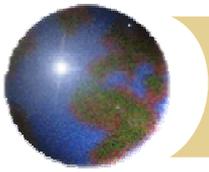


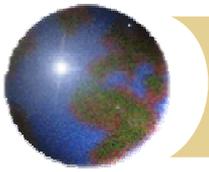
NACEPT SUPERFUND SUBCOMMITTEE

 National Advisory Council for
Environmental Policy and Technology



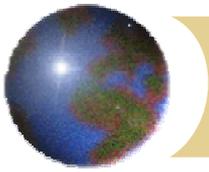
NACEPT SUPERFUND SUBCOMITTEE

- ✚ 1988: EPA established the National Advisory Council for Environmental Policy and Technology (NACEPT)
- ✚ Provides independent advice to the EPA Administrator on broad range of environmental policy, technology and management issues.



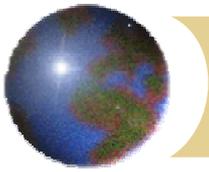
NACEPT Superfund Subcommittee

- ✦ Members include senior leaders and experts who represent academia, business and industry, community and environmental advocacy groups, environmental justice organizations, professional organizations, and state, local, and tribal governments.



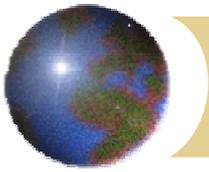
NACEPT

- ✦ Compliance Assistance Advisory Committee
- ✦ Standing Committee on Sectors
- ✦ Effluent Guidelines Task Force
- ✦ Endocrine Disruptor Methods Validation Committee
- ✦ Superfund Committee



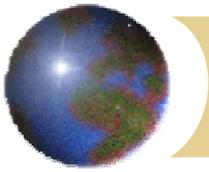
✿ NACEPT: determine future of Superfund

- ✿ Tax lapsed several years ago
- ✿ Cannot afford to clean up mega sites
- ✿ Pace of cleanup unacceptable
 - sites becoming teenagers
- ✿ How to prioritize (role of NPL)
- ✿ Simply healthy to take stock of program status; plan its future



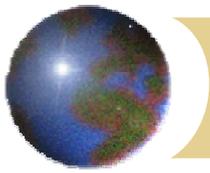
NACEPT Superfund Subcommittee Charge

- ✦ Assist in identifying future direction of Superfund
 - ✦ The role of the NPL
 - ✦ How to deal with 'mega sites'
 - ✦ Measuring program performance



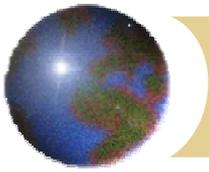
1. The Role of the National Priorities List

- ✚ Now that other tools (programs) exist, what should the role of the NPL be in addressing site cleanup and what does it mean to be placed on the NPL?



The Role of the National Priorities List

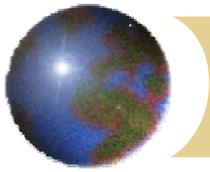
- ✦ A “tool of last resort”?
- ✦ If it’s the tool of last resort, then will other programs (relying on the threat of the NPL) remain effective
- ✦ What should be criteria for getting on the NPL?
- ✦ and...



- ❖ Does it make sense to place sites on the NPL if there isn't money to pay for cleanup?
- ❖ Should only PRP-supported sites go on the NPL?

Then...

Why use the NPL as the cleanup vehicle?



