

FY15 APP 1022 MOD 1 signed

COOPERATIVE AGREEMENT MODIFICATION

Agreement/Appendix Title and Number: W912PQ-15-2-1022
Project Name/Description and Location: ANG Environmental Program Management
Modification Number: P0001

ISSUED BY: NATIONAL GUARD BUREAU

ISSUED TO: THE STATE OF NEW YORK

This modification is issued pursuant to the Authorities, 31 U.S.C. Chapter 63; MCA and Appendices Article VII, Sect 703; MCCA Article XII, Sect 1201 of the basic cooperative agreements. Mark purpose and obtain signatures as appropriate IAW NGR 5-1, Chapter 3.

- a. FUNDING
- b. TERMS AND CONDITIONS
- c. TERMINATION
- d. OTHER ADMINISTRATIVE: Initial Budget Requirements

Action	Funding Source	From	Change	To
FED	Allotment - 75%		\$ -	
FED	AFP - 75%		\$ 257,250.00	\$ 257,250.00
STATE	Allotment - 25% State	\$ -	\$ -	\$ -
STATE	AFP - 25% State	\$ -	\$ 85,750.00	\$ 85,750.00

DESCRIPTION OF MODIFICATION:

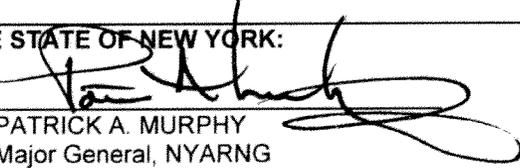
1. JUSTIFICATION: Officially open Appendix 1022 for Fiscal Year 2015.
2. This Appendix, W912PQ-14-2-1022 is hereby extended for Fiscal Year 2015. The effective date is 01October2014 and the termination date is 30September 2015.
3. Appendix W912PQ-14-2-1022 is changed to read W912PQ-15-2-1022 for FY2015.
4. ACTION: Approve and sign modification of ANG Environmental Program Management to officially open Appendix 1022 for Fiscal Year 2015.
5. This Appendix is subject to the availability of funds.
6. As FY2015 budgets are approved by NGB, program managers will add funding to the Appendix by separate modification.

EXECUTION

Except as provided herein, all terms and conditions of the Cooperative Agreement and/or Appendix remain unchanged in full force and effect.

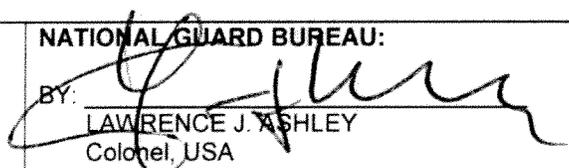
IN WITNESS WHEREOF, the parties by their authorized representatives execute this Cooperative Agreement Modification.

THE STATE OF NEW YORK:

BY: 
PATRICK A. MURPHY
Major General, NYARNG
The Adjutant General

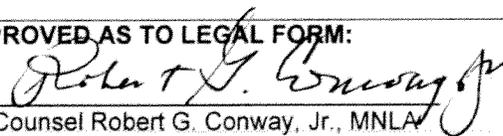
Date: 3 Oct 14

NATIONAL GUARD BUREAU:

BY: 
LAWRENCE J. ASHLEY
Colonel, USA
USPFO for New York

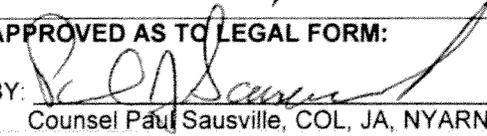
Date: 21 Oct 14

APPROVED AS TO LEGAL FORM:

BY: 
Counsel Robert G. Conway, Jr., MNLA

Date: 26 Sept 2014

APPROVED AS TO LEGAL FORM:

BY: 
Counsel Paul Sausville, COL, JA, NYARNG

Date: 24 Sep 14

**MODIFICATION REQUIREMENTS FOR
AIR GUARD FY-15
Environmental Program
CONTRACT NUMBER W912PQ-15-2-1022
MOD 1-OPEN w/AFP**

AS OF:

9/5/2014

GABRESKI	100% FEDERAL			-
	100% FEDERAL SRM			-
	75% FEDERAL			-
	TOTAL FEDERAL	-	-	-
	25% STATE	-		-
	GRAND TOTAL	-	-	-
106th AFP:		\$64,885.00		
NIAGARA FALLS	100% FEDERAL			-
	100% FEDERAL SRM			-
	75% FEDERAL			-
	TOTAL FEDERAL	-	-	-
	25% STATE	-		-
	GRAND TOTAL	-	-	-
107th AFP:		\$68,374.00		
STRATTON	100% FEDERAL			-
	100% FEDERAL SRM			-
	75% FEDERAL			-
	TOTAL FEDERAL	-	-	-
	25% STATE	-		-
	GRAND TOTAL	-	-	-
109th AFP:		\$67,556.00		
STEWART	100% FEDERAL			-
	100% FEDERAL SRM			-
	75% FEDERAL			-
	TOTAL FEDERAL	-	-	-
	25% STATE	-		-
	GRAND TOTAL	-	-	-
105th AFP:		\$56,435.00		
GRAND TOTAL (ALL BASES)	100% FEDERAL	-	-	-
	100% FEDERAL SRM	-	-	-
	75% FEDERAL	-	-	-
	TOTAL FEDERAL	-	-	-
	25% STATE	-	-	-
	GRAND TOTAL	-	-	-
TOTAL FED AFP		\$ 257,250.00		
TOTAL STATE AFP		\$ 85,750.00		

