for its Component funding type(s) in the DSMOA program. Only the Component POC can finalize a DoD CAA

USACE DSMOA TEAM

Grants Officer

The DoD official with the authority to enter into, administer, and terminate a CA on behalf of the Federal government. Responsible for obligating funds and administering CAs on behalf of DoD, as well as making determinations on DSMOA eligibility

DSMOA State Manager

Primary POC to assist States and DoD Components in administration of the DSMOA program

DSMOA Financial Manager

Primary POC to assist States in financial matters related to their DSMOA CAs

DSMOA EXAMPLE SCHEDULE – CA26-28



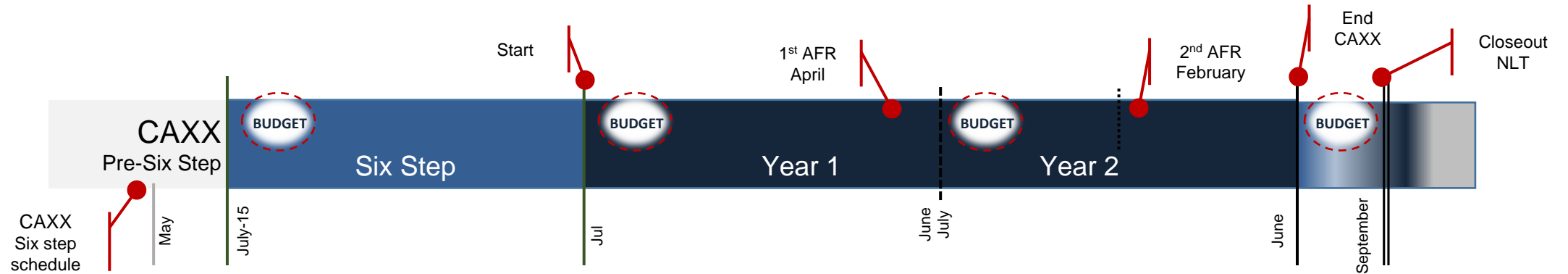
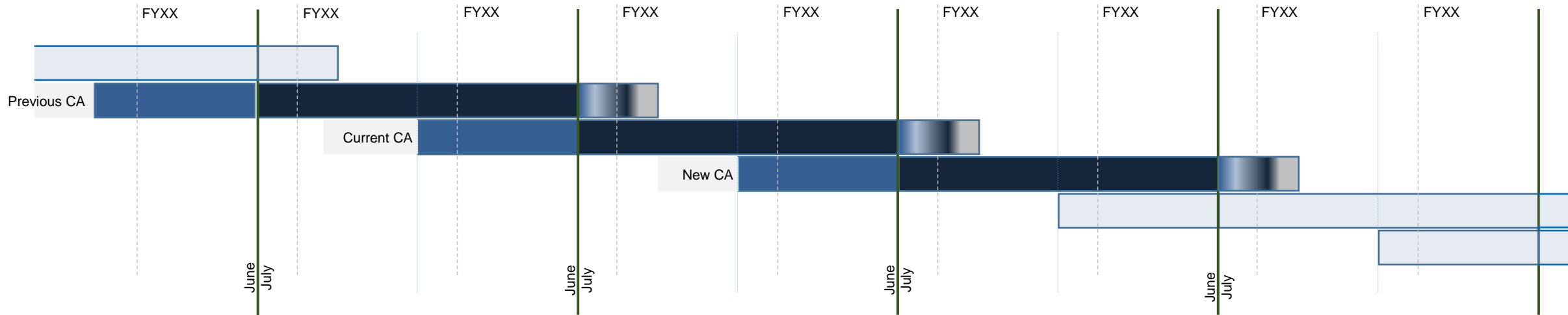
CA26-28 Schedule

