

Progress Toward Implementing **SUPERFUND**

Fiscal Year 1996

REPORT TO CONGRESS

Required by
Section 301(h) of the
Comprehensive Environmental Response,
Compensation and Liability Act (CERCLA) of 1980,
as amended by the Superfund Amendments and
Reauthorization Act (SARA) of 1986

Notice

This Report to Congress has been subjected to the U.S. Environmental Protection Agency's (EPA's) review process and approved for publication as an EPA document. For further information about this Report, contact the Office of Planning Analysis and Resource Management, Office of Emergency and Remedial Response at (703) 603-8770. Individual copies of the Report can be obtained from the U.S. Department of Commerce, National Technical Information Service (NTIS) by writing to NTIS, 5285 Port Royal Road, Springfield, VA 22161, or calling (703) 605-6000.

Foreword

The U.S. Environmental Protection Agency (EPA) continued its progress in protecting public health, welfare, and the environment through the Superfund program in fiscal year 1996 (FY96). As the Superfund program completed its sixteenth year, the Agency had begun work at over 97 percent of the 1,387 sites on the National Priorities List (NPL), and completed construction on 410 of them. EPA is pleased to submit this Report documenting the fiscal year's achievements. Through administrative improvements implemented during the year, the Agency continued its efforts to accelerate the pace of cleanup, enhance the fairness of the Superfund program, reduce transaction costs, and expand public involvement. In addition, during FY96, the Office of Emergency and Remedial Response (OERR) reorganized from a hierarchical, four division structure to a flatter organization of 14 centers. The purpose of the reorganization was to accelerate site cleanup, promote teamwork, empower states, and provide better customer service.

Section 301(h) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund), as amended by the Superfund Amendments and Reauthorization Act of 1986, requires the Agency to report annually on response activities and accomplishments and to compare remedial and enforcement activities with those undertaken in previous fiscal years. During the fiscal year, the Agency or potentially responsible parties (PRPs) started approximately 36 remedial investigation/feasibility studies, 74 remedial designs (RDs), and 116 remedial actions (RAs). PRPs began 73 percent of the RDs and 71 percent of the RAs. Continuing its successful efforts to compel PRPs to undertake cleanup, EPA entered into enforcement agreements worth almost \$1.0 billion in settlements and response work. The Agency and PRPs have also now undertaken more than 4,238 removal actions, including approximately 267 during FY96. Federal facility accomplishments have shown dramatic increases. EPA also continued to encourage public involvement in the Superfund process, to enhance partnerships with states and Indian tribes, and to encourage the use and development of treatment technologies. These three aspects of the program were highlighted in the Agency's administrative improvement initiative.

In addition to providing an overall perspective on progress in the past fiscal year, this Report contains the information Congress specifically requested in Section 301(h) of CERCLA, including a report on the status of remedial actions and enforcement activity in progress at the end of the fiscal year and an evaluation of newly developed feasible and achievable treatment technologies. The Report also includes a description of current minority firm participation in Superfund contracts and EPA's efforts to encourage increased participation, as required by Section 105(f). The Report fulfills the requirement of Section 301(h)(1)(E) by providing an update on progress being made at sites subject to review under Section 121(c). This Report also satisfies certain reporting requirements of CERCLA Section 120(e)(5), the *EPA Annual Report to Congress: Progress Toward*

Foreword (continued)

Implementing CERCLA at EPA Facilities as Required by CERCLA Section 120(e)(5). The EPA Inspector General's report on the reasonableness and accuracy of the information in this Report, as required by CERCLA Section 301(h)(2), is included as Appendix D.

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Acronyms

ABA	American Bar Association
ADR	Alternative Dispute Resolution
AOC	Administrative Order on Consent
ARAR	Applicable or Relevant and Appropriate Requirement
BCT	BRAC Cleanup Team
BAC	Bioremediation Action Committee
BRAC	Base Realignment And Closure Act
CA	Cooperative Agreement
CAG	Community Advisory Group
CD	Consent Decree
CERCLA	Comprehensive Environmental Response Cleanup and Liability Act
CERCLIS	CERCLA Information System
CLU-IN	Cleanup Information
CPCA	Core Program Cooperative Agreement
CPR	Center for Public Resources
CSCT	Consortium for Site Characterization Technologies
DERTF	Defense Environmental Restoration Task Force
DoD	Department of Defense
DOE	Department of Energy
DOI	Department of Interior
DOJ	Department of Justice
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-to-Know Act of 1986
ERT	Environmental Response Team
FFA	Federal Facilities Agreement
FFEO	Federal Facilities Enforcement Office
FFERDC	Federal Facilities Environmental Restoration Dialogue Committee
FFRRO	Federal Facilities Restoration and Reuse Office
FUDS	Formerly Use Defense Sites
GET	Genesis Environmental Team
GWRTAC	Ground-Water Remediation Technologies Analysis Center
HEAST	Health Effects Assessment Summary Tables
HRS	Hazard Ranking System
HSRC	Hazardous Substance Research Center
IAG	Interagency Agreement
INSS	Information Network for Superfund Settlements
ISCORS	Interagency Steering Committee on Radiation Standards
LSW	Lead Sites Workgroup
MARLAP	Multi-Agency Radiation Laboratory Protocols Manual
MARSSIM	Multi-Agency Radiation Survey and Site Investigation Manual
MBE	Minority Business Enterprise
MCL	Maximum Containment Level
MOU	Memorandum of Understanding