105th

Request/Validation Comparisons for 2014 -2015

NY G7 Stewart International Airport

Install Code: WHAY0

EEIC	2014		2015		Change in Requested		Change in Validated		
	Requested	Validated	Requested	Validated	2015 - 2014	2015 / 2014	2015 - 2014	2015 / 2014	
FO									
473XX - FO Rental Equip	4,664	5,871	5,828	5,828	1,164	24.96	(43)	(0.73)	
480XX - All Utility Costs	1,078,517	911,454	1,068,017	1,061,476	(10,500)	(0.97)	150,022	16.46	
570F3-F9 - Total CE FOMA Contracts	117,334	75,595	130,626	75,299	13,292	11.33	(296)	(0.39)	
570F3-F9 - Pay for St Employees	318,725	278,504	322,643	294,882	3,918	1.23	16,378	5.88	
570F9 - Pay for R/P Employee	82,012	77,278	86,167	80,879	4,155	5.07	3,601	4.66	
570F9 - Pay for R/A Employee	77,875	65,714	88,176	86,831	10,301	13.23	21,117	32.13	
570F3-F9 - FO Employee Support Costs	8,000	8,000	8,000	8,000	0	0.00	0	0.00	
570F9 - RA/RP Travel (100%)	2,000	2,000	0	0	(2,000)	N/A	(2,000)	N/A	
570F9 - RA/RP Training (100%)	2,000	0	0	0	(2,000)	N/A	0	N/A	
619/570F3-F9 - Non-NSF Supplies	34,500	34,500	38,250	38,250	3,750	10.87	3,750	10.87	
641 - Grounds Fuels	1,875	900	1,950	900	75	4.00	0	0.00	
Totals:	1,727,502	1,459,816	1,749,657	1,652,345	22,155	1.28	192,529	13.19	

SRM

52103 - Total CE FOMA Contracts	50,816	60,466	61,253	60,126	10,437	20.54	(340)	(0.56)
52103 - Pay for St Employees	422,955	412,114	433,407	433,407	10,452	2.47	21,293	5.17
52103 - SRM Employee Support Cost	11,200	11,200	11,200	11,200	0	0.00	0	0.00
52103 - Non-NSF Supplies	71,250	71,250	73,500	73,500	2,250	3.16	2,250	3.16
Totals:	556,221	555,030	579,360	578,233	23,139	4.16	23,203	4.18
iEMS FO/SRM Balance at FY15 validations:		0						

FIRE

000AA - Unspecified Additions	200,000	200,000	0	0	(200,000)	N/A	(200,000)	N/A
000RR - Unspecified Reductions	0	0	0	0	0	N/A	0	N/A
570F1 - Fire Wages	1,503,221	1,433,221	1,388,450	1,388,450	(114,771)	(7.64)	(44,771)	(3.12)
570F1 - Fire Benefits	841,798	841,798	846,955	846,955	5,157	0.61	5,157	0.61
570F1 - Fire FLSA Costs	119,000	119,000	282,500	141,697	163,500	137.39	22,697	19.07
5703A - CPP Costs	0	0	5,917	5,917	5,917	N/A	5,917	N/A
570F1 - Fire Transportation	11,500	11,500	11,500	11,500	0	0.00	0	0.00
570F1 - Fire TDY Costs	11,500	11,500	11,500	11,500	0	0.00	0	0.00
570F1 - Fire Training Costs	20,000	20,000	20,000	15,000	0	0.00	(5,000)	(25.00)
570F1 - Fire Physicals	16,000	16,000	16,500	16,500	500	3.13	500	3.13
570F1 - Fire Other Health Care	6,000	6,000	6,000	6,000	0	0.00	0	0.00
570F1 - Laundry/Linen	2,000	2,000	2,000	2,000	0	0.00	0	0.00
570F1 - Fire Initial Uniforms	6,000	6,000	5,000	5,000	(1,000)	(16.67)	(1,000)	(16.67)
570F1 - Fire Rpl Uniforms	5,000	5,000	6,000	6,000	1,000	20.00	1,000	20.00
570F1 - Fire PPE Costs	20,000	20,000	20,000	18,333	0	0.00	(1,667)	(8.34)
Totals:	2,762,019	2,692,019	2,622,322	2,474,852	(139,697)	(5.06)	(217,167)	(8.07)

ENVIRONMENTAL

5703A - Environmental Costs	54,990	51,750	53,210	53,210	(1,780)	(3.24)	1,460	2.82
5703A - Equipment	3,225	3,225	3,225	3,225	0	0.00	0	0.00

NO CCP?