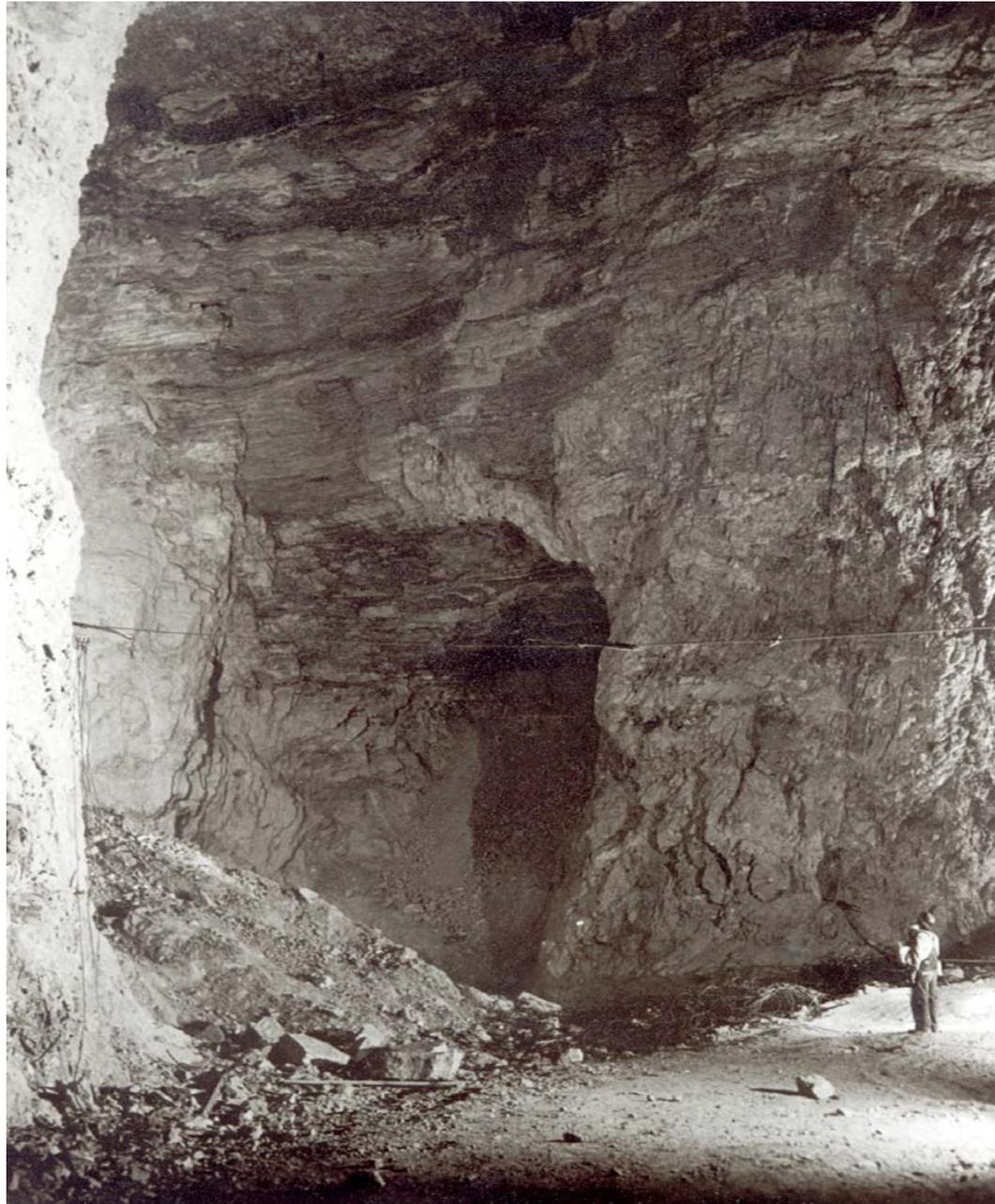
2. *Mega Sites*

- ✦ Remedy exceeds \$50,000,000
- ✦ Other factors (affect entire communities)
- ✦ Tar Creek in Oklahoma; mining and sediment sites in other areas
- ✦ EPA resources cannot address sites of this magnitude... if not them, who?
- ✦ Combined efforts of different agencies

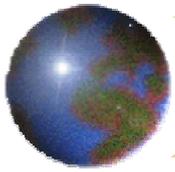


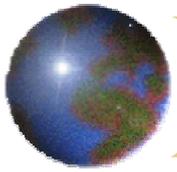


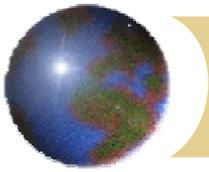






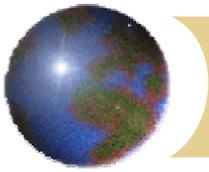






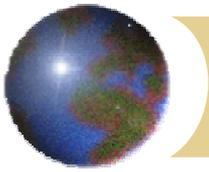
3. Measuring Program Performance

- ❖ Government measures – essential for survival
- ❖ Something lay people can relate to
- ❖ Something that (at least remotely) corresponds to site cleanup progress
- ❖ RCRA: GW releases controlled and Human exposures controlled



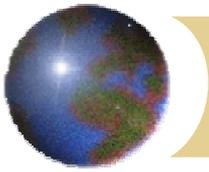
NACEPT progress

- ✪ When looking at the NPL, it leads to looking at the Hazard Ranking System
 - ❏ Principal mechanism used to place sites on the NPL
 - ❏ Score of 28.5 or greater makes site eligible for NPL
 - ❏ Does not prioritize among those scoring 28.5 or greater