Acronyms (continued)

NAMC	National Association of Minority Contractors
NAREL	National Air and Radiation Environmental Laboratory
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
NFRAP	No Further Remedial Action Planned
NIEHS	National Institute of Environmental Health Services
NOAA	National Atmospheric Administration
NOID	Notice of Intent to Delete
NORM	Naturally Occurring Radioactive Materials
NPL	National Priorities List
NPR	National Performance Review
NRC	National Response Center
NRMRL	National Risk Management Research Laboratory
NTCR	Non-Time-Critical Removal Action
NTIS	National Technical Information Service
OECA	Office of Enforcement and Compliance Assurance
OERR	Office of Emergency and Remedial Response
OLM	Outyear Liability Model
O&M	Operation and Maintenance
OMB	Office of Management and Budget
ORD	Office of Research and Development
ORIA	Office of Radiation and Indoor Air
OSC	On-Scene Coordinator
OSDBU	Office of Small and Disadvantaged Business Utilization
OSRE	Office of Site Remediation Enforcement
OSWER	Office of Solid Waste and Emergency Response
PA	Preliminary Assessment
PPA	Prospective Purchaser Agreement
PRP	Potentially Responsible Party
RA	Remedial Action
RAB	Restoration Advisory Board
RCRA	Resource Conservation and Recovery Act
RD	Remedial Design
RD/RA	Remedial Design/Remedial Action
RERAM	Radiation Exposure and Risk Assessment Manual
RI/FS	Remedial Investigation/Feasibility Study
ROD	Record of Decision
RPM	Remedial Project Manager
RQ	Reportable Quantity
RTDF	Remedial Technologies Development Forum
SACA	Support Agency Cooperative Agreement
SACM	Superfund Accelerated Cleanup Model
SARA	1986 Superfund Amendments and Reauthorization Act
SEDSS	Sandia Environmental Decision Support System

Acronyms (continued)

SI	Site Inspection
SIP	Site Inspection Prioritization
SITE	Superfund Innovative Technology Evaluation
SPIDR	Society of Professionals in Dispute Resolution
SRP	Superfund Removal Procedures
SSC	Superfund State Contract
START	Superfund Technical Assistance Response Team
TAG	Technical Assistance Grant
TIO	Technology Innovation Office
TOSC	Technical Outreach Services for Communities
TSC	Technical Support Center
UAO	Unilateral Administrative Order
VISITT	Vendor Information System for Innovative Treatment Technologies

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Executive Summary

As the Superfund program entered its sixteenth year in December 1995, the U.S. Environmental Protection Agency (EPA or “the Agency”) continued to fulfill the requirements of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA) for protecting public health, welfare, and the environment. CERCLA requires that EPA update Congress each year on progress in the Superfund program. This Report fulfills the requirement.

EPA is committed to accelerating the pace of hazardous waste site cleanup. As part of this commitment, the Agency completed construction activities to place 64 National Priorities List (NPL) sites in the construction completion category during fiscal year 1996 (FY96). By the end of the fiscal year, work had occurred at more than 97 percent of the 1,387 sites proposed to, listed on, or deleted from the NPL, including a total of 410 sites that have achieved construction completion. Reflecting the Agency’s increasing emphasis on completing site cleanups, nearly 50 percent of the construction completions have been achieved in the past three years.

The Agency also continued its successful efforts to encourage potentially responsible parties (PRPs) to undertake and finance cleanup efforts at Superfund sites. PRPs were leading more than 73 percent of remedial designs (RDs) and 71 percent of remedial actions (RAs) started during the fiscal year. Since the inception of the Superfund program, EPA has reached agreements worth almost \$12.0 billion for PRP response work at Superfund sites, including almost \$1.0 billion achieved this year.

This Report summarizes Superfund FY96 progress, highlighting accomplishments and initiatives to improve the program. Exhibit ES-1 presents a summary of FY96 accomplishments. Exhibit ES-2 provides a comparison of FY96 accomplishments with those of previous years and presents cumulative program accomplishments. FY96 accomplishments reflect the Agency’s commitment to, and focus of resources on, activities required to complete site cleanups.