Request/Validation Comparisons for 2014 -2015

Totals:	58,215	54,975	56,435	56,435	(1,780)	(3.06)	1,460	2.66
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SECURITY

5703S - Security Services	1,632,000	661,300	1,060,200	0	(571,800)	(35.04)	(661,300)	N/A
Totals:	1,632,000	661,300	1,060,200	0	(571,800)	(35.04)	(661,300)	N/A

106th

Request/Validation Comparisons for 2014 -2015

NY G3 Francis S. Gabreski Airport

Install Code: WKVB0

EEIC	2014		2015		Change in Requested		Change in Validated		
	Requested	Validated	Requested	Validated	2015 - 2014	2015 / 2014	2015 - 2014	2015 / 2014	
FO									
473XX - FO Rental Equip	3,679	3,624	3,607	3,625	(72)	(1.96)	1	0.03	
480XX - All Utility Costs	663,776	663,228	835,673	682,565	171,897	25.90	19,337	2.92	
570F3-F9 - Total CE FOMA Contracts	157,003	34,365	200,250	34,375	43,247	27.55	10	0.03	
570F3-F9 - Pay for St Employees	326,267	296,506	246,319	212,426	(79,948)	(24.50)	(84,080)	(28.36)	
570F9 - Pay for R/P Employee	91,160	81,911	93,900	85,071	2,740	3.01	3,160	3.86	
570F9 - Pay for R/A Employee	86,692	86,015	93,900	90,395	7,208	8.31	4,380	5.09	
5703A - CPP Costs	0	0	3,602	3,602	3,602	N/A	3,602	N/A	
570F3-F9 - FO Employee Support Costs	9,600	9,600	6,400	6,400	(3,200)	(33.33)	(3,200)	(33.33)	
619/570F3-F9 - Non-NSF Supplies	27,750	27,750	30,000	30,000	2,250	8.11	2,250	8.11	
641 - Grounds Fuels	0	0	2,813	0	2,813	N/A	0	N/A	
Totals:	1,365,927	1,202,999	1,516,464	1,148,459	150,537	11.02	(54,540)	(4.53)	
SRM									
52103 - Total CE FOMA Contracts	209,432	193,988	235,108	235,250	25,676	12.26	41,262	21.27	
52103 - Pay for St Employees	165,607	165,607	177,439	172,377	11,832	7.14	6,770	4.09	
52103 - SRM Employee Support Cost	4,800	4,800	4,800	4,800	0	0.00	0	0.00	
52103 - Non-NSF Supplies	45,828	44,722	42,000	42,000	(3,828)	(8.35)	(2,722)	(6.09)	
Totals:	425,667	409,117	459,347	454,427	33,680	7.91	45,310	11.08	
iEMS FO/SRM Balance at FY15 validations:		1,599,200							
FIRE									
570F1 - Fire Wages	969,420	969,420	1,038,450	1,017,891	69,030	7.12	48,471	5.00	
570F1 - Fire Benefits	542,864	542,864	623,073	623,073	80,209	14.78	80,209	14.78	
570F1 - Fire FLSA Costs	91,676	91,676	88,167	88,167	(3,509)	(3.83)	(3,509)	(3.83)	
5703A - CPP Costs	0	0	4,030	4,030	4,030	N/A	4,030	N/A	
570F1 - Fire Transportation	5,000	5,000	5,000	5,000	0	0.00	0	0.00	
570F1 - Fire TDY Costs	5,000	5,000	5,000	5,000	0	0.00	0	0.00	
570F1 - Fire Training Costs	30,000	14,400	15,000	11,400	(15,000)	(50.00)	(3,000)	(20.83)	
570F1 - Fire Physicals	8,500	8,500	0	0	(8,500)	N/A	(8,500)	N/A	
570F1 - Laundry/Linen	1,500	1,500	1,500	1,500	0	0.00	0	0.00	
570F1 - Fire Initial Uniforms	3,000	3,000	4,000	4,000	1,000	33.33	1,000	33.33	
570F1 - Fire Rpl Uniforms	4,500	4,500	6,000	6,000	1,500	33.33	1,500	33.33	
570F1 - Fire PPE Costs	20,000	17,600	20,000	13,933	0	0.00	(3,667)	(20.84)	
Totals:	1,681,460	1,663,460	1,810,220	1,779,994	128,760	7.66	116,534	7.01	
ENVIRONMENTAL									
5703A - CPP Costs	0	0	172	172	172	N/A	172	N/A	
5703A - Environmental Costs	64,935	60,625	69,926	61,900	4,991	7.69	1,275	2.10	
5703A - Equipment	2,775	2,775	2,813	2,813	38	1.35	38	1.37	
Totals:	67,710	63,400	72,910	64,885	5,200	7.68	1,485	2.34	