Pre-Six (6) Step Activities	START	END
All Users: User Profile Update		
Component POC: Installation/Funding Updates	05-May-2025	03-July-2025
Component POC & State POC: Assigning POCs and Alts	05-May-2025	03-July-2025
DSMOA Team: Admin	07-July-2025	18-July-2025
Step 1 - State Election to Participate		
State Election to Participate	07-July-2025	01-August-2025
Step 2 - Joint Execution Plan (JEP) Development & Coordination		
Step 2 POC: JEP Installation Tasks	04-August-2025	03-October-2025
*Deployment of Critical Portal Updates Required	06-October-2025	06-October-2025
State POC: JEP State Activities	06-October-2025	07-November-2025
Step 2 POC: JEP Lock	10-November-2025	21-November-2025
Step 2 & State POC: Open Season	24-November-2025	05-December-2025
DSMOA Team: Admin	08-December-2025	19-December-2025
All Users: BLACKOUT - NO ACTIVITY	22-December-2025	02-January-2024
Step 3 - State Budget Estimate		
State POC: State Budget Estimate	05-January-2026	30-January-2026
DSMOA Team: Admin	02-February-2026	06-February-2026
Step 4 - Component Approval Amount		
Step 4 POC & Comp POC: Comp Approval Amount	09-February-2026	06-March-2026
Component POC: Reconciliation	09-March-2026	13-March-2026
DSMOA Team: Admin	16-March-2026	20-March-2026
Step 5 - State Cooperative Agreement Application		
State: State CA Application Upload Complete	23-March-2026	17-April-2026
Step 6 - Cooperative Agreement Award		
DSMOA Team: CA Application Review	20-April-2026	18-May-2026
Component POC: Funds Due to DSMOA Team	20-April-2026	30-April-2026
DSMOA Team: Issue CA Package to States	04-May-2026	22-May-2026
**Deployment of Critical Portal Updates Required	18-May-2026	18-May-2026
State POC: Return State Signed CA to DSMOA Team	26-May-2026	12-June-2026
DSMOA Team: Obligate Funding and GO Signature	15-June-2026	01-July-2026
DSMOA Team: CA Award	01-July-2026	

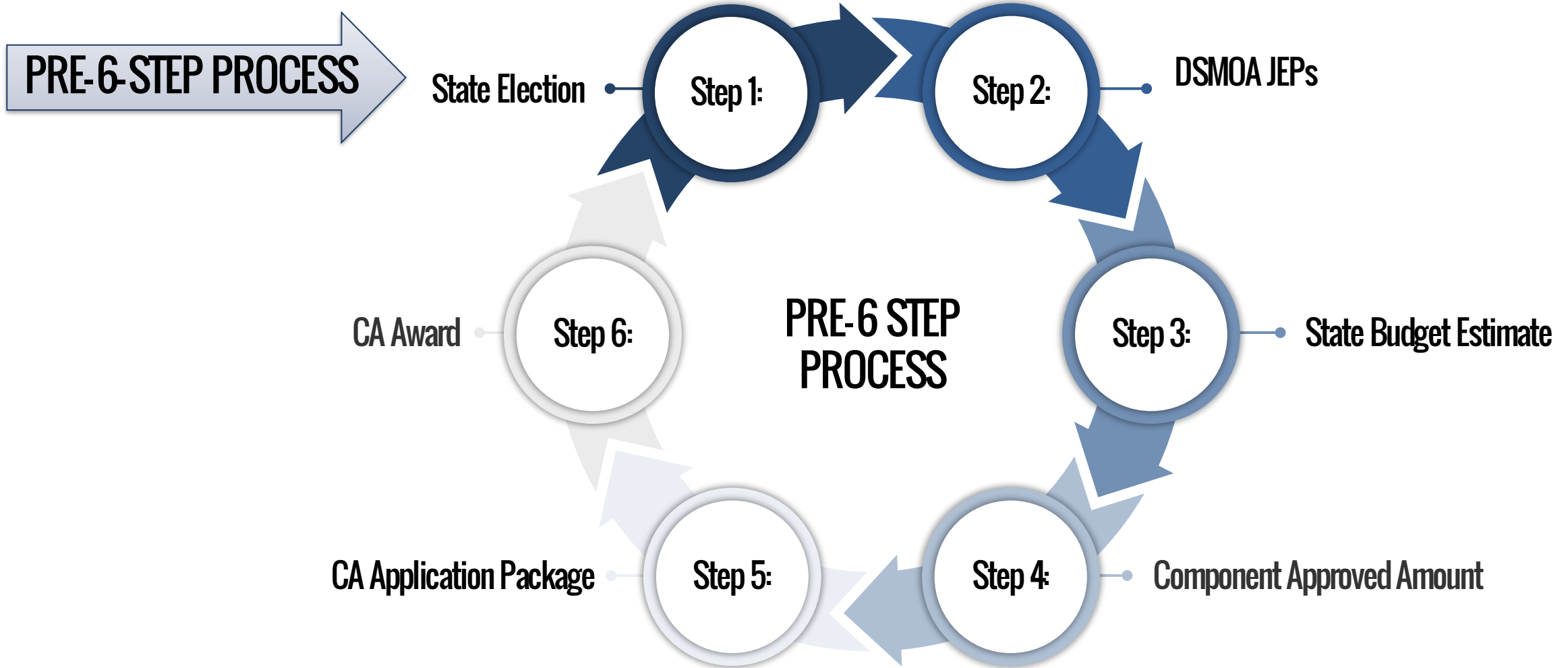
*Deployment of Critical Security Updates Required for Portal