Site Evaluation Progress

EPA continued its progress in identifying and assessing newly discovered sites. At the end of FY96, there were 39,600 sites identified in the CERCLA Information System, the Superfund inventory of potentially hazardous waste sites. EPA had evaluated more than 95 percent of these sites for potential threats. The assessment activities included 37,694 preliminary assessments and 17,943 site inspections. Based on these evaluations, EPA has determined that 1,387 of the sites should be proposed to, listed on, or deleted from the NPL. This leaves a total of 1,211 remaining on the NPL for FY96. These sites include 27 proposed to, 18 listed on, and 34 deleted from the NPL during FY96. To date, a total of 124 sites have been deleted from the NPL.

To enhance site evaluation efforts, the Agency proceeded with ongoing efforts to address technical complexities associated with lead and radionuclide contamination, which could pose special hazards and problems.

**Exhibit ES-1
Summary of Fiscal Year 1996 Superfund Activities**

Remedial Activities		
Percentage of National Priorities List Sites Where Work Has Begun		97%
Sites Classified as Construction Completions as of September 30, 1996		410
Sites with Remedial Activities in Progress on September 30, 1996		845
Records of Decision Signed ¹		156
Remedial Investigation/Feasibility Study Starts ²		36
<i>Fund-Financed</i>		72%
<i>Potentially Responsible Party-Financed</i>		28%
Remedial Investigation/Feasibility Studies in Progress on September 30, 1996		802
Remedial Design Starts ²		74
<i>Fund-Financed</i>		27%
<i>Potentially Responsible Party-Financed</i>		73%
Remedial Designs in Progress on September 30, 1996		370
Remedial Action Starts ²		116
<i>Fund-Financed</i>		29%
<i>Potentially Responsible Party-Financed</i>		71%
Remedial Actions in Progress on September 30, 1996		594
Removal Activities		
Removal Action Starts ²		267
<i>Fund-Financed</i>		79%
<i>Potentially Responsible Party-Financed</i>		21%
Removal Action Completions ²		276
<i>Fund-Financed</i>		76%
<i>Potentially-Responsible Party-Financed</i>		24%
Site Assessment Activities		
CERCLIS Sites Added ²		600
Preliminary Assessments Conducted ²		781
Site Inspections Conducted ²		359
National Priorities List Sites to Date		1,387
<i>Sites Proposed for Listing During Fiscal Year 1996</i>		27
<i>Final Sites Listed During Fiscal Year 1996</i>		18
<i>Sites Proposed for Deletion During Fiscal Year 1996</i>		37
<i>Sites Deleted During Fiscal Year 1996</i>		34
Enforcement Activities		
Settlements for All Potentially Responsible Party Response Activities	154	(\$888 million) ³
Remedial Design/Remedial Action Settlements ⁴	68	(\$700 million)
Unilateral Administrative Orders Issued (All Actions)	70	N/A
Cost Recovery Dollars Collected	N/A	(\$252 million)
Accomplishments at Federal Facility Sites		
Records of Decision Signed		76
Remedial Investigation/Feasibility Study Starts ²		57
Remedial Design Starts ²		58
Remedial Action Starts ²		70
¹ Records of decision signed for Fund-financed and potentially responsible party-financed sites. ² Numerical values for accomplishments based on information from CERCLIS have been rounded. ³ Estimated value of work potentially responsible parties have agreed to undertake. ⁴ Remedial design/remedial action settlements include remedial design/remedial action consent decrees and unilateral administrative orders with potentially responsible parties have stated their intention to comply.		

Sources: CERCLIS; Office of Waste Programs Enforcement; Office of Emergency and Remedial Response; *Federal Register* notices through September 30, 1996.

**Exhibit ES-2
Summary of Program Activity by Fiscal Year**

	FY80-86 Total	FY87	FY88	FY89	FY90	FY91	FY92	FY93	FY94	FY95	FY96	Total
Removal Completions ^{1,2}	810	230	320	260	290	270	340	290	240	298	276	3,624
CERCLIS Sites ¹	25,200	27,600	30,000	31,900	33,600	34,200	36,400	37,500	38,300	39,000	600	39,600
PA Completions ¹	20,200	4,000	2,900	2,200	1,600	1,300	1,900	1,100	900	813	781	37,694
SI Completions ¹	6,400	1,300	1,200	1,700	1,900	1,900	1,300	700	600	584	359	17,943
National Priorities List Sites ³	901	964	1,194	1,254	1,236	1,245	1,275	1,320	1,355	1,374	1,387	1,387
Remedial Investigation/ Feasibility Study Starts ^{1,2}	660	210	170	170	170	70	90	60	70	30	36	1,736
Records of Decision Signed ²	199	77	152	136	149	175	126	134	159	187	156	1,650
Remedial Design Starts ^{1,2}	120	110	120	180	130	160	170	130	110	84	74	1,388
Remedial Action Starts ^{1,2}	70	70	70	110	80	100	110	120	120	110	116	1,076
Construction Completions ⁴	—	—	—	—	—	61	88	68	61	68	64	410
National Priorities List Deletions ⁵	13	0	5	10	1	9	2	12	13	25	34	124