SECURITY

Request/Validation Comparisons for 2014 -2015

5703S - Security Services	873,700	458,000	1,176,500	0	302,800	34.66	(458,000)	N/A
5703A - CPP Costs	0	0	1,801	0	1,801	N/A	0	N/A
Totals:	873,700	458,000	1,178,301	0	304,601	34.86	(458,000)	N/A

Request/Validation Comparisons for 2014 -2015

10744

NY G4 Niagara Falls International Airport

Install Code: RVKQ0

EEIC	2014		2015		Change in Requested		Change in Validated	
	Requested	Validated	Requested	Validated	2015 - 2014	2015 / 2014	2015 - 2014	2015 / 2014
FO								
473XX - FO Rental Equip	1,054	1,293	1,333	1,378	279	26.47	85	6.57
480XX - All Utility Costs	163,508	146,621	133,416	125,699	(30,092)	(18.40)	(20,922)	(14.27)
570F3-F9 - Total CE FOMA Contracts	7,381	9,051	9,331	9,646	1,950	26.42	595	6.57
570F3-F9 - Pay for St Employees	277,661	277,661	245,414	234,884	(32,247)	(11.61)	(42,777)	(15.41)
570F9 - Pay for R/P Employee	91,784	80,202	90,198	81,288	(1,586)	(1.73)	1,086	1.35
570F9 - Pay for R/A Employee	75,976	75,976	77,929	77,929	1,953	2.57	1,953	2.57
5703A - CPP Costs	0	0	1,715	1,715	1,715	N/A	1,715	N/A
570F3-F9 - FO Employee Support Costs	9,600	9,600	8,000	8,000	(1,600)	(16.67)	(1,600)	(16.67)
570F9 - RA/RP Travel (100%)	2,500	2,000	0	0	(2,500)	N/A	(2,000)	N/A
570F9 - RA/RP Training (100%)	2,500	0	0	0	(2,500)	N/A	0	N/A
619/570F3-F9 - Non-NSF Supplies	0	0	4,500	4,500	4,500	N/A	4,500	N/A
641 - Grounds Fuels	450	450	450	450	0	0.00	0	0.00
Totals:	632,414	602,854	572,286	545,489	(60,128)	(9.51)	(57,365)	(9.52)
SRM								
52103 - Total CE FOMA Contracts	59,295	46,419	66,914	47,099	7,619	12.85	680	1.46
52103 - Pay for St Employees	170,197	170,197	117,413	117,412	(52,784)	(31.01)	(52,785)	(31.01)
52103 - SRM Employee Support Cost	4,800	4,800	3,200	3,200	(1,600)	(33.33)	(1,600)	(33.33)
52103 - Non-NSF Supplies	32,775	25,860	22,132	23,062	(10,643)	(32.47)	(2,798)	(10.82)
Totals:	267,067	247,276	209,659	190,773	(57,408)	(21.50)	(56,503)	(22.85)
iEMS FO/SRM Balance at FY15 validations:		842,400						
ENVIRONMENTAL								
5703A - CPP Costs	0	0	172	172	172	N/A	172	N/A
5703A - Environmental Costs	64,442	59,709	65,097	65,097	656	1.02	5,388	9.02
5703A - Equipment	2,730	2,730	3,105	3,105	375	13.74	375	13.74
Totals:	67,172	62,439	68,374	68,374	1,202	1.79	5,935	9.51