**Deployment of Critical Security Updates Required for Portal

2-YEAR COOPERATIVE AGREEMENT SCHEDULE



6-STEP PROCESS



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STEP 1: STATE ELECTION

Objective: A State elects to participate in the upcoming CA period.

Schedule: Step 1 begins in late July of the calendar year preceding the effective date of the new CA period. Step 1 is two weeks in duration.

Responsibilities: The designated representative for the State (i.e., State POC) must elect to participate in the upcoming CA period on behalf of the State.

Process: Via the DSMOA Portal, the State POC navigates to the “Step 1” page under the “CA Mgt” tab, and elects to participate in the upcoming CA. Detailed instructions for completing this step are available on the DSMOA Portal.

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STEP 2: DSMOA JEPS

Objective: The State POC and Step 2 POC (or their Alternate POCs) jointly develop a JEP for each installation to be included on the State’s CA Attachment A for the upcoming CA period.

Schedule: Step 2 begins in August of the calendar year preceding the effective date of the new CA. Step 2 ends in December.

Responsibilities: The State POC and the Step 2 POC are jointly responsible for developing JEPs.

Process: The Step 2 POC initiates the JEP and enters the Tasks and Subtasks. The State POC (or its assigned alternate) then enters the associated State Activities.

DSMOA Joint Execution Plan
2022-2024 CA
Installation Tasks and State Activities with Notes

Installation: **DETROIT ARSENAL** State: **Michigan** Last modified: **23 November 2021**
DOD Component: **ARMY** Funding Source: **IR** Status: **Component Approved**
JEP built by: **Candice Freeman** State Activities by: **Beth Place**
Locked by: **James Wetherington**

Site or FUDS Project	Joint Execution Plan		State Activity
	Task	SubTask	
DTA_DEARS - PFAS	CERCLA - Feasibility Study (FS)	Draft Public Involvement Plan -- (7/22 - 6/24)	Conference Calls
			Partnering
			Identification and Explanation of ARARs
			Meeting
			Review and Response
			Draft Quality Assurance Project Plan -- (7/22 - 6/24)
			Conference Calls
			Meeting
			Partnering
			Review and Response
			Site Visit
			Field Work Oversight
			QA Sampling (per DSMOA)
			Draft-Final Report -- (7/22 - 6/24)
			Conference Calls
			Meeting
			Partnering
			Review and Response
			Final Report -- (7/22 - 6/24)
			Conference Calls
	Meeting		
	Partnering		
	Review and Response		
	CERCLA - Remedial Investigation (RI)		
	Component Public Meeting (RAB) -- (7/22 - 6/24)		
	Conference Calls		
	Meeting		
	Partnering		
	Public Participation/Public Education		
	Site Visit		
	Review and Response		
	Draft Report -- (7/22 - 6/24)		
	Conference Calls		
	Meeting		
	Partnering		
	Review and Response		
	Identification and Explanation of ARARs		



STEP 2: DSMOA JEPS (CONT'D)

JEP DEVELOPMENT

Two types of JEPs:

- Direct Program Support (DPS)
- Installation Specific

JEPs are mutually agreed upon plans to document the work to be accomplished by the installation and the State during Years 1 and 2 of the next CA.

Step 2 POCs should ensure that JEPs are consistent with the Component's Management Action Plans.



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STEP 2: DSMOA JEPS (CONT'D)

OUT-YEARS DESCRIPTION OF WORK

- Includes a summary of activities and anticipated plans for Years 3 through 6
- Useful in overall workload/project planning

Note: Out-Years can roll forward to become plans for Years 1 and 2 of the following CA.