¹ Numerical values for accomplishments based on information from CERCLIS in FY80 through FY86 have been rounded.
² Includes Fund-financed and potentially responsible party-financed activities; excludes federal facility activities and state-lead activities where no Fund monies were spent.
³ The figures reported in this now represent the cumulative total of proposed, final, and deleted National Priorities List sites as of the end of each fiscal year.
⁴ Adopted as measure of program progress by 1991 30-Day Study Task Force. FY91 value represents FY80 through FY91.
⁵ Total deletions include six sites referred to other authorities in FY96.

Sources: CERCLIS; Office of Emergency and Remedial Response; *Federal Register* notices through September 30, 1996.

Emergency Response Progress

To protect human health and the environment from immediate or near-term threats, the Agency and PRPs started nearly 267 removal actions and completed 276 during FY96. More than 4,238 removal actions have been started and 3,624 have been completed since the inception of the Superfund program.

During FY96, EPA granted 14 exemptions for removal actions to exceed the \$2 million limitation. In addition, EPA granted 15 exemptions allowing removal actions to continue for more than one year.

The Environmental Response Team (ERT) continued to provide expert support for Superfund response actions. During the fiscal year, ERT conducted 143 Superfund responses, responded to 10

oil spills and 4 international incidents, and conducted 233 training courses nationwide. Response to international incidents are not paid for using Superfund dollars.

The Agency continued to work on regulations to establish administrative reporting exemptions for naturally occurring radionuclide releases. EPA proposed a rule on August 4, 1995 (60 *FR* 40042) to expand these exemptions.

In other efforts, the Agency issued guidance entitled *Questions and Answers on Release Notifications and Requirements and Reportable Quantity Adjustments*.

Remedial Progress

Remedial progress during the fiscal year reflects the Agency's continuing efforts to accelerate the pace of cleanup activities and complete cleanups at Superfund sites. At the end of FY96, work had occurred at over 97 percent of the 1,387 sites proposed to, listed on, or deleted from the NPL, and construction activities had been completed to place 410 NPL sites in the construction completion category. During the year, the Agency and PRPs started nearly 36 remedial investigation/feasibility studies (RI/FSs), 74 RDs, and 116 RAs. EPA also signed 156 records of decision (RODs) for Fund-financed and PRP-financed sites. At the end of the year, 802 RI/FSs, 370 RDs, and 594 RAs were in progress at 845 sites.

In efforts to encourage the development and use of innovative treatment technologies to cleanup Superfund sites, the Agency took measures to demonstrate the technologies and provide information about them to potential users. To this end, EPA continued the Superfund Innovative Technology Evaluation Program, sponsored seven technical support centers and the Superfund Technical Assistance Response Team, and provided access to information and training. Working together with other federal agencies, academics, and the private sector, EPA conducted technology transfer efforts that included conferences and forums, demonstration and evaluation of innovative technologies, preparation of reference materials, and development of training and continuing education opportunities.

Enforcement Progress

Enforcement progress for FY96 reflects the Agency's continued commitment to maximize PRP involvement in financing and conducting cleanup, and to recover Superfund monies expended for response actions. During FY96, EPA reached agreements with PRPs worth more than \$888 million in PRP response work. Through its FY96 cost recovery efforts, EPA achieved \$451 million in settlements and collected more than \$252 million for reimbursement of Superfund expenditures. Examples of significant enforcement actions are provided in Chapter 4 of this Report.

While continuing to promote "enforcement first" to secure PRP involvement in financing and conducting cleanups, the Agency also worked to ensure equity in the enforcement process and to seek ways to reduce transaction costs. To support these goals during FY96, the Agency focused on increasing the use of allocation tools such as alternative dispute resolution, encouraging early settlements with *de minimis* and "de micromis" parties, fostering greater fairness for owners and prospective purchasers of Superfund sites, and evaluating the increased use of mixed funding. The Agency also took steps to increase the effectiveness of compliance monitoring, improve cost recovery efforts, and expedite enforcement activities to support accelerated cleanups under SACM.