109th

Request/Validation Comparisons for 2014 -2015

NY G5 Schenectady Municipal Airport

Install Code: VBDZ0

EEIC	2014		2015		Change in Requested		Change in Validated		
	Requested	Validated	Requested	Validated	2015 - 2014	2015 / 2014	2015 - 2014	2015 / 2014	
FO									
000RR - Unspecified SRM Reduction	0	0	0	0	0	N/A	0	N/A	
473XX - FO Rental Equip	3,521	3,524	3,481	3,481	(40)	(1.14)	(43)	(1.22)	
480XX - All Utility Costs	541,915	335,171	477,436	337,221	(64,479)	(11.90)	2,050	0.61	
570F8 - Custodial Contracts	4,500	4,500	4,500	4,500	0	0.00	0	0.00	
570F3-F9 - Total CE FOMA Contracts	24,650	24,668	24,370	24,370	(280)	(1.14)	(298)	(1.21)	
570F3-F9 - Pay for St Employees	247,153	246,493	246,633	245,757	(520)	(0.21)	(736)	(0.30)	
570F9 - Pay for R/P Employee	85,965	78,697	85,839	78,226	(126)	(0.15)	(471)	(0.60)	
570F9 - Pay for R/A Employee	79,719	77,391	82,120	82,120	2,401	3.01	4,729	6.11	
5703J - AJUA	37,500	0	37,500	37,500	0	0.00	37,500	N/A	
5703A - CPP Costs	0	0	3,285	3,173	3,285	N/A	3,173	N/A	
570F3-F9 - FO Employee Support Costs	6,400	6,400	6,400	6,400	0	0.00	0	0.00	
570F9 - RA/RP Travel (100%)	2,500	2,000	0	0	(2,500)	N/A	(2,000)	N/A	
570F9 - RA/RP Training (100%)	2,500	0	0	0	(2,500)	N/A	0	N/A	
619/570F3-F9 - Non-NSF Supplies	21,000	21,000	23,250	23,250	2,250	10.71	2,250	10.71	
641 - Grounds Fuels	150	0	150	150	0	0.00	150	N/A	
Totals:	1,057,473	799,844	994,964	846,148	(62,509)	(5.91)	46,304	5.79	
SRM									
52103 - Total CE FOMA Contracts	33,422	35,062	33,102	33,102	(320)	(0.96)	(1,960)	(5.59)	
52103 - Pay for St Employees	360,664	360,664	361,675	361,675	1,011	0.28	1,011	0.28	
52103 - SRM Employee Support Cost	9,600	9,600	9,600	9,600	0	0.00	0	0.00	
52103 - Non-NSF Supplies	27,375	27,375	27,375	27,375	0	0.00	0	0.00	
Totals:	431,061	432,701	431,752	431,752	691	0.16	(949)	(0.22)	
iEMS FO/SRM Balance at FY15 validations:		1,119,300							
FIRE									
570F1 - Fire Wages	1,108,917	1,108,917	1,084,168	1,084,168	(24,749)	(2.23)	(24,749)	(2.23)	
570F1 - Fire Benefits	663,834	663,834	579,827	579,827	(84,007)	(12.65)	(84,007)	(12.65)	
570F1 - Fire FLSA Costs	76,500	76,500	235,287	96,969	158,787	207.56	20,469	26.76	
5703A - CPP Costs	0	0	4,439	4,288	4,439	N/A	4,288	N/A	
570F1 - Fire Transportation	4,200	4,200	9,200	9,200	5,000	119.05	5,000	119.05	
570F1 - Fire TDY Costs	9,020	9,020	15,600	15,600	6,580	72.95	6,580	72.95	
570F1 - Fire Training Costs	17,550	14,400	25,200	12,000	7,650	43.59	(2,400)	(16.67)	
570F1 - Fire Physicals	7,500	7,500	8,400	8,400	900	12.00	900	12.00	
570F1 - Fire Other Health Care	1,920	1,920	31,920	7,000	30,000	1562.50	5,080	264.58	
570F1 - Laundry/Linen	1,500	1,500	1,500	1,500	0	0.00	0	0.00	
570F1 - Fire Initial Uniforms	1,800	1,800	2,200	2,200	400	22.22	400	22.22	
570F1 - Fire Rpl Uniforms	8,400	8,400	8,800	8,800	400	4.76	400	4.76	
570F1 - Fire PPE Costs	17,300	17,300	19,200	14,667	1,900	10.98	(2,633)	(15.22)	
Totals:	1,918,441	1,915,291	2,025,741	1,844,619	107,300	5.59	(70,672)	(3.69)	
ENVIRONMENTAL									
5703A - CPP Costs	0	0	178	172	178	N/A	172	N/A	

Request/Validation Comparisons for 2014 -2015

5703A - Environmental Costs	63,012	63,012	63,523	63,523	511	0.81	511	0.81
5703A - Equipment	3,863	3,863	3,863	3,863	0	0.00	0	0.00
Totals:	66,874	66,875	67,563	67,558	689	1.03	683	1.02

SECURITY

5703S - Security Services	1,180,700	68,900	419,200	0	(761,500)	(64.50)	(68,900)	N/A
5703A - CPP Costs	0	0	2,397	0	2,397	N/A	0	N/A
Totals:	1,180,700	68,900	421,597	0	(759,103)	(64.29)	(68,900)	N/A

APPENDIX 22 ANG ENVIRONMENTAL PROGRAM MANAGEMENT

Section 2201. General.

a. This Appendix to the Master Cooperative Agreement (MCA) prescribes the terms, conditions, policies and administrative procedures related to the National Guard Bureau's (NGB's) Federal contribution for the Environmental Division activities of the Air National Guard within the State.

b. Statements of Fact.

(1) The provisions set forth in NGR 5-1 are incorporated into this Appendix by reference.

(2) Only ANG flying unit or training site facilities under tenant code "54" (Air National Guard) listed in the United States Air Force (USAF) Real Property Inventory Detail List [RCS: HAF-PRE(AR)7115] will be supported under this Appendix. These environmental programs may require State matching funds or may be 100% Federal funded depending on the mission of the unit.

Section 2202. Additional Definitions.

a. Environmental Compliance/Corrective Projects. Maintenance and repair and/or construction projects which are initiated to comply with environmental laws, prevent pollution, conserve and restore the environment, and protect human health.

b. Environmental Services. Activities which support or enhance environmental compliance, pollution prevention, conservation and restoration including studies, plans, surveys, tests, monitoring, hazardous waste disposal and management of environmental permits.

c. Program Management. Includes actions, activities and tasks accomplished to maintain an environmental program to include environmental compliance corrective projects, hazardous waste management, ECAMP auditing, training, environmental project reviews, environmental planning activities, and natural resources actions.

d. NEPA. National Environmental Policy Act.