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STEP 2: Examples of Installation Tasks

- Preliminary Assessment Reports
- Site Inspection Report
- Remedial Investigation Report
- Engineering Evaluation/Cost Analysis
- Feasibility Study Report
- Proposed Plan
- Record of Decision/Decision Document
- Remedial Design
- Remedial Action Work Plan
- Construction Completion Report
- Construction Work Plan & Health and Safety Plan
- Corrective Measure Completion
- Report
- Five-Year Review Report
- News Releases
- Operations & Maintenance Plan
- Plans and Specifications
- Proposed Plan
- Public Involvement Plan
- Quality Assurance Project Plan
- Remedial Action Construction and Completion Report
- Sampling Report
- TPP Memo
- Work Plan
- Five-Year Review
- FUDS Forum Preparation
- Groundwater Monitoring
- Health & Safety Plan
- Historical Document Review
- Installation of Monitoring Wells
- Interim Design
- JEP Development
- Long-Term Monitoring
- Long-Term Monitoring Reports (LTM - ERA Funded)
- Meeting Minutes
- MNA Monitoring
- Monitoring Well Maintenance/Repairs/
- *Training

LIST OF STATE ACTIVITIES



Annual Funding Review**	Conference Calls	DSMOA/CA Preparation**	Equipment	Training**	Grant / Administrative Support
Identification and Explanation of Applicable or Relevant and Appropriate Requirements	Meeting	Other Services Set in DSMOA or Installation Specific Agreements	Partnering**	Public Participation/Public Education	QA Sampling (per DSMOA)
Expedited Review and Response	Review/Determination of Agreement Terms	Site Visit	Supplies	Support Services for Technical Review Committee	Technical and Regulatory Review/No Action

**DPS JEP

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STEP 2: DSMOA JEPS (CONT'D)

DIRECT PROGRAM SUPPORT (DPS) JEP

A DPS JEP is developed for State support that is attributable to most or all installations to eliminate having to distribute costs proportionately to each installation. A DPS JEP is developed for each funding type. Typically, JEPs are built by the Component and coordinated with each State.

EXAMPLE

DSMOA Joint Execution Plan

2022-2024 CA

Installation Tasks and State Activities with Notes

Installation: **DIRECT PROGRAM SUPPORT JEP**
State:
DOD Component:
Funding Source:

Last modified:
Status:
JEP built by:
State Activities by:
Locked by:

Site or FUDS Project	Task	Joint Execution Plan SubTask	State Activity
Direct Program Support Costs	Component Specific DSMOA-Related Training	Component Specific DSMOA-Related Training -- (7/22 - 6/24)	Training
	Cooperate Agreement Application Administration	Cooperative Agreement Application Administration -- (7/22 - 6/24)	Grant / Administrative Support Annual Funding Review
	DSMOA / Cooperative Agreement Application	DSMOA / Cooperative Agreement Application Preparation -- (7/22 - 6/24)	DSMOA/CA Preparation
		Cooperative Agreement Application Administration -- (7/22 - 6/24)	Grant / Administrative Support DSMOA/CA Preparation
	Partnering Meetings ¹	Meetings -- (7/22 - 6/23)	Meeting Partnering

Years 3-6

Notes

¹ Approval for two persons to attend the National FUDS Forum 27-29 Jun 2023 in Pittsburg, PA

JEP Contact Information

Edited JEP?	POC Type	Name	Telephone	E-Mail
✓	State POC			
✓	Step 2 POC			

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STEP 2: DSMOA JEPS (CONT'D)

INSTALLATION SPECIFIC JEP: EXAMPLE - LARGE JEP

DSMOA Joint Execution Plan			
2022-2024 CA			
Installation Tasks and State Activities with Notes			
Installation:		Last modified: 19 November 2021	
State:		Status: Component Approved	
DOD Component: ARMY		JEP built by:	
Funding Source: BRAC LEGACY MMRP		State Activities by:	
		Locked by:	
Joint Execution Plan			
Site or FUDS Project	Task	SubTask	State Activity
Area	CERCLA - Record of Decision (ROD)/Decision Document (DD)	Final ROD/DD -- (7/22 - 6/23) ¹	Conference Calls
			Identification and Explanation of ARARs
			Meeting
			Partnering
			Public Participation/Public Education
			Review and Response
			Site Visit
			Technical & Regulatory Review/No Action
	CERCLA - Land Use Control (LUC) Implementation Plan Review	Draft Report -- (7/22 - 6/23) ²	Conference Calls
			Meeting
			Partnering
			Review and Response
			Site Visit
			Technical & Regulatory Review/No Action
		Final Report -- (7/22 - 6/23) ³	Conference Calls
			Meeting
			Partnering
			Review and Response
			Site Visit
			Technical & Regulatory Review/No Action
	CERCLA - Removal Action (Time Critical/Non-Time Critical)	Draft Work Plan -- (7/23 - 6/24) ⁴	Conference Calls
			Meeting
			Partnering
			Review and Response
			Technical & Regulatory Review/No Action