Federal Facility Cleanups

Federal departments and agencies are largely responsible for implementing CERCLA at federal facility sites. To ensure federal facility compliance with CERCLA requirements, EPA provides advice and assistance, oversees activities, and takes enforcement action where appropriate. At sites on the NPL, EPA must concur in remedy selection.

At the end of FY96, there were 2,070 federal facility sites identified on the Federal Agency Hazardous Waste Compliance Docket. Of the sites on the docket, 158 were proposed to or listed on the NPL, including 151 final and 7 proposed sites. During FY96, 10 sites were proposed to and 24 were listed on the NPL.

Activity during the fiscal year at federal facility sites listed on the NPL, included starting approximately 57 RI/FSSs, 58 RDs, 41 removals, and 70 RAs; signing 76 RODs; and achieving construction completion at 9 sites.

In FY96, the Agency, in conjunction with the Department of Defense (DoD), states, and local citizens, continued to implement the Fast Track Cleanup Program to expedite cleanup and reuse of bases scheduled for closure under the Base Realignment and Closure (BRAC) Act. BRAC was enacted to promote economic recovery of communities near closing bases. EPA, DoD, and the states established BRAC cleanup teams (BCTs) at 110 bases in FY96.

In FY 1996, EPA and DoD worked together to determine what BRAC '95 installations should be included on the "Fast Track Cleanup" list and then develop an appropriate workload assessment of what would be necessary to achieve installation cleanup and reuse. Under the revised Memorandum of Agreement, EPA participated on BRAC Cleanup Teams (BCTs) at 110 BRAC 1, 2, 3, and 4 installations. Of these installations, 32 were NPL sites, and 78 were non-NPL.

CERCLA Section 120(e)(5) requires an annual report to Congress from each federal department or agency on its progress in implementing Superfund at its facilities. EPA's progress at its sites is provided in Section 5.4 of this Report. Of the sites on the Federal Agency Hazardous Waste Compliance Docket at the end of FY96, 25 were EPA-owned.

Resource Estimate for Superfund Implementation

Under section 301(h)(1)(c) of CERCLA, EPA is required to estimate the resources needed to implement Superfund, and CERCLA requires that EPA provide the estimates in this Report. Since the enactment of CERCLA in 1980, Congress has provided Superfund with \$16.3 billion in budget authority (FY81 through FY94). This includes \$1.8 billion for the pre-SARA period (FY81 through FY86) and \$14.5 billion for the post-SARA period, FY87 through FY96.

Estimates of the long-term resources required to implement Superfund are based on the Outyear Liability Model (OLM). The OLM estimate of the cost of completing cleanup of current NPL sites is \$14.9 billion for FY97 and beyond, bringing the total estimated cost for the program to \$31.2 billion.

Superfund Program Support Activities

EPA took measures in FY96 to enhance community involvement, public access to Superfund information, and EPA's partnership with states and Indian tribes. As required by CERCLA Section 105(f), the Agency also engaged in efforts to encourage minority firm participation in Superfund contracting.

In its community involvement efforts, EPA continued measures to tailor activities to the specific needs of individual communities and to identify ways to enhance community involvement efforts. The Agency emphasized the importance of effective community involvement in its administrative improvements and reauthorization efforts. The Agency also continued to provide technical outreach to communities, hold national conferences on community involvement, offer training and workshops, and facilitate community access to technical assistance grants (TAGs). To aid communities in obtaining technical assistance, EPA awarded 11 TAGs during the fiscal year, bringing the total number of TAGs awarded since FY88 to 189, for a total worth of more than \$9.5 million.

To support state and tribal involvement in the Superfund response activities, EPA has awarded nearly \$1.8 billion in cooperative agreements (CAs).

To promote small and disadvantaged business participation in Superfund contracting in FY96, EPA, through direct and indirect procurement, awarded contracts and subcontracts valued at more than \$59.7 million to minority contractors to perform Superfund work. Direct procurement involves any procurement activity in which EPA is a direct party to a contractual arrangement for supplies, services or construction. Under financial assistance programs (indirect procurement), EPA awards grants and/or cooperative agreements to States, local municipalities, universities, colleges, non-profit or profit-making institutions or firms, hospitals and

individuals or otherwise known as recipients. This amount represents more than 8.2 percent of the total dollars obligated to finance Superfund work during the year. To help minority contractors become more successful in winning Superfund contracts and encourage them to participate in the Superfund program, EPA conducted training sessions, conferences, and seminars throughout the year.

Organization of this Report

Information prepared for this Report is assembled in response to Congressional requirements specified in CERCLA. Exhibit ES-3 is a guide to the information required under CERCLA and its location in the Report.

