

**FISH AND WILDLIFE SERVICE
FINANCE**

Finance

Part 264 Cost Recovery and Reimbursable Agreements

Chapter 3 Reimbursable Agreements for Spill Response Activities

264 FW 3

3.1 What is the purpose of this chapter? This chapter establishes guidance and procedures for the preparation and approval of reimbursable agreements for spill response for oil or other hazardous substance releases.

3.2 What is the scope of this chapter?

A. This chapter covers:

(1) Pollution Removal Funding Authorizations from the U.S. Coast Guard's National Pollution Funds Center for response activities related to oil or other hazardous substance releases, and

(2) Emergency Support Function #10 Mission Assignments from the U.S. Environmental Protection Agency (EPA) for emergency response activities related to oil or other hazardous substance releases.

B. The chapter **does not** cover:

(1) Reimbursable, intergovernmental, or intragovernmental agreements where we provide products or services to a non-Service party or another Federal agency (see 264 FW 2); and

(2) Natural Resource Damage Assessment and Restoration (NRDAR) work. We use a different process for recovering NRDAR costs.

3.3 Why does the Service treat reimbursable agreements for spill response differently from other reimbursable agreements?

A. Under the normal reimbursable process, we must seek advance funding from the other entities before we enter into an agreement and provide services. The Oil Pollution Act (OPA) authorizes us to perform work and ensures there is funding available so we will get reimbursed after we bill the Coast Guard or EPA and provide cost documentation.

B. Pollution Removal Funding Authorizations require a signature approval only from the paying agency (i.e., the National Pollution Funds Center). Under the typical reimbursable process, we must have approving signatures from both the paying and recipient agencies.

C. Cost recovery rates for spill response activities may include a Regional indirect rate in addition to the standard rate. **Please contact your Regional Budget and Finance Officer for current rates.**

D. We usually bill the U.S. Coast Guard or EPA when we complete the response activity. For other reimbursable agreements, we bill monthly or quarterly.

3.4 What are authorities for this chapter? See 264 FW 1, Exhibit 1 for the authorities for the chapters in Part 264.

3.5 Who is responsible for agreements related to spill response? Table 3-1 identifies roles and responsibilities for spill response reimbursable agreements.

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Table 3-1 Roles and Responsibilities			
Authorized Employee	Agreement Type		Responsibility
Regional Spill Response Coordinator	Pollution Removal Funding Authorization	Same responsibilities for both types of agreements	<ol style="list-style-type: none"> 1. Coordinates request for funding authorization and subsequent increases as necessary for specific response activity. 2. Must notify the appropriate agency when we complete response activities. 3. Must notify the budget staff when we complete activities.
	Emergency Support Function Mission Assignments		
Regional Office or Field Office Budget Staff	Pollution Removal Funding Authorization	Same responsibilities for both types of agreements, except for who cost documentation package goes to	<ol style="list-style-type: none"> 1. Ensures that all allowable costs are captured and that accurate and complete cost documentation packages are sent to the National Pollution Funds Center (for Pollution Removal) or the EPA (for Emergency Support) for reimbursement of costs within 120 days of completion of response activity. 2. Closes out agreements by: <ol style="list-style-type: none"> (a) Preparing and sending an SF-1081 to the Cost Accounting Section, and (b) Sending a cost documentation package to the paying agency.
	Emergency Support Function Mission Assignments		

/sgd/ Rowan W. Gould
DEPUTY DIRECTOR

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