	CERCLA - Removal Action (Time Critical/Non-Time Critical)	Draft Work Plan -- (7/23 - 6/24) ⁴	Conference Calls
			Meeting
			Partnering
			Review and Response
			Technical & Regulatory Review/No Action
			Identification and Explanation of ARARs
			Public Participation/Public Education
		Final Work Plan -- (7/23 - 6/24) ⁵	Conference Calls
			Meeting
			Partnering
			Review and Response
			Technical & Regulatory Review/No Action
			Identification and Explanation of ARARs
			Public Participation/Public Education
		Site Visit -- (7/23 - 6/24) ⁶	Conference Calls
			Field Work Oversight
			Site Visit
			Technical & Regulatory Review/No Action
Years 3-6			
Site or FUDS Project	Task	SubTask	State Activity
Area	CERCLA - Removal Action (Time Critical/Non-Time Critical)	Draft Report -- (7/24 - 6/28) ⁷	Conference Calls
			Field Work Oversight
			Meeting
			Partnering
			Review and Response
			Site Visit
			Technical & Regulatory Review/No Action
		Final Report -- (7/24 - 6/28) ⁸	Conference Calls
			Field Work Oversight
			Meeting
			Partnering
			Review and Response
			Site Visit
			Technical & Regulatory Review/No Action
Notes			
¹ ROD for Area (MRS-01, MRS-02, and MRS-03).			
² Draft LUCIP for Area MRS-03.			
³ Final LUCIP for MRS-03.			
⁴ Draft Work Plan for MRS-01 Areas 3 and 8.			
⁵ Final Work Plan for MRS-01 Areas 3 and 8.			
⁶ Assumes semi-annual site visits for Year 2 and Years 3-6.			
⁷ Draft Report for MRS-01 Areas 3 and 8.			
⁸ Final Report for MRS-01 Areas 3 and 8.			
JEP Contact Information			
Edited JEP:	POC Type	Name	Telephone
<input checked="" type="checkbox"/>	Component POC		
<input checked="" type="checkbox"/>	State POC		
<input checked="" type="checkbox"/>	Step 4 Alternate POC		

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STEP 2: DSMOA JEPS (CONT'D)

INSTALLATION SPECIFIC JEP:
EXAMPLE - SMALL JEP

DSMOA Joint Execution Plan

2022-2024 CA

Installation Tasks and State Activities with Notes

Installation: _____ Last modified: **3 December 2021**
 State: _____ Status: **Component Approved**
 DOD Component: _____ JEP built by: _____
 Funding Source: _____ State Activities by: _____
 Locked by: _____

Joint Execution Plan

Site or FUDS Project	Task	SubTask	State Activity
01 - Target #9	CERCLA - Remedial Investigation (RI)	Technical Project Planning Meeting -- (7/22 - 6/24)	Conference Calls
			Meeting
			Partnering
			Review and Response
			Site Visit
		Meetings -- (7/22 - 6/24)	Conference Calls
			Meeting
		Draft-Final Work Plan -- (7/22 - 6/24)	Conference Calls
			Meeting
			Review and Response
		Final Work Plan -- (7/22 - 6/24)	Review and Response
			Conference Calls
		Draft Final RI Report -- (7/23 - 6/24)	Conference Calls
			Review and Response
		Final RI Report -- (7/23 - 6/24)	Conference Calls
			Review and Response
	CERCLA - Feasibility Study (FS)	Draft FS Report -- (7/23 - 6/24)	Conference Calls
			Identification and Explanation of ARARs
			Review and Response

Years 3-6	Site or FUDS Project	Task	SubTask	State Activity
	01 - Target #9	CERCLA - Feasibility Study (FS)	Final FS Report -- (7/24 - 6/28)	Conference Calls
				Review and Response
		CERCLA - Proposed Plan (PP)	Public Meetings -- (7/24 - 6/28)	Conference Calls
				Meeting
				Public Participation/Public Education
				Review and Response
				Site Visit

Years 3-6	Site or FUDS Project	Task	SubTask	State Activity
			Draft Final Proposed Plan -- (7/24 - 6/28)	Conference Calls
				Review and Response
				Public Participation/Public Education
			Final Proposed Plan -- (7/24 - 6/28)	Conference Calls
				Public Participation/Public Education
				Review and Response
		CERCLA - Record of Decision (ROD)/Decision Document (DD)	Final ROD/DD -- (7/24 - 6/28)	Conference Calls
				Review and Response
			Draft Final ROD/DD -- (7/24 - 6/28)	Conference Calls
				Review and Response

Notes

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STEP 2: DSMOA JEPS (CONT'D)

FINALIZING THE JEP

Step 2 Installation POC reviews and concurs with entered State Activities.