**Exhibit ES-3
Statutory Requirements for the Report**

CERCLA Section	CERCLA Requirement	Report Section	Report Content
301(h)(1)	Annual Report to Congress on the progress achieved in implementing Superfund during the preceding fiscal year	Executive Summary	Initiatives to improve the Superfund program
		Chapter 1	Site evaluation progress
		Chapter 2	Emergency response progress
		Chapter 3	Remedial progress
		Chapter 4	Enforcement progress
		Chapter 5	Federal facility cleanups
		Chapter 7	Community relations, state and Indian tribe, and public outreach activities
301(h)(1)(A)	Detailed description of each feasibility study (FS) at a facility	Section 3.2.4	Overview discussion of RODs signed during the fiscal year, including the number of treatment and containment remedies selected
		Appendix C	List of RODs signed in the fiscal year
301(h)(1)(B)	Status and estimated date of completion of each FS	Appendix A	Status and estimated completion date of each ongoing FS in progress at the end of the fiscal year
301(h)(1)(C)	Notice of each FS which will not meet a previously published schedule for completion and the new estimated date for completion	Appendix A	Scheduled completion date published for the last fiscal year, the scheduled completion date recorded in CERCLIS as of end of the current fiscal year, and identification of schedule changes
301(h)(1)(D)	An evaluation of newly developed feasible and achievable permanent treatment technologies	Section 3.3	Evaluation of newly developed technologies through the Superfund Innovative Treatment Evaluation Program

CERCLA Section	CERCLA Requirement	Report Section	Report Content
301(h)(1)(E) 121(c)	Progress made in reducing the number of facilities subject to review under CERCLA Section 121(c), which requires the report to Congress to contain a list of facilities for which a five-year review is required, the results of all such reviews, and any actions taken as a result of such reviews	Section 3.4	Annual update on progress being made on sites subject to review under CERCLA Section 121(c)
301(h)(1)(F)	Report on the status of all remedial and enforcement actions undertaken during the fiscal year, including a comparison to remedial and enforcement actions undertaken in prior fiscal years	Section 3.2.2 Section 4.2	Information on fiscal year remedial activity starts (including PRP involvement) with a comparison of fiscal year activities to those of previous years Information on fiscal year enforcement activities with a comparison of fiscal year activities to those of previous years
301(h)(1)(G)	Estimates of the amount of resources, including the number of work years or personnel, which would be necessary for each department, agency, or instrumentality which is carrying out any activities to complete the implementation of all duties vested in the department, agency, or instrumentality	Sections 6.1 and 6.3 Section 6.4	EPA resource estimates for completion of CERCLA implementation Other federal agency's and department's estimates for completion of CERCLA implementation
301(h)(2)	Review by the Inspector General and submission of any report related to EPA's activities for reasonableness and accuracy	Appendix D	Review of the Inspector General on this Report
105(f)	Brief description of the contracts which have been awarded to minority firms under Superfund and the efforts made to encourage the participation of such firms in the Superfund program	Section 7.2	Information on minority contracting awards by EPA, states, Indian tribes, and other federal agencies using Superfund monies. EPA efforts to encourage increased minority contractor participation in the Superfund program
120(e)(5)	Annual report to the Congress concerning EPA progress in implementing remedial activities at its facilities	Section 5.4	Report on EPA progress in CERCLA implementation at EPA-owned facilities, including a state-by-state report

Fiscal Year 1996 Initiatives

In FY96, OERR reorganized from a hierarchial four division structure to a flatter organization of 14 centers. The purpose of the reorganization was to accelerate site cleanup, promote teamwork, empower staff, and provide better customer service. In addition, the Agency introduced a third round of initiatives under the Administrative Improvements effort in FY96 to further increase enforcement fairness and reduce transaction costs, improve the effectiveness and consistency of cleanups, enhance meaningful public involvement, and expand the role of state and Indian tribes.

Exhibit ES-4 provides highlights of these and other initiatives undertaken by the Agency during FY96.

