



Defense Environmental Restoration Program Manual

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Agenda

Acquisition, Technology and Logistics

- Background
- Defense Environmental Restoration Program (DERP) Manual
- DERP Manual Revisions
- Interim DERP Eligibility Memo
- Benefits of Eligibility Criteria Updates
- Path Forward



Background

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- DoD has a mature cleanup program
- DoD has been working diligently to clarify and consolidate current cleanup policies
- December 2008 - DoD issued a policy memorandum updating the DERP eligibility criteria
- DoD is continuing to work on finalizing its DERP Manual



DERP Manual

Acquisition, Technology and Logistics

- DoD's overarching policy document for environmental restoration
 - Last formally released in 2001
 - Implements policy established in DoDD 4715.1E and DoDI 4715.7
 - Provides a single source of DoD environmental restoration policies and guidance
 - Ensures consistency across DoD Components
 - Streamlines and remove redundancy
- Complies with DoD issuance requirements
 - The format is different but includes the same information



DERP Manual Revisions

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- Specifies Environmental Restoration Account as the sole source of funding
- Includes policy changes since 2001
 - DERP and DSMOA Eligibility Policies
 - Environmental Liability and Cost To Complete policy
 - Federal Facility Agreement (FFA)
 - Vapor Intrusion
 - Management of Bulk Fuel Spills
 - Third Party Sites
 - Clarified Administrative Record Keeping and Five-Year Review Requirements
 - Munitions Response Site Prioritization Protocol
 - Restoration Advisory Board (RAB) Rule



DERP Manual Revisions (cont.)

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- Incorporates previously issued policies
 - Land Use Controls (LUCs) policy/guidance
 - Comeback Commitment
 - Natural Resource Injury
 - Lead-Based Paint Policy
 - Joint policies/guidances are referenced and retained
 - o DoD/EPA Joint Guidance on Streamlined Site Closeout
 - o DSMOA Cooperative Agreement Guide
 - o Intergovernmental Data Quality Task Force Uniform Federal Policy for Quality Assurance Project Plans
 - o DoD/EPA Interim Final Management Principles for Implementing Response Actions at Closed, Transferring, and Transferred Ranges



DERP Manual Revisions (cont.)

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- Program goals
 - Adds Military Munitions Response Program (MMRP) goals for current sites
 - Updates Legacy BRAC goals
 - Develops BRAC 2005 goals and link to the Base Redevelopment and Realignment Manual (BRRM)
- Streamlines reporting requirements



Interim DERP Eligibility Memo

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- DUSD(I&E), *Interim Policy for DERP Eligibility*, December 29, 2008 rescinded certain cutoff dates identified in the 2001 DERP Management Guidance and expanded eligibility for ERA funding
- Elements approved:
 - Eliminate IRP cutoff date
 - Eliminate MMRP cutoff date
 - Include costs of long-term management
 - MC migrating off operational ranges
- Deferred elements:
 - Buried Chemical Warfare Materiel
 - Sea Disposal Sites
- Elements excluded:
 - Closure activities at RCRA permitted facilities
 - Routine operation, management or maintenance, including operational range clearance and maintenance
 - NRC licensed material
 - Spill response activities
 - Explosives or munitions emergency responses
 - Responses at National Guard or State Military Properties
 - Removal of USTs/ASTs
 - Locations outside the US
 - USACE Civil Works activities
 - Asbestos and lead-based paint
 - Payment of fines, penalties, EPA oversight costs, and court judgments/settlements
 - Activities included under NALEMP



Benefits of Eligibility Criteria Updates

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- Aligns the Department's cleanup activities with statutory requirements
- Increases transparency of cleanup efforts
 - Manages cleanups uniformly under one program
 - Improves budget control and reduced impacts to schedule
- Provides Installation Commanders greater flexibility and authority to consider mission requirements when sequencing cleanup work



Path Forward

Acquisition, Technology and Logistics

- Initiated SD 106 Pre-coordination: April 13
- Provided draft DERP Manual (April 2009) to EPA and State and Territorial regulators via ASTSWMO
- Formal SD 106 Coordination
 - Component Review: May 15 – Jul 17
 - Comment Resolution: Jul 20 – Sep 18
- Pre-Signature: September 21
- DERP Manual estimated publication: October 30