Step 2 ends with JEP lock.



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STEP 3: STATE BUDGET ESTIMATE

- The State POC develops a budget estimate in the DSMOA Portal for the costs of the activities in each JEP. This includes:
 - Estimating the site-specific costs and non-site-specific costs of providing direct technical and program support based on the agreement reached in Step 2 for Years 1 and 2 of the JEP
 - Preparing an estimated cost (level of effort) for State services for Years 3 through 6
 - Entering and submitting the State budget estimate for each JEP in the DSMOA Portal

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STEP 4: DoD CAA

- Step 4 and Component POCs can access a State's detailed estimates by installation for Years 1 and 2, as well as general estimates for Years 3 through 6, on the DSMOA Portal.
- The Step 4 POC and DoD Component POC review the State budget estimate for reasonableness and determine if the levels of effort appropriately reflect the nature and complexity of the planned activities in the JEP.
- The DoD Component POC enters a 2-year CA Component Approved Amount (CAA) for each funding type in the DSMOA portal.

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STEP 5: CA APPLICATION PACKAGE

Transmittal Letter

Standard Form (SF) 424, Application for Federal Assistance

SF 424A, Budget Information – Non-Construction Programs

- Section A – Budget Summary
- Section B – Budget Categories (personnel, fringe benefits, travel, equipment, supplies, contractual, other, and indirect charges)
- Section C – Non-Federal Resources
- Section D – Forecasted Cash Needs (for Year 1, by quarter)
- Section E – Budget Estimates of Federal Funds Needed for Balance of the Project
- Section F – Other Budget Information

F 424B, Assurances – Non-Construction Programs

DSMOA Supporting Application Breakdown (used in SF 424A)

- State Step 3 Budget Summary
- State Step 3 Budget Detail
- State Budget Breakdown – Totals Step 3
- State Budget Out-Years Summary – Step 3
- State Pending CA Attachment A

Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements
Certification of Signature Authority
Financial Signature Authority
Indirect Rate Information
Audit Information

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STEP 6: CA AWARD

The DSMOA Team:

- Works with the State POC to ensure the CA Application is complete
- Updates the application review status on the DSMOA Portal
- Prepares and issues the CAs to States with complete CA Applications
- Requests DoD Component funding for Year 1

The State POC signs and returns its CA to the DSMOA Team for the Grants Officer's signature.

The DSMOA Team obligates the funding to a State's CA and the Grants Officer signs and awards the CA to the State.

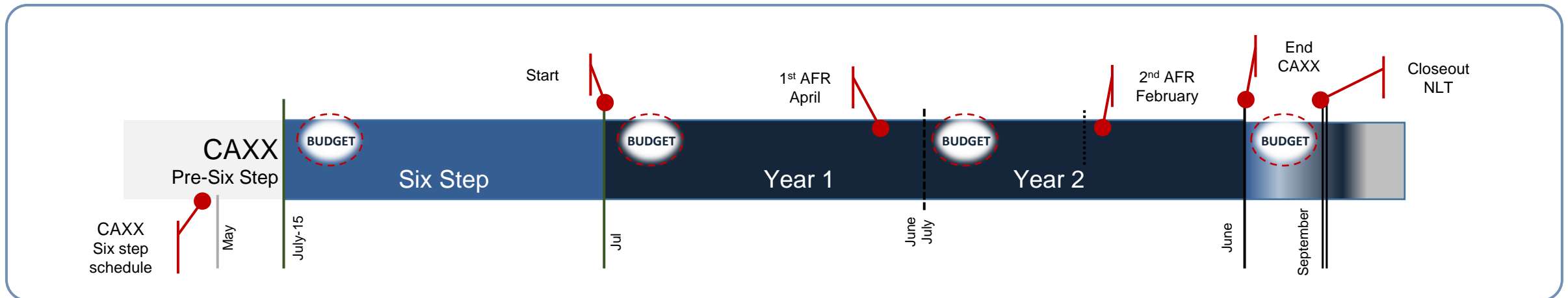
POST CA AWARD



State POC and DSMOA team monitor program funding via two Annual Funding Reviews (AFRs). DoD Components receive results of the AFR and adjust funding levels accordingly.