**Exhibit ES-4
Fiscal Year 1996 Superfund Program Initiatives**

Superfund Initiative	Accomplishments
<p>Accelerating the Pace of Cleanups: The new and continuing initiatives set forth by EPA in FY96 to accelerate cleanups have saved EPA and stakeholders time and money.</p>	
<p>Expedited Settlements</p>	<ul style="list-style-type: none"> • In efforts to remove small waste contributors from the enforcement process, EPA negotiated several pre-ROD <i>de minimis</i> settlements that will result in the protection of 264 small waste contributors when the public comment period ends. • Streamlining of evaluation of claims from PRPs with limited ability to pay has led to a number of ability-to-pay settlements at Superfund sites.
<p>Improving the PRP Search Process</p>	<ul style="list-style-type: none"> • Based on the information gained from PRP search pilots initiated prior to FY96, EPA was able to begin updating and expanding the PRP Search Manual.
<p>Revised “De Micromis” Guidance</p>	<ul style="list-style-type: none"> • EPA revised the guidance and issued additional guidance to reaffirm the Agency’s policy not to pursue de micromis contributors and improve EPA’s ability to resolve their liability concerns quickly and fairly • The new and revised guidance also streamlines and simplifies the settlement process.
<p>Promoting Economic Redevelopment: EPA is promoting economic redevelopment through its Brownfield Economic Redevelopment Initiative, directed toward empowering States, communities, and others to work together to assess, safely cleanup, and sustainably reuse brownfields. EPA is accomplishing these efforts through the Brownfields Action Agenda.</p>	
<p>Brownfields Initiative</p>	<ul style="list-style-type: none"> • EPA is continuing the two-year Brownfield Assessment Pilots begun in FY95. • By the end of FY96, EPA exceeded its commitment to fund 50 pilots by funding 76 pilots at up to \$200,000 each. • EPA signed memoranda of understanding with the Department of Housing and Urban Development, the Economic Development Administration, and the Departments of Labor and Interior to coordinate issues related to Brownfields redevelopment and to leverage additional opportunities. • Two meetings conducted in regards to brownfields in FY96; a Brownfields Pilot National Workshop and a Brownfields National Conference.
<p>Removing Sites from CERCLIS</p>	<ul style="list-style-type: none"> • EPA continued to remove sites from CERCLIS with the NFRAP status, bringing the total number of sites archived to over 27,000. • Guidance issued on how to research those sites remaining in the CERCLIS inventory and make archive decisions as appropriate.
<p>Partial NPL Deletions</p>	<ul style="list-style-type: none"> • By the end of FY96, EPA had initiated partial deletions at nine sites. • EPA issued guidance establishing SSLs which serve as a basis for partial deletions of NPL listing and guidance aimed at mapping and tracking partial deletions in order to better portray the Agency’s success.
<p>Environmental Justice: EPA continues to ensure that risks to low-income and minority populations are adequately addressed by following the goals outlined in Executive Order 12898 issued in the previous fiscal year.</p>	

Superfund Initiative	Accomplishments
Medical Assistance Plan (MAP)	<ul style="list-style-type: none"> • The MAP continues to improve the delivery of existing medical services to communities with potential exposures to hazardous substances and build environmental health expertise in communities through physicians training and placement. • The EPA continued the pilot site, Del Amo/Montrose in Torrence, California, by obligating an additional \$400,000.
Job Training and Development	<ul style="list-style-type: none"> • EPA continued to work with the HIEHs minority worker training program and plans to develop additional pilots in Brownfield areas. • Work continued with the Hazardous materials Training and Research Institute to expand environmental training curriculum developed at community colleges located near Brownfield sites. • EPA hosted its second workshop designed to assist community colleges in development of environmental curricula in FY96.
Enhancing Community Involvement: During FY96, EPA continued to work to increase community involvement in Superfund cleanups by supporting the creation of CAGS and TAGS.	
Community Advisory Groups	<ul style="list-style-type: none"> • EPA issued an OSWER directive entitled "Guidance for Community Advisory Groups." • EPA took the 16 site CAG program begun in FY95 out of the pilot stage and brought the total number to 23 successfully implemented CAGs by the end of FY96.
Technical Assistance Grants	<ul style="list-style-type: none"> • EPA continued revisions to the TAG regulations in FY96 in an effort to simplify the TAG application and administrative process.
Community Involvement and Enforcement	<ul style="list-style-type: none"> • EPA began evaluating the impacts that enhanced involvement had on both the settlement negotiation process and studies and cleanups themselves from the pilot projects begun in FY95.
Improving Cleanup Effectiveness and Consistency and Reducing Costs	
National Consistency in Remedy Selection Directive	<ul style="list-style-type: none"> • Directive issued on "National Consistency in Superfund Remedy Selection" that identifies a range of efforts that support national consistency in remedy selection and encourages informed discussion of cross-cutting issues.
Soil Screening Guidance National Remedy Review Board	<ul style="list-style-type: none"> • EPA released the final Soil Screening Guidance in FY96 providing soil screening levels (SSLs) for 100 contaminants in soil, or contaminant levels below which there is no concern and above which further site-specific evaluation is warranted. • EPA established the NRRB in FY96 to review proposed cleanup actions at sites meeting specific criteria. The NRRB reviewed 12 proposed decisions during FY96 and provided recommendations on nine of the decisions. The Board's preliminary analysis indicates potential reductions in the range of \$15-30 million in total estimated cleanup costs from review conducted during FY96. • EPA expects to realize cost reductions of approximately \$8 million from 6 of the decisions which have progressed since the Board's recommendations.
Updating Remedy Decisions at Selected Sites	<ul style="list-style-type: none"> • EPA issued guidance on updating remedies specifying three types of changes aimed at streamlining and cost efficiency.