Section 2203. Office of Primary Responsibility.

a. The Office of Primary Responsibility for this Appendix is The Civil Engineer (ANG/A7), National Guard Bureau, Air National Guard Readiness Center, 3500 Fetchet Avenue, Andrews AFB, MD 20762.5157.

b. The Civil Engineer, for the purposes of this Appendix, is a designee of the Chief, National Guard Bureau, and is the individual authorized to make final approval of all environmental program management budgets and modifications, distributions and withdrawals of funds, receive required accounting reconciliation reports, and approve environmental actions specifically reserved under this Appendix for ANG/A7. Within the Civil Engineer Directorate, the Chief, Environmental division (ANG/A7CV) acts for The Civil Engineer in the day to day administration of the Appendix.

Section 2204. Scope of Agreement.

a. Scope of Services: Environmental Programs Management includes three types of environmental actions: Compliance/Corrective Projects, Environmental Services, and Program Management.

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(1) Environmental Compliance/Corrective Projects are maintenance and repair and/or construction projects which are initiated to comply with environmental laws, prevent pollution, conserve the environment, and/or restore the environment. An Environmental Compliance/Corrective Project normally shall result in a complete and environmentally sound facility or structure, but may be phased to meet environmental requirements. Structuring projects with the purpose of circumventing funding approval limits is prohibited.

(2) Environmental Services are activities that support enforcement and compliance, pollution prevention, conservation, and restoration such as studies, plans, surveys, tests, monitoring, hazardous waste disposal and management, and environmental public affairs requirements. Specifically included is the Natural Resource Management Program which includes inventorying, protecting, and restoring state cultural and geophysical resources on lands, facilities and property owned or managed by the National Guard.

(3) Program Management includes actions, activities, and tasks which are accomplished to maintain an environmental program. Program Management includes, but not limited to actions by the Grantee to accomplish environmental activities such as; environmental corrective actions, hazardous waste management, ECAMP auditing, training, environmental project reviews, environmental planning activities, and natural resources actions.

b. Performance Specifications:

(1) Serve as the base wide single point of ANG contact for compliance with the Resource Conservation Recovery ACT (RCRA) and applicable portions of the 40 CFR (Code of Federal Regulations) with regard to hazardous waste (HW) management.

(2) Prepare base annual State HW generation reports and Source Reduction Plans, as mandated by State Law or regulations.

(3) Work NEPA actions for Environmental Baselines Surveys (EBSs), Environmental Assessments (EAs), and Environmental Impact Statements (EISs) and AFI 32-7086/Air National Supplement directives.

(4) Provide training classes in proper management of Hazardous Waste (HW) accumulation points to generators of HW on the facility.

(5) Serve as the base wide single point of ANG contact services for recycling issues and establishment of a Qualified Recycling Plan, as specified in State and Federal guidance.

Section 2205. Authorized charges/Activities.

a. Personnel:

(1) Costs validated by NGB/A7CV for salaries, to include approved overtime and allowable benefits, in accordance with state personnel policy for the payment and benefits of like state government positions within the same geographic area. When there is no like state government position available, salaries and benefits will be equivalent to a comparable grade and series Federal Civil Service position in the geographic area. If a state has a pay raise, pay freeze, pay cap, a hiring freeze or employee furloughs for like positions throughout the state then Appendix employees will have corresponding limitations. Raises for ANG State environmental employees will not exceed those for other state employees.

(2) Costs for travel expenses at a rate consistent with state regulations for personnel performing duty away from their home stations. Grantee employees are authorized travel on military aircraft when performing environmental functions (Reference DODI 4515.13R).

(3) Costs for training fees for training authorized personnel in support of the environmental requirements.

b. Special Machines, Tools, and Equipment.

(1) Costs for the purchase of environmental machines, tools, or equipment used in providing the environmental services. Costs for equipment in excess of \$1,000 are subject to prior approval by ANG/A7CV.

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(2) Costs for reimbursement for repair or maintenance of Grantee owned equipment used solely in support of the environmental program activities.

c. Other.

(1) Costs for required Physical Examination (OSHA) pre-employment, routine, and post-employment physical examinations based on the recommendations of either the Occupational Health or Bioenvironmental Engineering Sections.

(2) Costs for required AFOSH/OSHA clothing and the purchase of safety and other protective clothing required for the duties of the position.

d. Any other charges not specified shall be submitted to ANG/CEV for approval prior to execution.

Section 2206. Unauthorized charges/Activities.

a. Costs of computer equipment, copy machines, fax machines, telephones, or other communications equipment.

b. Costs for uniforms and cleaning charges.

c. Reimbursement for courses, whether accredited or non-accredited and professional training not specifically required for performance of position duties covered under this agreement.

Section 2207. Financial Plan Requirements.

a. Budget.