Update JEPs
Step 2 POCs initiate JEP update.

Installations can be added any time during the active CA cycle.



COMPONENT APPROVED VS. OBLIGATED AMOUNT



The CAA

1. Is the maximum amount used for DoD budgeting purposes
2. Covers the 2-Year CA period
3. Is developed during the 6-Step Process for a State/Territory
4. May be revised as needed at any time during the CA period
5. Is distributed throughout the CA period as funding is made available, not provided to a State in a single portion

COMPONENT APPROVED VS. OBLIGATED AMOUNT (CONT'D)



The Obligated Amount

1. The actual amount of DoD funding awarded to a State's CA to reimburse the State for DSMOA-eligible services performed during a CA period
2. The funding available to the States to bill against
3. Based on a 12-6-6 month DoD funding model
4. Awarded by Component funding types (Installation Restoration Program, Military Munitions Response Program) and may not be interchanged or exceeded
5. 80% notifications are used to request additional funding.

PERFORMANCE REPORTS



Per 2 Code of Federal Regulations (CFR) § 200.329, States are required to submit a Performance Report containing a comparison of actual accomplishments to the objectives established for the CA period.

The evaluation criteria are:

1. Met
2. Partially met
3. Not met

The State POC completes the Performance Report via the DSMOA Portal for each year (Year 1 or 2) for each JEP included in the State's CA Attachment A.

State Alternate POCs may complete the Performance Reports; however, only the State POC may submit the final report.





- The AFR is conducted each year to allow a State POC to:
 - Review the budget estimates developed during Step 3 the previous year
 - Adjust the estimates based on actual and anticipated support during the CA period
- Completion of the AFR process identifies funding state excesses and shortages.
- Based on results of the AFR, adjustments are made as needed to funding under the CAs.

80% OBLIGATION NOTIFICATION AND FUNDING REQUEST



- State POCs must notify the Grants Officer when they have expended 80% of the funding on their CAs (facilitated through the DSMOA Portal).
- The 80% notification provides a standard process for requesting additional funding during the CA. It prevents the States from incurring costs above the obligated amount on its CA Attachment B.

STATE REIMBURSEMENT



- A State is required to submit payment requests at least quarterly. However, States are encouraged to submit payment requests monthly, if possible.



Closing out a DSMOA CA is a requirement of the DoDGARs.

Closeout:

1. Confirms a State was reimbursed for its total costs for DSMOA-eligible services provided during the DSMOA CA period.
2. Ends the DSMOA CA that had been in effect.

To close out, no later than 90 days after the conclusion of the Period of Performance of the CA, a State must:

1. Submit all bills to the DSMOA team
2. Ensure all Performance Reports must have been submitted via the DSMOA Portal

A State may request an extension, in writing, to the Grants Officer. The request should:

1. Contain a justification for the extension
2. Contain a proposed closeout date

QUESTIONS?



DSMOA PORTAL



The DSMOA Portal is a secure, restricted DoD website available only to registered users who participate in the DSMOA program.

The DSMOA Community uses the DSMOA Portal to facilitate communication and conduct official DSMOA business. The DSMOA Portal is accessible at <https://dsmoa.usace.army.mil>.

To access the DSMOA Portal, one must:

- Have a current DoD or State government email; and
- Complete the registration process on the DSMOA Portal sign-in page

After the USACE DSMOA Team verifies the DSMOA Community member's role, the member can access the DSMOA Portal.

COLLABORATION



- The DSMOA program encourages a collaborative process.
- The goal is for each POC to collaborate with their counterparts across all steps.
- Do you understand your role in the DSMOA process?
- Do you know who your counterparts are and when was the last time you interacted with them?

**FOR MORE INFORMATION,
VISIT:**

<https://www.hnc.usace.army.mil/Media/Fact-Sheets/Fact-Sheet-Article-View/Article/482096/defense-and-state-memorandum-of-agreement/>





Thank you!

Please fill out a brief survey here:

<https://forms.office.com/r/OjD1MmuYZh>