Superfund Initiative	Accomplishments
Establishing New Remedy Selection Management Flags	<ul style="list-style-type: none"> Developed two fact sheets in an effort to help implement the newly created remedy selection management flags, otherwise known as "Rules-of-Thumb."
Clarifying the Role of Cost in Remedy Selection Process	<ul style="list-style-type: none"> EPA issued a fact sheet entitled "The Role of Costs in the Superfund Remedy Selection Process," that summarizes the current role of cost in the Superfund program as established by CERCLA, the NCP, and other guidance.
Presumptive Remedies	<ul style="list-style-type: none"> Throughout FY96, EPA continued its effort to evaluate historical patterns of selecting and implementing remedies to identify and utilize "presumptive" remedies for specific types of sites. EPA estimates time savings from use of these remedies in the range of 36 to 56 percent and future cost reduction of up to 60 percent at municipal landfill pilots.
<p>Expanding the Role of States and Indian Tribes: EPA continued its efforts to expand the roles of states and tribes in the Superfund program by providing funding and technical assistance.</p>	
Voluntary Cleanup Program	<ul style="list-style-type: none"> EPA has been developing a memorandum setting out an interim approach for its relations with state voluntary cleanup programs with an expected completion date in early FY97 Final guidance is expected to be issued at the end of FY97, after EPA assesses how the process is working and receiving public comment. Ten million dollars earmarked in the FY97 appropriations in its continuing efforts to advocate the development or enhancement of state programs that encourage private parties to voluntarily undertake protective cleanups of less seriously contaminated sites.
Federal, State, and Tribal Site Management Program	<ul style="list-style-type: none"> EPA continued to implement the site deferral program.
State and Tribal Superfund Block Funding	<ul style="list-style-type: none"> Initiated the concept of block funding to improve timeliness and effectiveness of the CA process. EPA is developing a report that will provide recommendations on improving the award and utilization of Superfund monies to states and tribes.
<p>Reducing Costs in Enforcement: EPA adopted the use of Site-Specific Special Accounts and Private Party Allocations in efforts to save time and money in enforcement.</p>	
Site-Specific Special Accounts	<ul style="list-style-type: none"> In a May 1996 memorandum, EPA encouraged and advised Regional use of Special Accounts for settlement funds. A June 1996 agreement between EPA, the Office of Management and budget (OMB) and the Department of Treasury allows EPA to retain and apply interest earned on Special Accounts to settlement funds for cleanup of specific sites.
Adopting Private Party Allocations	<ul style="list-style-type: none"> EPA established a national workgroup to determine the parameters and identify opportunities to implement the Private Party Allocation initiative.

Superfund Initiative	Accomplishments
Reduced Oversight for Capable and Cooperative PRPs	<ul style="list-style-type: none"> • Reduction of oversight results in decreased transaction costs for EPA as well as the cooperating parties and increases incentives for settlement. • In July 1996, EPA issued a directive entitled "Reduced Federal Oversight at Superfund Sites with Cooperative and Capable Parties", providing the Regions with guidance for determining whether a PRP is cooperative and capable and encouraging Regions to discuss oversight with stakeholders, acknowledge parties that have already received reduced oversight, and discuss future oversight plans.
Ensuring Fairness in Enforcement: EPA initiated a number of pilot projects and published guidance and policies designed to promote enforcement fairness	
Orphan Share Compensation	<ul style="list-style-type: none"> • In an effort to enhance fairness and encourage PRPs to enter into settlement agreements, EPA announced that it would compensate performing parties for a limited portion of orphan shares in future cleanup settlements. • EPA issued interim guidance entitled "Interim Guidance on Orphan Share Compensation for Settlers of Remedial Design/Remedial Action and Non-Time-Critical Removals." • Established a team of EPA and DOJ staff to resolve issues on a site-by-site basis and to ensure consistent results.
Equitable Issuance of UAOs	<ul style="list-style-type: none"> • EPA issued a memorandum entitled "Documentation of Reason(s) for Not Issuing CERCLA 106 UAOs to All Identified PRPs" which reaffirms EPA's policy to issue UAOs to the largest manageable number of PRPs and establishes the formal procedures required for Regional staff to document their reasons for not issuing UAOs to certain PRPs, or late-identified PRPs.
Use of Allocation Pilots	<ul style="list-style-type: none"> • Continued to utilize its new approach to the allocation of Superfund costs to PRPs, in which, a neutral allocator selected by the PRPs and EPA conducts a non-binding, out-of-court allocation process and assigns shares of responsibility to the PRPs based on a number of equitable factors.