(1) The CA PM will prepare an annual financial plan (FINPLAN), in accordance with ANG/A7 directives, to be submitted through the Base Civil Engineer for a consolidated financial plan for total Real Property Support (RPS) funds. The Fin Plan shall list by line item the Environmental Services to be funded under the Appendix and the amount the Grantee expects reimbursement from NGB. The Fin Plan shall only list the NGB share of each line item.

(2) The total amount of the Budget shall be the maximum amount for which NGB is obligated to reimburse the Grantee for the costs of performance of this Appendix. Any increase, or decrease, to the budget must be approved by ANG/A7, even if an increase will not cause the maximum obligation amount stated in the Appendix to be exceeded. If such approval increases the amount of the maximum obligation ANG/A7 stated, ANG/A7 shall, if additional funds are available, cause the maximum obligation amount to be increased.

(3) The CA PM must submit a written request to increase or decrease the federal funds in its budget. The CA PM must furnish a copy of the said request to ANG/A7. The request and approval shall not be binding unless a CA modification to this appendix has been executed.

(4) ANG/A7, at its discretion, may unilaterally increase or decrease the Fin Plan total, the total for any facility, or the total for any line item.

b. Element of Expense/Investment Codes (EEICs): EEICs in the ANG/CEV approved Financial Plan are the only authorized EEICs for use. As additional EEICs are required or when changes are necessary, they will be disseminated by official memorandum by the NGB Program Manager.

c. The CA PM shall reconcile the Financial Plan amounts as directed by NGB.

d. Cost Sharing. Depending on the Environmental Programs Management activity line item in the approved Fin Plan, NGB shall contribute no more than 100 percent, 85 percent, 80 percent, or 75 percent of the total cost of

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the activity. The Fin Plan shall separately list the total NGB contribution for 100 percent, 85 percent, 80 percent, and 75 percent Environmental Programs Management activities, and it shall list the total Grantee share.

Section 2208. Appendix Administration.

a. Grantee services to be provided. The Grantee is responsible for providing personnel, supplies, and equipment required to perform those services needed to maintain ANG facilities and installations in good working order. All Grantee employees or contracted personnel will receive technical direction from the Environmental Manager, the Civil Engineer, or the Support Group Commander. Supervision of employees will be in accordance with state policy and procedures. The designated ANG Environmental Program representative providing technical direction will provide input to the Grantee regarding personnel actions (i.e. hiring, performance evaluations, terminations, performance counseling). When employees are required to support ANG Geographically Separated Units (GSU), the supervisor may elect to assign them to work directly at the GSU.

b. Air National Guard Manpower Standard (ANGMS).

(1) ANGMS is the method used by ANG/A7 to determine manpower requirements. It standardizes the number of employees necessary for proper environmental management and support at each ANG installation. The standard ANG installation should have two positions in order to properly manage the environmental activities at a standard ANG Unit.

(2) ANGMS sets the requirements, but does not provide the funding. ANG/A7CV provides the list of authorized Environmental employees based on the total requirement. This listing includes any positions in addition to the standard and any GSU's requiring the position. NGB provides reimbursement for employees that are performing at least 75% of their job function that matches the position description. Additional positions, which are requested and authorized, may be funded using unit funds or through agreements with tenant organizations for work performed.

(3) Supplies and services will be contracted through the Grantee. All supplies and services that are federally procured shall be processed as in-kind assistance in accordance with NGR 5-1, Chapter 8.

(4) When required by Federal assistance program legislation, such as the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, environmental remediation construction will have the provisions of the Davis-Bacon Act [40 U.S.C. 3141 et seq., as supplemented by Department of Labor regulations (29 CFR Parts 1, 3 and 5)], inserted in construction contracts over \$2,000 that are awarded by States and State contractors and subcontractors. The Davis-Bacon Act applies to that portion of the remedial work which calls for excavation, substantial earth moving, removal of contaminated soil, and the actual mobilization of the incinerator followed by restoration of the landscape, regardless of whether such activities are performed with any other construction activities done on any buildings or other structures at the cleanup site.

c. Changes to the instructions, terms and or conditions of this Appendix will be IAW NGR 5-1, Chapter 3. The request shall not be binding unless it is approved by ANG/A7CV. The written request shall be on an instrument containing the signatures of both the USPFO and TAG, or authorized designees.