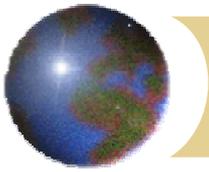
SCREENING... What we think is happening

- ✦ First screen – states or others try to find best pathway/program to address site
- ✦ Second screen: PA/SI & HRS
- ✦ Simultaneously finding out more information and looking for cleanup options... State brownfields...
- ✦ State Superfund (in some states)



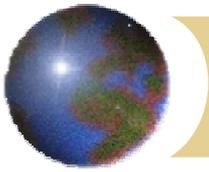
Sites that score 28.5 or greater

- ⊕ All get listed on NPL
- ⊕ “Third Screen” at Regional Level?
- ⊕ “Third (4th?) Screen – at EPA HQ?
- ⊕ Should later screens allow for comparison of relative risk?
- ⊕ ... comparison of cleanup costs?



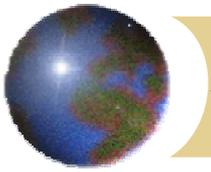
HRS ISSUES

- ❖ Too much variability...
 - among states... among regions... among individuals
 - Bias against rural areas & tribal communities
- ❖ Perception that sites with little or no risk being placed on the NPL...



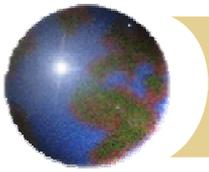
Problems/Challenges

- ✦ State unable to make 10% match
- ✦ Governor does not concur
- ✦ Use absolute risk to determine priority
- ✦ Only list sites in states with robust state cleanup programs
- ✦ Only list sites in states without robust state cleanup programs
- ✦ X number of resources allotted per state



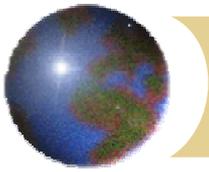
What is the NPL?

1. List of all sites that pose sufficient risk to warrant cleanup
or
2. List of sites for which funds are available to address cleanup



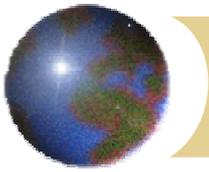
If NPL Is a list of all sites that pose sufficient risk to warrant cleanup...
(Option 1)

- ⊕ True characterization of the problem
- ⊕ Consistent with past perception of NPL
- ⊕ Keeps attention (if not funds) focused on cleanup of sites



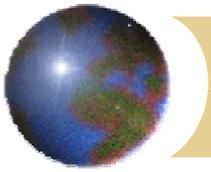
If NPL is list of sites for which funds are available to address cleanup... (Option 2)

- ✦ Forces prioritization of the worst sites
- ✦ More practical view
- ✦ May relegate other sites to a “remediation purgatory with no mechanism to address their risks”



If NPL is list of sites for which funds are available to address cleanup...

- Many committee members felt there should be some statement/commitment about how to deal with sites not listed.
- Some committee members asked if States (and state funds) could do more than they are now.



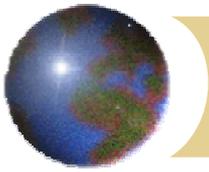
Definition of the NPL:

1. List of all sites that pose sufficient risk to warrant cleanup

or

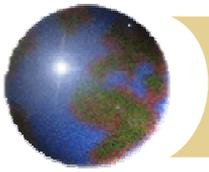
2. List of sites for which funds are available to address cleanup

Then ... Is there an option 1.5?



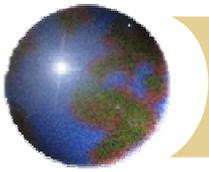
Mega Sites

- ✦ What are they?
- ✦ Remedy cost >\$50,000,000
- ✦ Should they be a separate category?
 - ▣ Why or why not?
- ✦ Program Evolution: Just now getting around to the *really* hard sites.



Measuring Program Performance

- ✦ Continual Challenge
 - ▣ (lesson from politicians)
- ✦ Population Risk Reduction
- ✦ Ecological Risk Reduction Indicators
- ✦ Land Reuse Performance Measures



NACEPT - Schedule

- ⊕ Report complete by December 2003
- ⊕ Ability to reach consensus (?)
- ⊕ Absent consensus, then...