Section 2209. Funding Limitation.

a. Approved Budget/Annual Funding Program (AFP): The total dollar amount that NGB anticipates, subject to the availability of funds, being available for reimbursement to the Grantee for its costs in fulfilling its responsibilities under this Appendix. This amount may be increased or decreased by NGB during the fiscal year.

b. Total Dollars Obligated: The total amount of funds obligated for NGB's share under this Appendix. Only funds obligated through an executed CA modification to this appendix are available for reimbursement to the Grantee. Funds shall be obligated as received by the CA PM.

c. Accomplished as In-Kind Assistance: The total dollars expended through Federal acquisition. This dollar amount may reflect anticipated In-Kind Assistance and be updated as IKA is approved, but as a minimum shall reflect the total dollars accomplished through In-Kind Assistance in support of this Appendix for each fiscal year as it occurs.

d. The following funding limitations are provided for each fiscal year as it occurs:

1. Fiscal Year 2015:	Approved Budget/(AFP)	Total Dollars Obligated
Federal (75%)	\$ <u>257,250.00</u>	\$
Federal Total	\$ 257,250.00	\$
State (25%)	\$ <u>85,750.00</u>	\$
State Total	\$ 85,750.00	\$

Accomplished as In-Kind Assistance \$0.00

2. Fiscal Year:	VALIDATED ALLOCATION/(AFP)	ALLOCATION
Federal (75%)	\$	\$
Federal Total	\$	\$
State (25%)	\$	\$
State Total	\$	\$

3. Fiscal Year:	VALIDATED ALLOCATION/(AFP)	ALLOCATION
Federal (75%)	\$	\$
Federal Total	\$	\$
State (25%)	\$	\$
State Total	\$	\$

4. Fiscal Year:	VALIDATED ALLOCATION/(AFP)	ALLOCATION
Federal (75%)	\$	\$
Federal Total	\$	\$
State (25%)	\$	\$
State Total	\$	\$

5. Fiscal Year:	VALIDATED ALLOCATION/(AFP)	ALLOCATION
Federal (75%)	\$	\$
Federal Total	\$	\$
State (25%)	\$	\$
State Total	\$	\$

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Section 2210. Agreement Particulars.

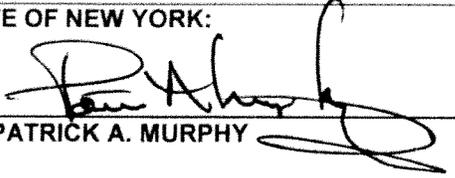
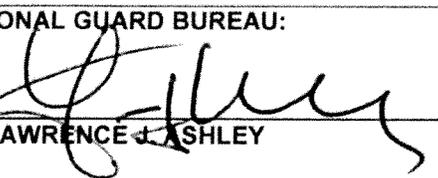
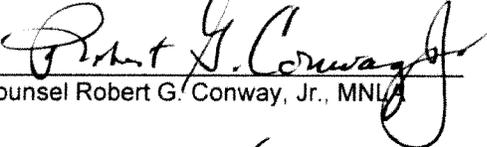
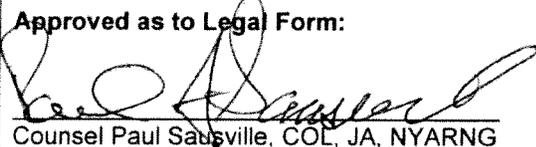
The information below shall be recorded by the Grants Officer's Representative (GOR) for compliance with the reporting requirements of the DoD Assistance Award Action Report System (DAADS) and the Federal Funding Accountability and Transparency Act of 2006.

a. Grantee/Recipient Category:	Government
b. Grantee/Recipient Type:	State Government
c. Grantee/Recipient DUNS:	044776024
d. Primary Place of Performance (if different from 'Issued To' on CA Modification Form):	New York, 12110-3514
(To include Zip + 4)	
e. Grantee/Recipient County (Primary Place of Performance):	36
f. Grantee/Recipient Congressional District (Primary Place of Performance):	Albany
g. Major Agency:	DOD
h. Agency Code:	5700
i. Funding Agency:	Air
j. Program Source Agency:	57
k. Transaction Type:	Cooperative Agreement
l. CFDA:	12.401
m. CFDA Program Title:	Operation and Maintenance, Air National Guard
n. Program Source Account-Funding:	3840
o. Treasury Appropriation Code:	3840
p. Award/Obligation/Action Date:	1 Oct 2014
q. Starting Date:	1 Oct 2014
r. Ending Date:	30 Sep 2015
s. Record Type:	Individual Action
t. Fiscal Year/Quarter:	2015/1 st Qtr

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EXECUTION

IN WITNESS WHEREOF: *The parties, by their signatures, execute this Appendix and agree to its terms and conditions.*

<p>STATE OF NEW YORK:</p> <p>BY:  <u>PATRICK A. MURPHY</u></p> <p>Major General, NYARNG The Adjutant General</p> <p><u>3 Oct 14</u> (Date)</p>	<p>NATIONAL GUARD BUREAU:</p> <p>BY:  <u>LAWRENCE J. ASHLEY</u></p> <p>Colonel, USA USP&FO for New York</p> <p><u>21 Oct 14</u> (Date)</p>
<p>Approved as Legal Form:</p> <p> <u>Counsel Robert G. Conway, Jr., MNL/A</u></p> <p><u>2 Oct 2014</u> (Date)</p>	<p>Approved as to Legal Form:</p> <p> <u>Counsel Paul Sausville, COL, JA, NYARNG</u></p> <p><u>29 Sep 2014</u> (Date)</p>